



## RESOLUTION

**WHEREAS,** Franklin D. Haigler faithfully served the City of Orangeburg's Department of Public Works for twenty-eight years with a retirement date of November 23, 2015; and,

**WHEREAS,** he, through his long and faithful service, contributed greatly to the successful operation of the City of Orangeburg's Department of Public Works; and,

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

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

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

**PASSED BY** the City Council of the City of Orangeburg, State of South Carolina, this ninetieth day of January, 2016.

*Michael C. Butch*  
\_\_\_\_\_  
MAYOR

*Bernard Haigler*  
\_\_\_\_\_

*Jandra R. Quates*  
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*Charles B. Bonnell*  
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*Liz Simmons*  
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*Chris*  
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*Richard F. Sturmer*  
\_\_\_\_\_  
MEMBERS OF COUNCIL



ATTEST  
*Carrie Johnson*  
\_\_\_\_\_  
CITY CLERK

# CITY COUNCIL MINUTES

January 5, 2016

2492

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 5, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

## **PRESENT:**

**Michael C. Butler, Mayor**

**Charles B. Barnwell**

**Charles W. Jernigan**

**Bernard Haire**

**L. Zimmerman Keitt**

**Sandra P. Knotts**

**Richard F. Stroman**

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the December 8, 2015, City Council Minutes as distributed. This motion was unanimously approved. The December 15, 2015, City Council meeting was canceled.

Ms. Evelyn Disher accepted the Character Trait Proclamation for January 2016, "Wisdom".

City Administrator Yow addressed Council in regards to the body cameras for the Public Safety Department. He stated, "As you know we went over this in budget sessions and determined there was a need for body cameras and it was adopted in this year's budget."

Chief Adams addressed Council. He stated, "We have a public confidence crisis and using body cameras can restore faith. Our employees at DPS are enthusiastic about the cameras and this will aid in the prosecution of cases. We went through a testing and evaluation phase and the Taser International Cameras are top of the line. They are rugged, very good resolution, good night vision as well as sound and offer three mounts. We looked at another camera that was cheaper and was within budget but we later determined that there were software problems and corruption in the software. We feel the Taser camera is a better product. These cameras are state of the art and can be worn on the lapel, glasses or collar. This system has a replacement policy as well, where we get equipped with new cameras in 2.5 years and in 5 years. The video is downloaded at the end of each shift and Taser stores the data in the Cloud. With the replacement of these cameras, we can stay ahead of the technology curve. I feel this is the best system for us and I will answer any questions."

Councilmember Haire asked, "Are the cameras different and is there a standard recommendation as to where the cameras should be placed on the officer?"

Chief Adams replied, "We are in the process of developing our policy that will be Commission on Accreditation for Law Enforcement Association (CALEA) as well as approved by the Law Enforcement Training Council. The camera is the same and there are three different mounts. I think it would depend on the officer as to which mount he/she will use depending on the visibility. Most will probably use the glasses mount that comes with Oakley ballistic glasses. Any of the mounts will be able to catch all video."

Councilmember Barnwell asked, "Will these cameras be running all the time?"

Chief Adams replied, "All cameras have an on and off switch and they will be running when in contact with the public, traffic stops, etc."

Councilmember Jernigan asked, "Do these work like the in car video cameras?"

Chief Adams stated, "They work very similar to the in car video cameras and we will continue to have redundancy. They will not automatically download like the in-car video cameras, they will have to be docked in order to download and the retention period will be 60 days."

Councilmember Jernigan asked, "Who will have access to the videos?"

Chief Adams replied, "The Director, Deputy Director, Command Staff and the Evidence Custodian only. This is in accordance to CALEA standards and the in-car video is the same."

Councilmember Jernigan asked, "What about FOIA as it relates to the videos, like we sometimes see on television?"

Chief Adams replied, "I will be attending some training as it relates to body cameras and I am sure this will be covered, but I believe some areas of the video are not subject to FOIA."

Councilmember Jernigan stated, "I believe that this is state mandated when we attended some sessions at the MASC Annual Meeting."

Chief Adams stated, "There is a Law Enforcement Body Camera Fund and we can apply for reimbursement. I do not know what formula they are using or if we will get any money back, but we will do the paperwork along with the City Administrator and Assistant City Administrator to get this started. As of right now, no one has gotten any funds."

Councilmember Jernigan stated, "At our meetings, the representatives there stated all you had to do is ask for it."

Councilmember Haire asked, "If the cameras are not running all the time, do you project saving money towards the data cost? Also, if you have vacancies, how does this relate to the number of cameras?"

Chief Adams replied, "We are ordering 80 cameras and we have 79 sworn positions. We have some vacancies, but I am optimistic that we will have some good candidates coming in. The storage is more than adequate and we should not have a problem with storage. If we need additional storage, it is readily available. We have three terabytes per year and each year thereafter. We can also review older footage and purge that if needed."

Chief Adams stated, "We are looking at this as a sole source because when you look at this package, Taser can provide us with the upgrades, repairs and replacement policy, no one else compares. The IT Division agrees with the DPS staff that this is the best camera system for us."

Councilmember Barnwell asked, "This is lease purchase?"

Chief Adams stated, "Yes and at 2.5 years, we get new cameras and at 5 years, we get new cameras."

City Administrator Yow stated, "We would be examining our options for the future in year 4."

Councilmember Jernigan made a motion authorizing the City Administrator to purchase body cameras for the Public Safety Department in the amount of \$103,135.82, seconded by Councilmember Barnwell. This motion was unanimously approved.

Assistant City Administrator John Singh addressed Council. He overviewed the current Downtown Facade Grants and the process. He stated, "The Committee met mid-December and we had \$90,000.00 in requests in our latest round and the Committee had a little over \$50,000.00. Out of the total in grants we are looking at, there will be \$209,000.00 in private monies going toward these projects. We are leveraging grant money and having private money coming in. We are meeting with the awardees on Thursday. We wanted to let you know it is very successful. We would like to increase this budget to \$100,000.00. There are many people who want to apply. The Facade Grant last year made some good improvements to buildings."

Mayor Butler replied, "I was downtown today and I was very impressed and a lot of owners were talking about the grant and how they benefited from it. I think it is a good thing."

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City Administrator Yow stated, "If Council would approve this, we would bring you back an amended budget like we usually do to amend the current year budget."

Councilmember Stroman asked, "Where is this money coming from?"

City Administrator Yow stated, "From the fund balance in the 2% Fund. This is budgeted in the 2% Fund. It is not in the General Fund."

Councilmember Jernigan asked, "What is the average of businesses participating in this grant?"

Assistant City Administrator Singh replied, "I would say about 35 to 40%. We have had positive feedback that it is not complicated and invoices are sent in and we generally turn the money back around in about 10 days."

City Administrator Yow stated, "One person that participated last time thought ahead that he may get another Facade Grant and purchased another building in anticipation of getting another grant."

Assistant City Administrator Singh stated, "If you look down Russell Street toward Palmetto Office Supply, the buildings look great."

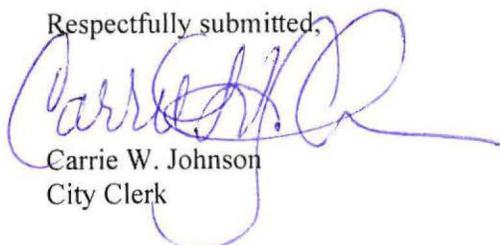
A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt, to approve amending the Facade Grant budget to \$100,000.00. This motion was unanimously approved.

DPU Manager Tommy Miller brought to Council, as information, regarding the weather in December and the reduction of rates. He stated, "We have had the warmest December on record since 1954. This has affected our bottom line and we would like to also announce a second rate reduction in the last year to reflect lower power supply costs. The Orangeburg Department of Public Utilities will implement a rate reduction to reflect lower projected fuel costs from its principal electricity supplier, South Carolina Electric and Gas Company. The reduction will equal approximately \$4.0 million over the next twelve months. This is the second power supply cost reduction in the last twelve months due to lower fuel costs; rates were reduced \$4.4 million in June, 2015. DPU's rates automatically adjust to reflect changes in its power supply costs. The pass through of this cost reduction will be reflected in a reduction in energy charges for all the DPU's customers. A typical residential customer's monthly bill will decline \$4.52 or \$54.00, over the next 12 months. The changes will be reflected in bills dated after January 1, 2016. DPU Manger Tommy Miller states, "Natural gas prices have dropped below \$2 per million BTU; the last time prices for natural gas was this low was over fifteen years ago. Lower customer demands due to a mild winter and historically high levels of domestic natural gas production have contributed to these prices. As a part of DPU's long term power supply agreement entered into with SCE&G on January 19, 2011, SCE&G forecasts its fuel costs each year. SCE&G changes the rate it charges DPU for fuel costs once a year in May based on this forecast. DPU lowered power supply rates in June 2015, based on this forecast. DPU Manager Miller indicated that based on the current market and other information available from SCE&G, we anticipate a further reduction by SCE&G when it performs its next forecast and rather than wait, DPU is lowering the prices now to reflect the current lower fuel prices. A second component of the price that DPU pays for its electricity related to the cost of SCE&G's generating facilities. This component has been fixed under the terms of the power supply agreement since January 1, 2013, and will not change until SCE&G's V.C. Summer Unit #2 goes online some time in 2919."

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  
City Clerk



A RESOLUTION TO SUPPORT THE MUNICIPAL ASSOCIATION  
2016 LEGISLATIVE ADVOCACY INITIATIVES



- 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 an exceptional quality of life; and,
- WHEREAS,** hundreds of municipal officials from across the state collaborated to identify challenges at the municipal level; and,
- WHEREAS,** these challenges can be addressed through a comprehensive approach that includes changes to state law, training from experts, research and collaboration with stakeholders; and,
- WHEREAS,** the Municipal Association identified five advocacy initiatives based on the feedback from local officials including streamline business license processes, fund services, embrace the sharing economy, fix roads and clear blight; and,
- WHEREAS,** looking at and continuing innovative and efficient business licensing practices that support local economic growth; and,
- WHEREAS,** cities and towns need dependable and consistent revenue sources to support the efficient and effective delivery of municipal services that residents and businesses demand for a positive quality of life and economic prosperity; and,
- WHEREAS,** new business models are changing the way consumers and businesses connect and interact on a daily basis; and,
- WHEREAS,** repairing and maintaining existing roads and infrastructure is about encouraging and supporting statewide economic development with infrastructure that can accommodate new industry and support existing industry; and,
- WHEREAS,** dilapidated structures pose a public safety threat in municipalities of all sizes; and,
- WHEREAS,** the City of Orangeburg supports the agenda set forth by the Municipal Association of South Carolina Board of Directors for city and town councils to govern effectively and efficiently;

**BE IT, THEREFORE, RESOLVED** that the Council of the City of Orangeburg affirms on this 19th day of January, 2016, its support for the Municipal Association's 2016 advocacy initiatives for the state's 270 cities and towns.

**DONE AND RATIFIED THIS 19th DAY OF JANUARY, 2016.**



*Michael C. Butch*  
MAYOR

*Jandise P. Kuytes*

*Charles B. Bunnell*

*L. Zimmerman Keith*

*Paul J. Jago*

*Richard J. Stone*

MEMBERS OF COUNCIL

ATTEST:

*Carrie H. Johnson*  
City Clerk

# CITY COUNCIL MINUTES

## January 19, 2016

2495

Orangeburg City Council held its regularly scheduled meeting on Tuesday, January 19, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

### PRESENT:

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

### ABSENT:

**Bernard Haire**

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to approve the January 5, 2016, minutes as distributed. This motion was unanimously approved.

Public Works Director Durwood Bowden and Mayor Butler presented Mr. Franklin D. Haigler a Resolution and watch for his twenty-eight (28) years of service to the City. Director Bowden read a list of all the items that Mr. Haigler worked on during his tenure with the City.

Mr. Andrew Silver of Piedmont Companies Inc., addressed Council in regards to funding of utilities extension at the Orangeburg Charter School for Health and Science Professions on Magnolia Street. He presented a slide show on the project.

He stated, "I would like to go over our vision, reality, location, benefits, and development cost and a request for assistance."

He introduced Ms. Angel Malone, Director of the Charter School. She stated, "I do want to say the Mission of the High School for Health Professions is to improve student achievement through rigorous academic instruction supplemented by innovative teaching, interactive learning and professional mentoring to give students a competitive edge throughout their high school, college and professional years. That is our mission statement that our kids know. We started in 2011 with a vision and a dream and there were local citizens, who along with Orangeburg Consolidated School District 5, performed a work force study for jobs of what would be the competitive jobs in the local area and one of them was health professions. This was the vision and this would feed into the pipeline and we partnered with Orangeburg Calhoun Technical College to make this happen. Through this vision, we now have a school with the first graduating class this year. We are at 89% capacity. I can say we have a waiting list for 9<sup>th</sup> through 11<sup>th</sup> grades. With people that have been supportive, we have been able to form partnerships with the Medical University of South Carolina, Charleston Southern University, Cornell University, South Carolina State University, Claflin University, and Orangeburg Calhoun Technical College. The instructional staff is there and we are busting out the seams, so it is time for us to move."

Mr. Silver stated, "Piedmont decided to assist with this Charter School and we did look at locations. We wanted to come into the City, but there was just no available property. It is my passion to re-generate the City. We then looked at various locations and chose a site on Magnolia Street of thirty-four 34 acres. Since this was coming off of I-26 and could open up a pathway to the City center, we felt like this would bring you past the traffic lights. This location is by the Regional Medical Center, Orangeburg Calhoun Technical College and various other institutions and restaurants. We have a vision that the schools will create an educational campus on both sides of the road. The benefits of this location would be a new destination with commercial retail and offices. The daytime population is expected to be 1,000 people. The job creation would be 100 jobs. This will generate retail businesses because we do not want people to go to Columbia; we want them to stay here. The development is on both sides of the road.

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On the east side is 25.89 acres which would be the Health Professions Charter School (8 acres), Felton Lab Charter School (10 acres) and Commercial and Retail (7.89 acres). On the west side, there is 8.37 acres which would be commercial and retail. The Health Professions Charter School construction cost is \$6 million, Felton Lab Charter School construction cost is \$7 million and the Retail and Commercial construction cost is \$8-\$10 million and the land was just over a million dollars. As you can see, Piedmont is investing over 25 million in this area. The O’Cain Construction Company, a local contractor, is currently doing the site prep work. We have come to you to request assistance on the infrastructure on the site. As you can see, the estimated construction cost of water and wastewater is \$138,747.50. We would like to partner with the City of Orangeburg for assistance in this infrastructure. Can you help us please with the initial infrastructure? Time is of the essence and we need to move forward.”

Councilmember Barnwell asked, “What students are there?”

Mr. Silver replied, “Ninth through twelfth grades.”

Councilmember Barnwell stated, “I have a problem with this, this is a Charter School. We already have two and every student that goes out of the district, the state funds are decreased and the taxes have to increase which is the last thing we need. One thing that I do not want is to charge our taxpayers more money when we take students out of the public schools. I spoke with the Superintendent of School District 5 today.”

Ms. Malone replied, “I would like to respond. We are a public charter school that is sponsored by the local school district so the money remains in the district. The only thing we offer is, if they want a specific career in health professions. It is a public school and it is for any child that wants to come. The money stays in the district and it is governed by School District 5.”

Councilmember Barnwell stated, “According to the superintendent, they will lose money.”

Ms. Malone stated, “It depends on how the school is set up. If you are funded as a state charter school district, then the money will follow the child as in any school transfer. But, when you are sponsored by the local school district, it stays within the local school district.”

Councilmember Jernigan asked, “Is this going to be a new school?”

Ms. Malone replied, “No, our school would relocate there and expand. The curriculum would be the same.”

Councilmember Jernigan asked, “Where does your funding come from?”

Ms. Malone replied, “Most of our funding is generated through state local funds within the district.”

Councilmember Jernigan asked, “These students are selected how?”

Ms. Malone replied, “They are not selected. We have open enrollment and there is an application process. Every child in School District 5 is eligible to apply. We take 100 students per grade, up to 400 for the school.”

Councilmember Jernigan asked, “Are the students enrolled in the Charter School or are they enrolled in Orangeburg-Wilkinson or another school?”

Ms. Malone replied, “They are our students in the Charter School.”

Councilmember Jernigan asked, “Your curriculum is designed to help with health professions? What does that have to do with their general education?”

Ms. Malone replied, "They do take the regular general education classes and the health professions are electives. Some of them even take college classes during their last two years in high school."

Councilmember Jernigan asked, "Would this in any way take students away from Orangeburg-Calhoun Technical College?"

Ms. Malone replied, "No, actually we have some students who have transitioned to Orangeburg-Calhoun Technical College. We have some students who have finished up their courses and are enrolling in the nursing program without having to wait."

Councilmember Jernigan asked, "Does it cost any more for a student to go to the Charter School than Orangeburg-Wilkinson School?"

Ms. Malone replied, "No, it is free."

Mr. Silver stated, "I am asking for the City to assist with the infrastructure, it will be new people and jobs. I hear your concerns, but we have got to look at the big picture. We anticipate spending over \$25,000,000 in the next three years. I don't think we need to isolate the negatives and focus on the future benefit."

Councilmember Jernigan asked, "You are asking the Department of Public Utilities to do this infrastructure at the cost shown and we are to absorb that cost through them? Mr. Miller, can DPU legally do this?"

DPU Director Miller replied, "In the DPU General Terms and Conditions, it states that it has to be paid for by the customer both direct and indirect. We will pay for the gas and electric; he is asking for water and wastewater."

Councilmember Jernigan asked, "This would go to our DPU customers as a pass through?"

DPU Director Miller stated, "Yes."

Mayor Butler stated, "We appreciate you coming and we are going to take this under advisement."

City Administrator Yow addressed Council in regards to the endorsement of the Municipal Association of South Carolina Legislative Agenda through a Resolution. He stated, "Each year the MASC issues advocacy issues that represents the best interests for the cities. I want to briefly touch on those issues. One of them is funding services. They are asking for the Legislature to fully fund local government as set by statute. Also, a change in the State Budget Proviso is recommended to take out the municipal funding of Indigent Defense. MASC is asking for support of legislation promoting the sharing economy. Another initiative is the repairing and maintenance of existing roads and support legislation that municipalities have a direct voice in how local "C" Funds are distributed. Another initiative is to support the passage of the Dilapidated Structures Act as well as simplifying the process of collecting liens in code enforcement cases. Another is to streamline business license processes. As you know, Representative Quinn introduced over a year ago, proposed legislation that would hinder a cities ability to deliver vital services. There have been discussions on a portal where persons across the state could take out licenses only on renewals. Please convey to our local Delegation that we appreciate the support that they give cities. We would prefer no proposed Bills to interfere with Home Rule."

Councilmember Barnwell asked, "What did you say about the Indigent Defense?"

City Administrator Yow replied, “If you remember, last year there was a budget proviso that made municipalities contract with the Public Defender’s Office for services. We know that ticket fines go to Indigent Defense and County taxes also pay for indigent Defense. Our residents pay a percentage of county taxes as well. This is asking for the Budget Proviso to be removed.”

Councilmember Jernigan stated, “I think MASC does an excellent job in their work with the Legislature and it does concern me at times when the state wants to get involved in municipal business. The Legislature is the one that passed Home Rule and then they pass Bills that interfere with Home Rule. Fortunately, we have the MASC, which is a good voice to get that across.”

City Administrator Yow replied, “An example is where Council already decided to purchase body cameras and now we will have to come up with \$40,000 annual recurring costs. But, the State Legislature passed legislation requiring cities to have body cameras, which is an unfunded mandate.

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve the endorsement of the Municipal Association of South Carolina Legislative Agenda. This motion was unanimously approved.

City Administrator Yow addressed Council in regards to an appointment to the Planning Commission. He stated, “As you know Mr. Don Tribble, a long standing member of the Planning Commission has resigned. It is necessary to appoint someone for the remainder of his unexpired term ending January, 2018. This is an “at large” nomination that is generally nominated by the Mayor.”

Mayor Butler stated, “I nominate Shirlan Jenkins for this position.” The vote was unanimous. Councilmember Jernigan asked, “Will she also have to go through training?” Assistant City Administrator Singh stated, “Yes.”

Parks & Recreation Director Shaniqua Simmons addressed Council in regards to vacancies on the Accommodations Tax Committee. She stated, “We have had some vacancies since 2014 that have not been filled. I have contacted several people to see if they would serve on the Committee; the only one that I have gotten a response from is Ms. Beth Thomas of the Fine Arts Center. She has agreed to serve in the “cultural sector”, and this will give us five out of seven positions. We will be having a meeting soon and this should give us a quorum. We currently have requests in.”

City Administrator Yow stated, “We do have to submit a report to the State, so we need to get this vacancy filled so that the Committee can meet.”

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the appointment of Ms. Beth Thomas to the Accommodations Tax Advisory Committee for a four(4) year term ending March 2018. This motion was unanimously approved.

City Administrator Yow addressed Council concerning vacancies in various Commissions whose terms have expired. He stated, “There is no action to be taken tonight and, if you wish for us to contact any of these persons in your district to see if they are interested in serving again, please let Ms. Blackwell know in my office. If not, we will be prepared for nominations for the first meeting in February.”

DPU Manager Miller addressed Council. He stated, “The terms of three (3) members of the Grievance Committee will expire and all employees have agreed to be reappointed.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to reappoint Ms. Tara Rivers to the DPU Grievance Committee. This motion was unanimously approved.

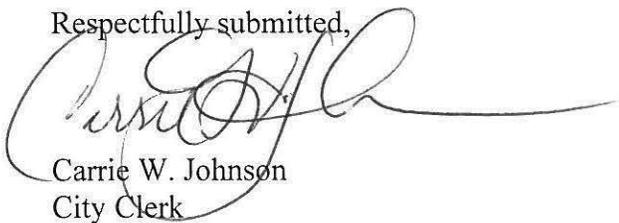
A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to reappoint Mr. Willy Wearing to the DPU Grievance Committee. This motion was unanimously. **2499**

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to reappoint Ms. Dawn Collins to the DPU Grievance Committee. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session concerning the purchase of real property at the corner of Henley and Gibson Streets. Council will not be returning to open session; therefore, the meeting was adjourned.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson  
City Clerk

/pfb





**A RESOLUTION TO DECLARE FEBRUARY 2016  
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 of Orangeburg, South Carolina, affirms on this day, February 2, 2016, 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 2016 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 2nd day of February 2016.



*Michael C. Buttle*  
\_\_\_\_\_  
Mayor

*Dandia P. Knotts*  
\_\_\_\_\_

*Charles A. Banks*  
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*James W. Keith*  
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*Chris J. J. J.*  
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*Richard A. Stum*  
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Members of Council

Attest: *Carrin Johnson*  
\_\_\_\_\_  
City Clerk

# CITY COUNCIL MINUTES

February 2, 2016

2500

Orangeburg City Council held its regularly scheduled meeting on Tuesday, February 2, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

**Michael C. Butler**  
**Charles B. Barnwell**  
**Charles W. Jernigan**  
**L. Zimmerman Keitt**  
**Sandra P. Knotts**  
**Richard F. Stroman**

**ABSENT:**

**Bernard Haire**

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the February 2, 2016, Minutes as distributed. This motion was unanimously approved.

Ms. Evelyn Disher accepted the Character Trait Proclamation for February 2016, "Courage".

A motion was Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to approve the Resolution for "Cities Mean Business". This motion was unanimously approved.

Parks and Recreation Director Shaniqua Simmons addressed Council in regards to the recommendations from the Accommodations Tax Advisory Committee. She stated, "The Committee met on January 28<sup>th</sup> and received \$13,500.00 in requests. We only have \$5,400.00 to disburse, so the recommendations are as follows:

The Committee recommended that the Chamber of Commerce be designated Lead Agency. Orangeburg County Chamber of Commerce requested \$6,000.00 for tourism and promotional items and the Committee recommended \$1,500.00. Orangeburg County Chamber of Commerce for the Festival of Roses requested \$5,000.00 for promotion of the Festival and the Committee recommended \$2,400.00. Orangeburg County Fine Arts Center requested \$1,500.00 for promoting the Festival and Showcase Orangeburg and the Committee recommended \$1,000.00. Parks and Recreation Department requested \$1,000.00 for the promotion of music and dance for the Rose Festival and the Committee recommended \$500.00."

Councilmember Barnwell asked "Where is this money coming from?"

City Administrator Yow replied, "It comes from the State Accommodations Tax monies."

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the recommendations of the Accommodations Advisory Tax Committee. This motion was unanimously approved.

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Keitt, approving the reappointments of Carroll Joye (District #1), John Smith (District #2), Lamar Tisdale (District #4) and Tonzel Shuler (District #6) to the Aviation Commission to serve another four (4) year term ending January, 2020. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, approving the reappointments of Jesse Eargle (District 3), William R. Evans, Jr., (District #4) and John H. Wolfe (District #6) to the Planning Commission to serve another four (4) year term ending January, 2020. This motion was unanimously approved.

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Keitt, approving the reappointments of Tom Salley (District #2), Desiree Chavis (District #4) and Johnny Byrd (District #6) to the Board of Zoning Appeals to serve another four (4) year term ending January, 2020. This motion was unanimously approved.

Department of Public Utilities Manager Miller addressed Council in regards to a First Reading of an Ordinance for the adoption of proposed new and amended water and wastewater rates effective April 1, 2016.

He stated, "We are proposing to increase water and wastewater rates for all customer classes. As you will recall, all of our rates were discussed with you in all of our budget workshops and budget approval meetings. We probably spend more time discussing water and wastewater rates than any of the others. The last time water and wastewater rates were increased was in April 2014, which was two years ago. We did not propose a change in them last year. So, I am appearing before you this evening requesting your approval of a first reading of an Ordinance to increase water and wastewater rates. I am proposing to increase water rates by about nine percent (9%) across the board. Inside City water rates will go \$13.00 to \$14.00 per month. The South Carolina average for 2015 is \$26.00. Even after the proposed DPU increase, residents of Orangeburg will still only be about half of what residents of other cities in South Carolina pay for water service on a monthly basis in 2015. Outside City water will go from \$25.00 to \$27.00 a month. The South Carolina average is \$40.00. Rural residential rates are \$31.00 to \$34.00 per month, still well below the state average for outside city customers. We are proposing to increase wastewater rates by about fifteen (15%). Most of this increase is related to the wastewater treatment plant upgrade that will be completed October, 2016. Inside City wastewater rates will go from \$17.50 to \$20.00 a month. The South Carolina average is about \$39.00. 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. Outside City Wastewater rates will go from \$32.00 to \$37.00 per month. The South Carolina average is \$59.00. 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 continue to offer our customers quality service. The rates we are proposing are still among the lowest in the State of South Carolina."

Councilmember Barnwell asked, "Didn't we just give back to the citizens money on Electric?"

DPU Manager Miller replied, "Yes, In June, 2015 and in January, 2016, we gave back over \$8,000,000.00 which averaged \$8.50 per month decrease."

Councilmember Stroman stated, "I have no problem with a rate increase, but I hear from people every day that are on a fixed income and I feel for these people."

DPU Director Miller stated, "It is the cost of doing business and to meet regulations and our chemical costs have doubled due to rain. It is supposed to rain one inch tomorrow and I feel sure the chemicals will go up tomorrow due to the rain. It is an expensive operation."

Mayor Butler stated, "As it relates to what is going on in Flint, Michigan, we need to keep our water purified and clean."

DPU Director Miller stated, "We are very fortunate to have a clean water source here."

Mayor Pro Tem Keitt stated, "I hate to raise rates, but it is needed in order to keep the City running."

Councilmember Stroman stated, "We raised electric rates this year, taxes and fire contracts, we have had three increases."

DPU Director stated, "We increased the electric, but we decreased it twice."

Councilmember Barnwell asked, "It is my understanding that the wastewater and water will be in the red in September if we do not have these increases in place, is that right?"

DPU Director Miller replied, "Yes, our projections show we will be losing money by September."

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance for the adoption of proposed new and amended water and wastewater rates for DPU effective April 1, 2016. This was a 5-1 vote as Councilmember Stroman opposed.

A motion as made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session. 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



**A RESOLUTION TO APPOINT MEMBERS TO THE 2016 CAPITAL PROJECT SALES AND USE TAX COMMISSION CREATED BY THE COUNTY OF ORANGEBURG**

**WHEREAS**, S.C. Code Ann. §4-10-300, et. seq. (Capital Project Sales Tax Act) authorizes the imposition of a one (1%) percent sales and use tax, subject to a referendum, for the purpose of funding capital projects within the County of Orangeburg; and

**WHEREAS**, S.C. Code Ann. §4-10-320 authorizes the creation of a Capital Project Sales and Use Tax Commission; and

**WHEREAS**, the City of Orangeburg is entitled to the appointment of two (2) members to said Commission.

**NOW, THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED**, on this the 16<sup>th</sup> day of February, 2016 that the City of Orangeburg hereby appoints John H. Yow, City Administrator and John D. Singh, Assistant City Administrator to the Orangeburg County 2016 Capital Project Sales and Use Tax Commission pursuant to the above §4-10-320.

**AND IT IS SO RESOLVED.**



Michael C. Butch  
Mayor  
James Hair  
Dan P. Smith  
James W. Keith  
Chris Jones  
Richard T. Glenn  
Charles B. Bennett  
Members of Council

ATTEST  
City Clerk

Carla J. H.



## RESOLUTION

**A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIVE, RESPONSIBLE BID BY UTILITY SERVICE COMPANY, INC. OF PERRY, GEORGIA IN THE AMOUNT OF \$448,200.00 FOR THE REPAIR AND REPAINTING OF THE BOLENTOWN AND LIMESTONE ELEVATED WATER TANKS**

**WHEREAS**, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on February 4, 2016 for the repair and repainting of the Bolentown and Limestone Elevated Water Tanks; and

**WHEREAS**, the low responsive, responsible bid for this work was submitted by Utility Service Company, Inc. of Perry, Georgia in the amount of \$448,200.00; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsive, responsible bid of Utility Service Company, Inc., in the amount of \$448,200.00 be accepted; and

**BE IT FURTHER RESOLVED**, that O. Thomas Miller, Manager of the Department of Public Utilities, be authorized and he is hereby directed to accept said bid and execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

**RESOLVED BY** City Council duly assembled this 15 day of March, 2016.

Michael C. Butler  
MAYOR

Bernard Hays

Dandrea P. Kuttis

L. Zimmerman Keitt

Charles B. Barnwell

Chris Foye

Richard + Steven  
MEMBERS OF COUNCIL



ATTEST:

Carmen [Signature]  
CITY CLERK



**RESOLUTION**

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

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

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

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

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

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

**BE IT FURTHER RESOLVED,** that the Mayor and City Council, in Council duly assembled, authorize John H. Yow, City Administrator of the City of Orangeburg to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional Home Consortium FY 2017-2019" on behalf of the City of Orangeburg, as well as all other documents necessary to form the Consortium and to carry out and fulfill its purposes for FY 2017-2019.

**ADOPTED BY** the City Council of the City of Orangeburg, State of South Carolina, this 1st day of March 2016.



*Michael C. Butch*  
\_\_\_\_\_  
Mayor

*James Hair*  
\_\_\_\_\_

*James A. Kyles*  
\_\_\_\_\_

*L. Zimmerman*  
\_\_\_\_\_

*Charles B. ...*  
\_\_\_\_\_

*...*  
\_\_\_\_\_

*Richard G. Strom*  
\_\_\_\_\_  
Members of Council

ATTEST: *Cassie ...*  
\_\_\_\_\_  
City Clerk

**CITY COUNCIL MINUTES**  
**February 16, 2016**

**2503**

Orangeburg City Council held a Public Hearing on Tuesday, February 16, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

The purpose of the Public Hearing was to adopt new and amended water and wastewater rates for the Department of Public Utilities.

Ms. Nellie Mae Dunning of 160 Tucker Street addressed Council. She stated, "I am on a fixed income and I cannot afford these increases in water rates."

Mayor Pro Tem Keitt stated, "It is hard on everyone, but there is a need for increasing. We know that there are a lot of people on fixed incomes and it is hard for them to get their medicines. When it comes to a need for the City, and that includes everybody, we know a lot of people are talking about it and we don't want to do it, but we have to. This is a need from the Department of Public Utilities. Remember, we are giving back on the electric side, so we are not really increasing the water and wastewater."

Ms. Dunning asked, "Why did you go up again?"

Councilmember Barnwell stated, "It was two years ago."

Mayor Pro Tem Keitt stated, "We are not having the growth that we need."

Ms. Dunning asked, "Why is the trash \$12.00 per month?"

Mayor Butler stated, "We have to stay on the topic of water and wastewater rates, but if you call Public Works, they can assist you."

Department of Public Utilities Director Miller stated, "The rates are going up \$1.00 per month, which is \$12.00 per year, which is a small increase compared to other areas. I wish we didn't have to do it, but it is a need. Our chemical costs are increasing each day with the rain. Our cost to operate our water system is very expensive. I promise you, I hate to ask for an increase."

Mayor Butler stated, "The City is obligated to keep clean drinking water for our citizens. We do not want what is happening in Flint, Michigan to happen here."

Hearing no other comments, the Public Hearing was closed.

Council entered into the regular scheduled City Council meeting.

**PRESENT:**

**Michael C. Butler**

**Charles B. Barnwell**

**Bernard Haire**

**Charles W. Jernigan**

**L. Zimmerman Keitt**

**Sandra P. Knotts**

**Richard F. Stroman**

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to approve the February 2, 2016, City Council minutes as distributed. This was a 6-0-1 vote.

Councilmember Haire abstained, as he was not present at the last meeting.

Chief Adams stated that there are two individuals present to speak to Council in regards to the wrecker rotation rates.

Mr. Mike Pooser of 455 Kings Ridge Drive addressed Council. He stated, "I own Pooser's Service Center and have been in business since 1974. I have been told that the rates have not been increased in eleven (11) years for those on wrecker rotation. Right now the present rate is a maximum charge of \$75.00. We are asking Council to increase that rate to a maximum of \$150.00. The SC Highway Patrol rates are up to \$200.00 and \$30.00 per day storage."

## 2504

Orangeburg County Sheriff's Department rates are up to \$175.00 and a \$30.00 per day storage. We are proposing that the City rates be increased to up to \$150.00 plus \$30.00 per day storage. Disabled cars would not fall under this rate, this is only for wrecks or late night calls. If I am going to continue on the rotation list, I pay our employees that come out at night ½ of that call. Presently, \$37.50 will not get an employee out of the bed at night at 3 o'clock in the morning. The first rollback I bought was \$19,000.00. I checked in December and they range from \$95,000.00 to \$125,000.00. The last time I purchased a rollback, I bought two of them totaling \$130,000.00 for two. Now, that is the price for one. I am asking Mayor and Council to adjust the rates."

Mayor Pro Tem Keitt asked, "How many of you are on the wrecker rotation list?"

Department of Public Safety Director Adams stated, "I have been contacted by these wrecker companies and we looked at the rates. We had a meeting at DPS and all the wrecker service companies attended and we came up with a rate that they could all agree to. For mechanical breakdowns, the maximum is \$120.00. So this is just for wrecks or after hour's calls. These are maximum fees, I can tell you that Mr. Pooser does not really charge the maximum amount if he can help it."

City Administrator Yow stated, "We will get you a list of all of those on the wrecker rotation."

Councilmember Jernigan asked, "How many calls per complete rotation?"

DPS Director Adams stated, "We investigate twelve to seventeen traffic accidents in a week. It takes about two weeks to go through a complete rotation. Then the wrecker goes to the back of the list."

Councilmember Jernigan asked, "What determines who is on each agency's rotation list?"

DPS Director Adams replied, "Each agency has their own wrecker rotation. If an individual requests a certain wrecker, then we call that company."

Councilmember Jernigan asked, "What other kinds of calls do you get?"

Mr. Pooser stated, "We get disabled calls and a Class A during regular business hours is \$45.00. What we are referring to is wrecks, overturned vehicles or a vehicle in an embankment."

Councilmember Haire asked, "Have you checked with other cities to see what their rates are?"

DPS Director Adams replied, "We went to the local market and SC Highway Patrol, Troop 7 covers many counties. A comparable City would be Waterboro and we can check with them."

Mayor Butler asked, "If you have a disabled car and it needs to go to Columbia, what do you charge?"

Mr. Pooser replied, "If it is during regular business hours, we charge per mile. If it is after hours, it is a different rate. We pay the employee more after hours."

Councilmember Jernigan stated, "These guys are investing in their businesses and investing in the City and are providing a service to the citizens. These rates need adjusting and they need to be increased and I am in favor of that."

Mr. Mack Stillinger of Stillinger's Inc., on 301 South addressed Council. He stated, "We handle heavy duty wrecks where a truck may be over-tuned, this is what we specialize in. The Heavy Duty wreckers cost about \$350,000.00 to \$500,000.00. We are asking for an increase to

\$350.00 per hour, the State charges \$400 per hour with a \$50.00 per day storage. When these tractor trailers are over-turned, we have to respond quickly in order to get the roads back open. There are only two or three big wreckers on this list.”

2505

Councilmember Haire asked, “What are you charging now?”

Mr. Stillinger stated, “It depends on the truck, an average is \$3,500.00 - \$5,000.00 and a container is \$1,250.00 to \$1,500.00. If the product is on the ground, we have to clean it up by hand.”

Councilmember Haire asked, “How does our Ordinance address these types of calls now?”

DPS Director Adams replied, “\$150.00 per hour.”

City Administrator Yow asked, “If there are any other questions, please give them to me, we will make sure we have all that information for you.”

City Administrator Yow stated, “I am handing you what our current Personnel Handbook states in reference to this Resolution amending the handbook. I was asked to put this before Council to amend this policy. Attorney Walsh has prepared a new Resolution to address what should be in the policy that must have been left out in the last revision in 2007. It does not have under the hiring of relatives, daughter-in-law and son-in-law in the current language. This is for your consideration.”

Councilmember Barnwell asked, “Mr. Walsh, is this retroactive from a constitutional standpoint?”

Attorney Walsh replied, “That would be up to Council. If you see the last paragraph in our present policy, it states – Situations not specifically addressed in this policy which, in the City’s opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled in the City’s discretion- that is kind of open.”

Councilmember Barnwell stated, “I talked to Steve Savitz and he said it could not be retroactive.”

City Administrator Yow stated, “This Resolution does not address retroactive.”

Councilmember Jernigan asked, “Would this cause anyone in the City to lose their job?”

City Administrator Yow stated, “I can’t answer a legal question, I can only tell you how I would interpret the Ordinance.”

City Attorney Walsh stated, “It does not say it is retroactive.”

Councilmember Jernigan stated, “So, you can’t go down your list and say this is his brother-in-law and now he is out?”

City Administrator Yow replied, “No, not in my opinion, but that is a legal question.”

City Attorney Walsh stated, “What I am trying to say is that it is Council’s decision, Council can tell us what to put in there, effective as of a certain date.”

Councilmember Jernigan stated, “I would like to make a substitute motion to put a specific date on the Resolution when it will go into effect.” This motion was seconded by Councilmember

2506  
Barnwell. The vote was 3-4. Councilmembers Knotts, Haire and Mayor Pro Tem Keitt and Mayor Butler opposed. The substitute motion did not pass.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, on the Resolution amending Page 9 of the City of Orangeburg Personnel Handbook dated March 1, 2007, titled hiring of relatives. The vote was 4-3. Councilmembers Barnwell, Jernigan and Stroman opposing. The motion passed.

City Attorney Walsh stated, "As far as from a legal standpoint, there is some implication here between the City Administrator and the Manager of DPU as far as an effective date."

Councilmember Jernigan asked, "What is wrong with having an effective date on it? Why can't we put a date on it?"

Mayor Pro Tem Keitt stated, "We are just voting on the Resolution."

Mayor Butler asked, "Do we have to put an effective date on it?"

City Attorney Walsh stated, "It is normal that it is effective the date it passes."

Mayor Butler stated, "We said it was not retroactive."

Councilmember Haire stated, "If there is more tweaking to be done, then we will address it"

Councilmember Stroman asked, "What are we doing again and why is it coming about?"

City Administrator Yow replied, "I was asked by a Councilmember to put this on the agenda because this was left out in the revisions from 2007."

Councilmember Barnwell asked, "This means that it is effective tonight going forward?"

City Administrator Yow replied, "It is my understanding it is effective tonight. We apply this going forward."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to approve a Resolution to appoint members to the 2016 Capital Project Sales and Use Tax Commission created by the County of Orangeburg. This motion was unanimously approved. City Administrator John H. Yow and Assistant City Administrator John D. Singh will serve as members on the Commission.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve for City Administrator Yow to enter into an Agreement for Victims of Crime Act Program Grant No. 1V14134. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the Second Reading of an Ordinance for the adoption of proposed new and amended water and wastewater rates for the Department of Public Utilities effective April 1, 2016. The vote was 6-1 with Councilmember Stroman opposing.

Department of Public Utilities Director Miller addressed Council. He stated, "I was asked by a Councilmember to ask for an amendment to Section C, Water (1,2,4) and Section D, Wastewater (1,2) of the General Terms and Conditions. This would authorize a waiver of water and wastewater taps, impact fees and fire service taps for the County of Orangeburg and municipalities within the County of Orangeburg."

Councilmember Barnwell made a motion to table this Ordinance to give DPU time to come up with expenses so we will know what type of money is being talking about. He stated, "I think we need to discuss." This motion was seconded by Councilmember Stroman.

DPU Director Miller stated, "That number would not be the same in every situation. It is based on the size of the tap and other factors." 2507

Councilmember Barnwell stated, "Could you give us some figures or examples?"

DPU Director Miller stated, "Sure, I can do that."

Councilmember Stroman asked, "Is that legal?"

City Attorney Walsh stated, "Yes, if the Terms and Conditions are changed."

Councilmember Haire stated, "There is a motion on the floor and I would like to speak to that motion. I am somewhat concerned and I asked for this to be put on the agenda as well that we are trying to form a relationship with the County. It is my understanding that there is an opportunity to have some fees waived and right now this is not a way to do this. You mentioned Mr. Miller about the fees?"

Councilmember Haire stated, "My thought was to have the fees waived for governmental entities."

DPU Director Miller stated, "It states that all fees, water, wastewater and fire service taps for County of Orangeburg and municipalities."

Councilmember Haire stated, "In my talking, this will form a better relationship with the County and I think at times we need to work better with the County. At this time I will make a motion to accept the First Reading of an Ordinance amending Section IV, Department installations, Section C. Water (1.), (2.), and (4.) and Section D., Wastewater (1.) and (2.) of the General Terms and conditions of the Department of Public Utilities as presented. This motion was seconded by Councilmember Knotts.

A vote was taken on the motion made by Councilmember Barnwell, seconded by Councilmember Stroman, to table this item until further information can be given to Council from DPU on costs. The vote was 3-4, with Councilmembers Knotts, Haire, Mayor Pro Tem Keitt and Mayor Butler opposing.

Councilmember Jernigan asked, "Does this change, what does it do? An entity wants a fee waived, does it come before Council to waive or not? So, it is not automatic?"

Mayor Butler stated, "Yes."

Mayor Pro Tem Keitt stated, "I am glad to see this, we need to move fast and move forward."

Councilmember Barnwell stated, "My reason for tabling this is if this costs the City \$500,000, where is the money going to come from? The taxpayers are going to have to pay for it. That is not right just to accommodate the City or County. We need to have figures brought before us and we are here to make money for the City and not to keep increasing taxes. I don't know what the problem would be to have Mr. Miller advise us on the costs. Why should we jump into something without due consideration of the costs?"

Councilmember Haire replied, "The Ordinance says "May" and not "Will", and you can't determine the costs because you don't know what the impact fees are."

Councilmember Barnwell replied, "Is that correct, Mr. Miller?"

Director Miller stated, "Yes, there is a lot that goes into it."

City Administrator Yow stated, "On each request, we will bring it to you for discussion."

Mayor **2508** Seitt stated, "It will give us the opportunity, when you get them, to bring them to us and we can decide. We can't let anyone do anything."

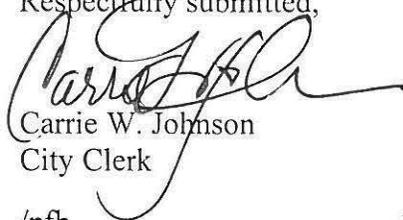
A vote was taken on the motion by Councilmember Haire, seconded by Councilmember Knotts, on the original First Reading of an Ordinance amending Section IV, Department installations, Section C. Water (1.), (2.), and (4.) and Section D., Wastewater (1.) and (2.) of the General Terms and Conditions of the Department of Public Utilities. The vote was 5-2 with Councilmembers Jernigan and Barnwell opposing.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session for a (1) Legal Matter concerning property Maintenance Code – orders to demolish property of Kenneth Middleton, Earl Brooks, Mural Properties, LLC, (2) a Personnel Matter concerning an Employee Grievance – Department of Public Utilities, Wastewater Division. This motion was unanimously approved.

Council did not return to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Carrie W. Johnson  
City Clerk

/pfb



# CITY COUNCIL MINUTES

## March 1, 2016

Orangeburg City Council held its regularly scheduled City Council Meeting on March 1, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding. 2509

### PRESENT:

**Michael C. Butler, Mayor**

**Charles B. Barnwell**

**Bernard Haire**

**Charles W. Jernigan**

**L. Zimmerman Keitt**

**Sandra P. Knotts**

**Richard F. Stroman**

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the March 1, 2016, City Council Minutes as amended. This motion was unanimously approved.

Mr. Tommy Miller, Manager of the Department of Public Utilities, Mr. Wade Holmes, Director of the Electrical Division and Mr. Mike Bombard, Supervisor in the Electrical Division, presented Laura Nichols with a Resolution and a gold watch for her twenty-two years, nine months and three days service with the City.

Ms. Evelyn Disher accepted the Character Trait Proclamation for the month of March, 2016, "Endurance."

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve a Resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. This motion was unanimously approved. Two duplexes will be built on Peasley Street.

Department of Public Safety Director, Mike Adams addressed Council. He stated, "I appreciate you looking at the Ordinance to adjust wrecker rates in the City of Orangeburg. We expect these wreckers to be available 24/7, have reliable equipment, be insured and have a large liability policy and we also require them to respond in a timely manner. They should be on call and ready to respond. We demand a lot from these wreckers. The rates have not been increased for over eleven years. We have looked at various other agencies including the City of Walterboro and we are equal to or considerably less than these agencies. I ask that you give this due consideration."

City Administrator Yow stated, "Anyone who is in a wreck has the right to ask for a wrecker of their choice."

DPS Director Adams stated, "That is correct, it can be the owner's request."

Councilmember Barnwell asked, "If they do not follow the rules and regulations or do not respond, do you remove them from the list?"

DPS Director Adams stated, "Absolutely. If we call you and you do not respond, we can do so. Each company is inspected by the Special Operations Division and if they do not pass the inspection, they are not allowed on the wrecker rotation list."

Mayor Pro Tem Keitt asked, "Do you have people who want to call someone else?"

Department of Public Safety Director Adams replied, "Yes, we do."

Councilmember Jernigan asked, "Are they responsible for the clean-up of the scene?"

DPS Director Adams stated, "Yes, they have to clean up glass, parts and anything else on the scene."

Mayor Butler stated, "It was an eye opener to me that the driver gets one-half the fee at night."

Councilmember Stroman asked, "According to the original Ordinance, after eight hours you start charging for storage. I see the City of Walterboro is after twenty-four hours. I see that the rates are higher for storage though. It doesn't address the hours; it only states \$30.00 per day."

City Administrator Yow stated, "Council can make that change if you want it."

2510

Councilmember Stroman stated, "I recommend it."

DPS Director stated, "I think that is fair."

Councilmember Stroman stated, "A lot of people lose their car due to high storage."

DPS Director Adams stated, "We have cars towed and the wreckers have a liability incurred, you are responsible. There have been cars broken into at the wrecker lots."

Mayor Butler stated, "If it is your car, it is your responsibility. The \$30.00 storage fee is good compared to other places."

Councilmember Barnwell stated, "I think you should give them twenty-four hours, someone may be hurt and can't get to their car."

City Administrator Yow stated, "There is no time set for storage, Council can direct the time when the storage begins, eight hours, twenty-four hours or something else. You can make that amendment."

Councilmember Keitt amended the First Reading of an Ordinance amending Section 9-15.4, 9-15.6, 9-15.7, 9-15.8 and 9-15.10 titled Rotation Eligibility, Wrecker Rotation Operating Procedures, Wrecker Service Responsibilities, towing and storage charges and indemnification, respectively, for storage fees to begin after twenty-four hours, seconded by Councilmember Barnwell and unanimously approved.

Councilmember Haire nominated Mr. Michael Stroman for an alternate vacancy on the Building Board of Appeals. This was seconded by Councilmember Knotts.

Councilmember Barnwell asked, "What are his qualifications?"

Councilmember Haire stated, "He is a contractor, married and has three children. He graduated from South Carolina State University in 1981 in Industrial Education and has been a contractor for fourteen years." The vote was unanimous.

DPU Director Miller addressed Council. He stated, "I ask for third and final reading tonight of an Ordinance on the amendment of water and wastewater rates for all customer classes. The last time we amended our water rates were two years ago. Water will be a 9% increase for all classes and wastewater will be a 15% increase for all classes. A typical residential customer will see about a \$1.00 increase per month."

Councilmember Jernigan asked, "Is it not true that one of the reasons for the increase is because water and wastewater haven't been showing a profit and we are losing customers?"

DPU Director Miller stated, "Yes, we are projected to lose money by September. The revenues are down and the cost of chemicals and operations are increasing tremendously."

Councilmember Stroman asked, "If you are selling less water, aren't you treating less water?"

DPU Director Miller stated, "The problem with that is we have a thirty million gallon plant and it costs to maintain and operate whether you sell one gallon or ten million gallons. It is fixed costs."

Councilmember Barnwell stated, "Let's not forget we had the rebate on electric."

DPU Director Miller stated, "We reduced the electric \$4.4 million last June and \$4 million in January, which resulted in about \$8.50 decrease per month."

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the Third Reading of an Ordinance for the adoption of proposed new and amended water and wastewater rates for DPU effective April 1, 2016. This was a 6-1 vote as Councilmember Stroman opposed.

DPU Director Miller addressed Council on the Second Reading of an Ordinance amending Section IV., Department Installations, Section Water (1.), (2.) and (4.) and Section D., Wastewater (1.) and (2.) of the General Terms and Conditions of the Department of Public Utilities.

Councilmember Jernigan stated, "I am against this Ordinance, we just increased water and wastewater rates and we have lower revenue in these divisions. This Ordinance is giving away revenue when we are waiving a tap fee. I think that is counterproductive. It is hard enough on the citizens in Orangeburg when we raise rates. This is making it harder for the citizens of Orangeburg because we are giving away revenue at DPU. If my understanding is right, a water tap could cost as much as \$25,000, is that correct?"

DPU Director Miller stated, "Yes, for a fire service tap."

Councilmember Jernigan stated, "That is in this Ordinance that we can waive that fee, that is one example. I think that is putting a burden on taxpayers in the City. This puts us in a position that we have to raise taxes. I am not in favor of this at all."

Councilmember Barnwell stated, "I feel the same way. We are taking money from us. The County has given us nothing. We are giving up actual money. We raise rates and then we are taking away from DPU. DPU will end up hurting and then cannot transfer money to the City."

Councilmember Haire asked, "Mr. Miller, do the tipping fees and impact fees have anything to do with rates?"

DPU Manager Miller replied, "Tipping fees have nothing to do with water."

Councilmember Haire asked, "Does it have anything to do with City taxes?"

DPU Manager Miller replied, "No."

Councilmember Haire stated, "Why are we trying to muddy up this? I see nothing wrong with trying to work with municipalities and the County. I see nothing wrong with better relations. If the County has to pay for it, we still have to pay for it in taxes. We shouldn't be narrow-minded to say, the County can tax, but we shouldn't. I believe that it allows us an opportunity, it doesn't say we will, it says we may."

Mayor Pro Tem Keitt stated, "I am for this to see us grow. It is going to take this type of opportunity to bring in new industries. If we are able to give them a waiver to get jobs in here, I am for it. We have to be more liberal with working with other municipalities. This can open up roads and opportunities. We are not growing, we are staying stagnant."

Councilmember Barnwell asked, "What has the County done to help the City?"

Councilmember Haire stated, "The County decreased the tax on airplanes at the Airport."

Councilmember Stroman stated, "The County did decrease the tax rate on airplanes and they are working with us on a fire tax district. I think we need to move forward with this. There are too many houses for sale and too many businesses closing."

Councilmember Jernigan stated, "The lowering of the taxes on the airplanes is not revenue for the City anyway. The County was getting all of that revenue to begin with. It didn't affect the City. If you happen to live in the City, it would. I am glad to see the County does that, as far as it affected us financially, it didn't help. This Ordinance will actually take money from the Department of Public Utilities and the water and wastewater divisions. I don't feel like Mr. Haire, that I am muddying up the water. I know you feel that way about it, but that is getting kind of personal and I don't like to get my personal feelings involved in Council. I resent the fact that you would say something like that and direct it to Council."

A motion was made by Councilmember Keitt, seconded by Councilmember Knotts, to approve the Second Reading of an Ordinance amending Section IV., Department Installations, Section Water (1.), (2.) and (4.) and Section D., Wastewater (1.) and (2.) of the General Terms and Conditions of the Department of Public Utilities. This was a 5-2 vote as Councilmembers Jernigan and Barnwell Opposed

Councilmember Haire asked DPU Manager Miller, "When a business moves in or out, are fees charged to the new business for taps?"

DPU Manager Miller stated, "Not if they are already paid."

2512  
A motion was made by Councilmember Haire, seconded by Councilmember Keitt, to approve a Resolution to accept the low responsive, responsible bid by Utility Service Company, Inc., of Perry, Georgia, in the amount of \$448,200.100 for the repair and repainting of the Bolentown and Limestone elevated water tanks. This motion was unanimously approved. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt, to enter into an Executive Session for a Legal Matter concerning property of Kenneth Middleton, Earl Brooks, Mural Properties, LLC. and a Personnel Matter concerning an Employee Grievance with the Department of Public Utilities. This motion was unanimously approved.

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

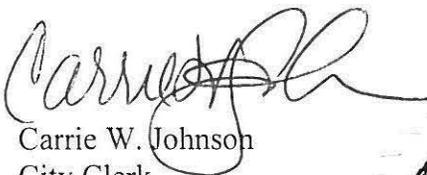
Council returned to Open Session.

A motion was made by Councilmember Keitt that the decision of the Grievance Committee upholding the termination of the employee be reversed. The employee shall be reinstated to employment in his previous position in the Wastewater Division of the Department of Public Utilities as of the date of his termination with back pay calculated from said date. This motion is based upon the fact that the insubordination of the employee was caused by the confusion created when the meter readers transferred to other positions were required to sign an agreement duplicating portions of his or her job description. This implied that the signing of the agreement was required before same was enforceable. All jobs of the Department of Public Utilities and job descriptions require an employee to perform any and all tasks required by members of management regardless of division or position. Failure to comply with any such directive is insubordination and grounds for termination. This motion was seconded by Councilmember Barnwell. This was a 6-1 vote as Councilmember Jernigan opposed.

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





## RESOLUTION

**WHEREAS,** Lavern Davis faithfully served the City of Orangeburg's Parks and Recreation Department for forty-three years, five months and sixteen days with a retirement date of March 16, 2016; and,

**WHEREAS,** he, through his long and faithful service, contributed greatly to the successful operation of the City of Orangeburg's Parks and Recreation Department; and,

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

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

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

**PASSED BY** the City Council of the City of Orangeburg, State of South Carolina, this 19<sup>th</sup> day of April 2016.



*Michael C. Butler*  
\_\_\_\_\_  
MAYOR

*Jana Haire*  
\_\_\_\_\_

*Danda R. Knotts*  
\_\_\_\_\_

*L. Zimmerman Keist*  
\_\_\_\_\_

*Charles V. Hugo*  
\_\_\_\_\_

*Charles D. Barwell*  
\_\_\_\_\_

*Rachel A. Hearn*  
\_\_\_\_\_

MEMBERS OF COUNCIL

ATTEST:  
*Carrie D. John*  
\_\_\_\_\_  
CITY CLERK



## 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 5<sup>th</sup> day of April 2016.



*Michael C. Butler*  
MAYOR

*Sam Harris*

*Dorinda P. Luster*

*Jameson Keith*

*Chris Lee*

*Charles B. ...*

*Richard A. ...*  
MEMBERS OF COUNCIL

ATTEST:  
*Carey ...*  
City Clerk



**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 5th day of April, 2016, 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 **\$1,557,792.00** at an annual interest rate of 0.98% for four (4) years, by entering into an Lease Agreement with South State Bank as Lessor and the City of Orangeburg as Lessee (the "Agreement") according to the terms set forth in the Bid Proposal from South State (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 transactions contemplated by the Agreement.

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

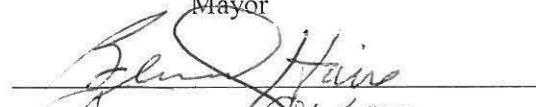
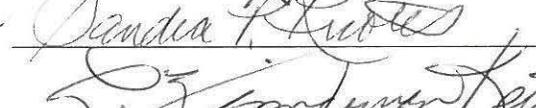
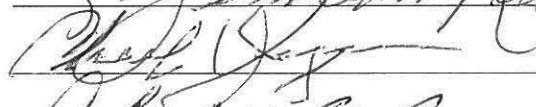
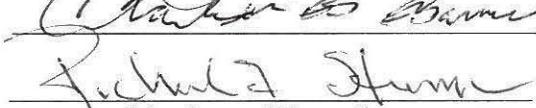
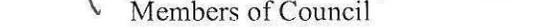
**John H. Yow, City Administrator and Carrie W. Johnson, City Clerk**

**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 5th day of April, 2016.**



ATTEST:  
  
Carrie W. Johnson  
City Clerk

  
Michael C. Butler  
Mayor  
  
  
  
  
  
Members of Council

**CITY COUNCIL MINUTES**  
**March 15, 2016**

**2513**

Orangeburg City Council held its regularly scheduled City Council meeting on March 15, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

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

City Administrator Yow introduced the new Hillcrest Manager, Mr. Jeff Ruth to City Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to approve the March 1, 2016, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Charles Way, South Carolina State University Chairman of the Board of Trustees addressed Council. He stated, "I am from Orangeburg and I am coming before you tonight and you know the history of South Carolina State University. I have been in this job since May of last year. The Legislature appointed a new Board last year and I was elected Chairman. SCSU did not tend to their business in 2007-2009 as other Colleges and Universities did with the economic downturn with cutting programs and services that were not needed, SCSU did not. We have a lot of debt and a lot of deferred maintenance. We are trying to move forward, but are holding on with our thumbs trying to get the ox out of the ditch. SCSU owes a great deal of money; we have whittled that down substantially. We owe the State \$18 million dollars. I appeared before the House Subcommittee on Higher Education and they did a proviso to help us erase those debts. On Thursday, I am appearing before the Senate Subcommittee on Higher Education and hopefully they will help us also. There was a joint proviso in the Legislature to help SCSU; we are a state agency just like the Department of Health and Environmental Control and the South Carolina Department of Transportation. The State, we hope, is going to help us. We have other needs. We have a fourteen (14) story building, the tallest building in Orangeburg County with four-hundred (400) beds that we cannot use due to health concerns. It needs a \$5 million dollar renovation. We have many items like that. We have a balanced budget and a surplus which is unheard of, but we have all of these past debts and deferred maintenance. We need help. I am asking help from the City and the County this month with our streets and sidewalks. It will cost about \$1 million dollars to repair these streets and sidewalks. (Mr. Way handed out pictures of potholes, barricaded areas and road issues) As you can see, they are pretty deplorable. What I am asking is that if you can please help us, I would request along with the County for help. If City Council can help us and allow the County and City Administrator to see what you can come up with in cash, labor or materials. The SACS accreditation is coming up and five professors are coming to our campus on April 12-14. We have to prove to a five member visitation team that we have our problems under control. There were nine (9) deficiencies and four (4) were academic and five (5) were financial. SCSU has been on probation for two years and we could lose our accreditation and then have to close down because we would lose our financial aid. We have to prove to SACS that we have a good financial situation. The new Board inherited this."

Councilmember Haire asked, "These pictures, are they a result of steam under the road?"

Mr. Way referred the question to Mr. Ken Davis, Consulting Engineer, and he stated that those pictures are due to heavy rains and storm drainage.

2514  
Councilmember Barnwell stated, "Mr. Way, I am not sure that a municipality can give money to a state owned institution. I will have to get our attorney to check on that."

Mr. Way stated, "There are 512 employees that work in the City and it must be a way."

Councilmember Jernigan asked, "Is SCSU totally responsible for their streets and maintenance?"

Mr. Way replied, "Yes, SCSU is a closed campus due to safety and we are responsible."

Mayor Butler asked, "As a point of information, if the State wipes your debt you owe, the last thing that would be left is this maintenance?"

Mr. Way replied, "No, we have a ton of deferred maintenance totaling about \$30 million dollars. Truth Hall is \$5 million dollars. We are trying to get money for this and that. It is a tough job and we can't cure it all, we need help. We did not create this problem."

Councilmember Haire asked Attorney Walsh, "Can we research Mr. Barnwell's question, I would like to see about that before we take action."

Mayor Butler stated, "The City supports SCSU and would like to help it maintain its presence in the City and its employees and students and we will take this under advisement."

Councilmember Jernigan asked, "Financially, are you meeting your obligations?"

Mr. Way stated, "Yes, and we are trying to tackle our past obligations as well and we are trying as hard as possible. You have a good Board."

DPS Deputy Director Ed Conner addressed Council concerning the Second Reading of an Ordinance amending Section 9-15.4, 9-15.6, 9-15.7, 9-15.8 and 9-15.10 of the Code of Ordinances for the City of Orangeburg titled Rotation Eligibility, wrecker rotation operating procedures, wrecker service responsibilities, towing and storage charges and indemnification, respectively.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance amending Section 9-15.4, 9-15.6, 9-15.7, 9-15.8 and 9-15.10 of the Code of Ordinances for the City of Orangeburg titled Rotation Eligibility, wrecker rotation operating procedures, wrecker service responsibilities, towing and storage charges and indemnification, respectively. This motion was unanimously approved.

Council received, as information, the preliminary Fiscal Year 2016-2017 City Budget Calendar.

Public Works Director Durwood Bowden addressed Council in regards to a contract for the demolition of the old Emart building at 215 Courthouse Square.

Mr. Bowden stated, "In your packet is a cover letter to City Administrator. Yow and a tabulation sheet concerning submittals for the demolition of 215 Courthouse Square. It is a three story building with a basement. Most of the roof on the top two floors has collapsed. The building contains a small amount of asbestos; therefore, we have to do asbestos abatement during demolition. All the debris will have to be treated. There will have to be a work area and access will be limited. Middleton Street and Courthouse Square will be blocked. Debris will have to be loaded and wrapped with plastic and completely enclosed. There will be air monitoring equipment at the site at all times. After the demolition, the City is supplying the dirt and the contractor will have to haul and grade the site. We advertised for submittals on February 5, 2016, and a mandatory pre-submittal meeting was held on February 17, 2016, and nine contractors attended with only four submitting proposals ranging from \$89,875.00 to \$229,000.00. The low bid was submitted \$89,875.00 with the demolition of \$76,675.00 and a backfill price of \$11.00 per cubic yard to haul the dirt to the site to backfill totaling \$13,200.00. There is a good bit of difference between their price and the next lowest price. We were concerned about the price and we have checked their references, talked to them and verified

2015

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what they have done with other cities. They have a good reputation and everyone we have talked to have continued to use them and they had initial concerns as well. We are convinced they are a good company with experience and I recommend that you allow the City Administrator to engage in a contract with 4 Seasons Site and Demo Inc., with permission to adjust the final balance due to the actual cubic yards for backfill.”

Councilmember Jernigan asked, “Are those seven days realistic?”

Director Bowden replied, “Yes, as you know the building by the County Courthouse was taken down in about a week. It will take a few extra days to haul the dirt. Good weather days, but rain actually helps with keeping the dust down.”

Councilmember Haire asked, “Have you checked their references for tall structures?”

Director Bowden stated, “Yes, they have taken down hotels and other tall structures.”

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve authorization to 4 Seasons Site and Demo, Inc., in the amount of \$89,875.00 for the demolition of the old Emart building at 215 Courthouse Square. This motion was unanimously approved.

Department of Public Utilities Director Miller addressed Council in regards to the Third Reading of an Ordinance amending Section IV, Department Installations, Section, Water (1.), (2.) and (4.) and Section D (1.) Wastewater (1.) and (2.) of the General Terms and conditions of the Department of Public Utilities.

Councilmember Haire stated, “I asked last time about tipping fees and you replied; however, I meant tap fees, is the answer the same?”

Councilmember Haire asked again, “Does tap fees have anything to do with rates?”

DPU Director Miller, “Maybe not, because tap fees would be an expense, if we spend more money, we would have to collect more money.”

Councilmember Haire asked, “Do we use tap fees to supplement rates? Aren’t fees set aside for future improvements to the system?”

DPU Director Miller asked, “That would be impact fees, we use tap fees to supplement costs. Tap fees impact costs.”

Councilmember Jernigan stated, “I am still not in favor of this Ordinance because it is taking revenue away from DPU. Maybe it doesn’t directly affect the rate, but it will indirectly. If we waive one, it will be less revenue. It would affect revenue which affects rates.”

Councilmember Barnwell stated, “I agree completely.”

Councilmember Stroman stated, “I feel we should work with the County, they lowered the airplane tax, but we get fuel sales and hangar rent. I saw the County repairing a road for the Police Camp and I haven’t seen a bill. We got the bridge built; we need to keep it open. We are working with them on fire contracts.”

Mayor Pro Tem Keitt stated, “If an industry comes in and we waive a fee and they bring in jobs for our people, then those people are going to work and pay their light bill on time. We have to make things happen in Orangeburg because if we don’t do this kind of thing in order for us to make things happen here.”

Councilmember Barnwell stated, “The County dropped the taxes that helped them not us.”

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Councilmember Haire stated, "When the County lowered the taxes that was so we could get additional airplanes to come to our airport and this was the reason for that. It doesn't have to be a direct benefit. If more planes are housed at the Airport, there are more fuel sales. The lowering of taxes, does not help them."

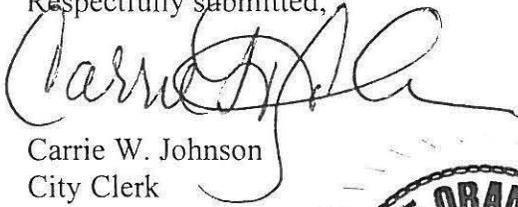
A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance amending Section IV, Department Installations, Section, Water (1.), (2.) and (4.) and Section D (1.) Wastewater (1.) and (2.) of the General Terms and conditions of the Department of Public Utilities.

This was a 5-2 vote as Councilmembers Barnwell and Jernigan opposed.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to enter into an Executive Session for a legal matter concerning properties of Kenneth Middleton, Earl Brooks and David Pickett.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Carrie W. Johnson  
City Clerk

/pfb



# CITY COUNCIL MINUTES

April 5, 2016

2517

Orangeburg City Council held its regularly scheduled City Council meeting on April 5, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

## PRESENT:

**Michael C Butler, Mayor**  
**Charles B. Barnwell**  
**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 March 15, 2016, minutes as distributed. This motion was unanimously approved.

Mr. Fred Johnson with F.A. Johnson Consulting Group and Mr. Jim Pagett with Palmstar Global addressed Council.

Mr. Johnson discussed Pre-Development (Pre-Construction) Due Diligence, Action Plan Considerations, Action Plan Activities, creating the Action Plan, recommendations of Catalyst Project(s) and/or Phased Development, Retail Tenant Identification, Establishment of Feasibility Rent and Development Strategy and lastly financing the project. (This was shown via a power point presentation concerning the redevelopment of the Railroad corner.)

Mr. Jernigan asked, "Mr. Johnson, in reference to your acquisition, what kind of percentage do you have to acquire before you can start Phase 1?"

Mr. Johnson replied, "It will really depend on how properties are clustered? There are a few that are clustered very tightly and to what location they are in?"

Councilmember Jernigan stated, "I know that in the past we found that some of the owners are out of town. Do you anticipate any problems with that?"

Mr. Johnson stated, "With any municipal project with subsidies, people think the City has pocketbooks that are wide open and I have to come in and say no and be the bad guy. Last time, we had appraisals and there are some unreasonable requests with owners and we have to be careful in that process. There are some that will move on and there are some that think they can retire."

Councilmember Jernigan asked, "We are working to bring businesses downtown, how do you feel that this project would enhance our downtown?"

Mr. Johnson stated, "It will enhance the downtown and I commend that you have taken a consistent approach and you can see the difference and the reinvestment. We now have the bookend here and that is the front door to downtown. It will just show the work you have done."

Councilmember Jernigan stated, "Our citizens want to bring it back to the old days where you can walk and shop downtown. If you can conceive of this and what we are trying to do, it would be accepted a lot more."

Mayor Pro Tem Keitt stated, "Where are we right now?"

Mr. Johnson stated, "We are back to ground zero, we want to start and move forward."

2518  
Mayor Butler stated, "It is the gateway to the City and I like your ideas and we welcome you."

Mr. Pagett stated, "It is important that with the acquisition, we don't take a negative approach to things."

Mayor Butler stated, "Mr. Johnson has sent an Agreement down already to City Administrator Yow for approval so he can start, if it so pleases Council."

Mr. Howard Jackson, a concerned citizen, addressed Council. He stated, "I am a concerned citizen and I have some questions for you on City finances. Are there any Ordinances or Resolutions in place for giving funding to SC South University and Claflin or other Universities?"

Mayor Butler replied, "Not that we all know of."

Mr. Jackson asked, "Without written policies or procedures, how are requests handled for funding?"

Mayor Butler replied, "If we receive a request, Council discusses it along with the budget in our Planning Sessions."

Mr. Jackson asked, "According to the Times and Democrat, Attorney Walsh was to research whether or not it was legal to allow contributions from the City to another state agency, what was the outcome?"

Mayor Butler and City Attorney Walsh replied, "That is on the agenda later."

Mr. Jackson asked, "Have you made any contributions to any College or University?"

Mayor Butler replied, "Not that we know of."

Mr. Jackson asked, "Who makes the list of items for the Penny Sales Tax?"

Mayor Butler replied, "We come together as a Council and discuss what is needed and prepare a list in our Planning Sessions."

Mr. Jackson asked, "Since 1998, have there been any projects from the Penny Sales Tax funded for SC State University?" Mayor Butler and other Council replied, "No."

Mr. Jackson asked, "Who oversees the Sales Tax Projects?"

Mayor Butler replied, "City Council gives guidance, but the City Administrator oversees the projects."

Mr. Jackson asked, "In the third penny, there was \$7,250,000 budgeted for North Road projects and projects at Edisto Gardens and Hillcrest Recreational Facility? Have the projects at Edisto Gardens and Hillcrest been completed?"

Mayor Butler stated, "We had to finish the Gym Project first and then we will begin the others. We have done work at the Recreational Facility on North Road."

Mayor Butler and Councilmember Barnwell stated, "We maintain Hillcrest, we do not own it."

Mr. Jackson asked again, "What projects have been done at Hillcrest and at Edisto Gardens?"

Mayor Butler replied, "None yet, we will be working on them soon."

Mr. Jackson asked, "Do you have a timeline when these projects will be started?"

Mayor Butler replied, "No, not yet, but we will be moving forward soon and discussing it further in our planning."

Mr. Jackson asked, "Have you received all the third round penny money from the County?"

Mayor Butler and others stated, "No."

Mr. Jackson had no more questions.

Ms. Evelyn Disher received the Character Trait Proclamation for April 2016, "Creativity".

Received as information, discussions on Downtown Business Incentives.

Assistant City Administrator Singh addressed Council about downtown incentives. He stated, "I know that several members of Council and the City have been looking at several incentives and programs for Downtown. Mr. Johnson stated, we have worked hard for Downtown and we will continue to do so. We are looking at more ways to get businesses downtown. One of those items is some type of an incentive program dealing with business licenses. We just wanted to get this out in front of you to talk about different ways with a waiver or with a rebate where the business would pay and get a rebate at a later date. I have given you a couple of options for you to look at and we will come back at a later date."

Councilmember Jernigan stated, "I think this parallels other project incentives for Orangeburg. We need to bring in businesses to this area and enhance the business area. I think that Mr. Willie Johnson is working with us on some other loan programs with other agencies. I think this is a great incentive."

City Administrator Yow stated, "We would like you to give us feedback before next meeting."

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve a Resolution for Fair Housing Month. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Stroman, to approve a Resolution to authorize City Administrator Yow to execute a Financial Lease Purchase Agreement for \$1,557,792.00 to South State Bank. This was unanimously approved.

Councilmember Barnwell asked, "Is this budgeted?"

Assistant City Administrator Singh replied, "Yes."

City Administrator Yow gave Council an overview concerning a Resolution addressing a matter pertaining to giving funds to SC State University for the repair of roads and sidewalks. He stated, "As you know, Mr. Charlie Way, Chairman of the Board of Trustees for SC State University, came before Council at the last meeting and asked for help in addressing some of their needs in the repair of roads and sidewalks. At that time, City Council did not take any action but asked for this to be placed on the Agenda for future consideration. Also, Councilmember Barnwell asked for a legal opinion on the City giving money to the University. Council has before you a Resolution, should you give funding to SC State University. I will turn it over to City Council for discussion and any legal questions can be answered by Attorney Walsh."

Councilmember Jernigan stated, "Back a good while ago, we were working with Claflin University on a project where they were building dorms and they needed some help on the streets. We worked with them on a good level. I said at that time, Orangeburg is a University town and Orangeburg depends on their Universities. Whether a lot of people want to believe it or not, SC State University is an economical engine to Orangeburg and they bring a lot of money

2520  
to this town and a lot of people. It is just one of the things to help Orangeburg go forward. Mr. Charlie Way came to the last meeting and made a request for help. I think that because of the fact that SC State University is part of Orangeburg, and is a main part of Orangeburg, that I would certainly hate to see them lose their Accreditation because of financial problems. When someone comes to this Council and asks for help, I think we should do anything possible to answer that call to help them. Based on that, I would make a motion that we amend the Resolution from \$200,000 to \$1,000,000 to SC State University for this project.”

Councilmember Jernigan made a motion to approve the Resolution granting monetary assistance to SC State University for road and street repairs, seconded by Mayor Pro Keitt. This was a 6-1 vote as Councilmember Barnwell opposed.

Councilmember Jernigan stated, “I think this Council is looking toward the future, we need to get SC State University back on the right path and I think with the new Board they have, they are going to make a wise decision on their new President and I don’t think it will be anything but SC State University moving forward.”

City Attorney Walsh stated, “My research indicates that this is a proper use of municipal funds; however, the Resolution is subject to an opinion of the Attorney General’s Office.”

Councilmember Jernigan stated, “It would have to be. If that’s what it is going to take to get this University accredited, let’s move forward. I would hate for the citizens of Orangeburg to look at us and say why we didn’t you help?”

City Attorney Walsh stated, “I would highly recommend that Council adopt the Resolution as presented and not just the amount. There are various things in there for the Attorney General.”

Councilmember Jernigan stated, “I think I did that to amend the amount and everything else was the same.”

City Attorney Walsh asked that the Resolution be read by title with the new amount.

Mayor Butler read the Resolution by title. He stated, “A Resolution authorizing the contribution not to exceed \$1,000,000.00, to South Carolina State University for the purpose of road and street improvements.”

A motion was made by Councilmember Jernigan, seconded by Mayor Pro Tem Keitt, to approve the Resolution at \$1,000,000.00.

Councilmember Barnwell stated, “I thank Mr. Charlie Way and the Board for the job they have done balancing the budget for the year. SC State University got into bad shape due to theft and fraud and a lot of things. In my opinion, the money will have to be replaced. It’s been increased from \$200,000.00 to \$1,000,000.00 and that comes out of capital improvements and that is allowed for emergencies, such as new fire trucks and new garbage trucks. In order to put the money back, it would have to, in my opinion, ultimately end up as a tax increase, which would cost the citizens of Orangeburg. Also, can the \$1,000,000.00 be legally transferred from the City to a state agency and South Carolina State University is owned by the State of South Carolina. I want to see SC State University reaccredited, but I can’t see using taxpayer’s money to do it.”

Councilmember Jernigan stated, “I appreciate Mr. Barnwell’s position to a certain extent and we do have money in our fund balance and DPU has money in some of theirs. This would be a good use for the money and would not hurt the taxpayers of Orangeburg and it would not necessarily affect the taxes. It would not require that we raise taxes. If we go like we normally do, we put money back in our fund balance every year. The City staff and employees work hard and I don’t think it would cost the taxpayers a dollar.”

Mayor Pro Tem Keitt stated, “We are here to assist in whatever endeavor we are able to assist. This money does not belong to the Councilmembers; it belongs to the City of Orangeburg. SC State University has much to give to the City of Orangeburg, so it’s the City’s time to give back to them. We have the funds that can be assisted with and we’re going to do that.”

Councilmember Barnwell stated, “This money does not belong to the City, it belongs to the taxpayers.”

Department of Public Utilities Director Tommy Miller addressed Council in regards to a Resolution authorizing the investment of funds held by DPU with First Citizens Investment Services Inc. He asked, if Council would take this under advisement and take no action and he would bring it back to the next meeting.

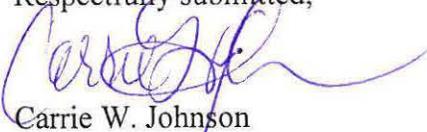
A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt, to take no action on the Resolution at this time. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for Contractual Matters, (1) Sale of real property –1099 Russell Street, and (2) Review for purchase of real properties – 990 Russell Street and a Legal matter concerning (1) South Carolina Human Affairs Commission (SCHAC) Employment Audit. This was unanimously approved.

Council will not be returning to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson

/pfb

## CITY COUNCIL MINUTES APRIL 19, 2016

2522  
Orangeburg City Council held a Public Hearing on Tuesday, April 19, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

The purpose of the Public Hearing concerning Ordinance No. 2016-2, amending the Code of Ordinances titled Rotation, Eligibility, Wrecker Rotation Operating Procedures, Wrecker Service Responsibilities, Towing and Storage Charges and Indemnification, Respectively.

The Public Hearing was for opened for comments.

Hearing no comments, the Public Hearing was closed.

Council entered into the regularly scheduled City Council meeting.

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to approve the April 5, 2016, City Council Minutes as distributed. This motion was unanimously approved.

J.W. Hunt and Company presented the FY 2014-15 audits for the City of Orangeburg and the Department of Public Utilities. Ms. Anne Ross presented the City. She stated, "I want to start off by thanking the staff for their help. You have an unqualified or clean audit. The opinions are in the back with the Federal Fund Compliance. The Management's Discussion and Analysis starts on page 4 and we don't audit that section, just the numbers. The big elephant in the room is GASB 68 where you have to book your SC Retirement Systems liability. It is a big number, net pension for the City was \$13 million and net pension for the other enterprise funds, including DPU is approximately \$20 million. This is only on the government wide statements and the enterprise fund statements. On page 20, the unrestricted net position decreased due to the recording of the GASB68 liability for pensions. The General Fund does not apply with the Governmental Balance Sheets so there is a positive change in the unassigned fund balance on page 22. On page 24, other government funds, \$4.3 million was used to build the gym. You have paid down a lot of debt also. In the proprietary funds, there are two new categories which are deferred inflows and deferred outflows, which is part of GASB 68. That starts on page 40 and the notes that relate to it are on pages 52-58. There is \$18 million dollars in long term debt which includes pension and the annual leave. The golf course and airport start on page 81. The Golf Course had a \$240,000 loss with depreciation of \$71,000.00. The Airport had a \$733,000 loss with \$691,000 of that being depreciation. Your Federal reports are in the back."

Councilmember Jernigan asked, "In the Budget Analysis, there is a reference to indigent defense, local government revenue decreasing and changes in business license rates that may affect revenue, what is that?"

Ms. Ross stated, "That is in the Management Discussion and Analysis and that is the City's take on the year."

City Administrator Yow answered, "The Indigent Defense was a budget proviso in the State budget and we entered into a contract for \$24,000 per year with the Public Defender's office so that is currently in place. The last Legislative update, the budget proviso was in most of the committee reports for next year. The local government fund shortfall is in the neighborhood of \$90,000.00. The proposed legislative business license change is an unknown number and we don't know that number yet. Hopefully, it will have a neutral effect."

Councilmember Jernigan stated, "It is getting harder and harder for municipalities around the state to meet these mandates and do what we need to do."

Councilmember Barnwell asked the City Administrator, "Didn't we find out that the State is also funding the indigent defense?"

City Administrator Yow replied, “The State funds, the Public Defender’s office through <sup>2523</sup> government taxes and through the surcharges assessed on local fines. What we are saying is that we fund indigent defense through property taxes and fines. Also, we contribute to indigent defense through property taxes and fine assessments and now directly as well”

Mr. John Creech, of J. W. Hunt & Company addressed Council regarding the FY 2014-15 audit for the Department of Public Utilities. He stated, “I want to thank DPU for helping us in our job, it was a critical year this year due to the new software. On pages 12-15, is the Management’s Discussion and Analysis for DPU and on pages 26-31 are the basic financial statements and total assets for DPU increased \$3 million due to investment, plant, etc. On page 27, the total net position decreased by \$14.2 million dollars which most of it was due to the pension liability of \$19 million dollars. On page 28 are the income statements which revenue decreased \$3.2 million and a corresponding reduction in cost of goods sold evened out. On page 29 is the statement of cash flows, page 46 is the breakdown of property, plant and equipment. On page 47, is the breakdown of debt for DPU and shows future requirements.”

Councilmember Haire asked, “What did you mean by your opening remarks regarding the software being an issue?”

Mr. Creech replied, “It was the first year of the new software and it was a change from the old system so it was a learning curve for both DPU and our staff.”

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to accept the audit for the City of Orangeburg and the Department of Public Utilities for FY 2014-15. This motion was unanimously approved.

Concerning the Ordinance amending the Code of Ordinances titled Rotation, Eligibility, Wrecker Rotation Operating Procedures, Wrecker Service Responsibilities, Towing and Storage Charges and Indemnification, City Administrator Yow stated, “There are no changes to the Ordinance with the exception of the storage fees after twenty-four hours.”

Director Mike Adams stated, “I will be happy to answer any questions you may have.”

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt to approve the Third Reading of an Ordinance amending the Code of Ordinances titled Rotation, Eligibility, Wrecker Rotation Operating Procedures, Wrecker Service Responsibilities, Towing and Storage Charges and Indemnification, Respectively. This motion was unanimously approved.

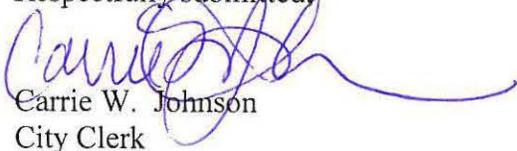
There were no utility matters brought before Council.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for legal matters (1) Property of Earl Brooks, former Emart Building at 215 Courthouse Square, (2) Sale of Real Property at 1099 Russell Street and (3) Monetary contributions to SC State University. This motion was unanimously approved.

Council will not be returning to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Carrie W. Johnson  
City Clerk

/pfb

**A RESOLUTION AUTHORIZING THE SALE OF APPROXIMATELY 11.86 ACRES, TAX MAP NUMBER 0235-00-01-021, TO THE MURDOCH FAMILY LIMITED PARTNERSHIP FOR THE AMOUNT OF \$150,000.00 AND PROVIDING FOR THE REFUND OF THE PURCHASE PRICE IF THE PURCHASER CREATES AT LEAST FIVE (5) FULL TIME-NEW JOBS AND MAKES A CAPITAL INVESTMENT OF AT LEAST \$3,500,000.00 WITHIN FIVE YEARS OF THE PURCHASE CLOSING DATE**

**WHEREAS**, the City of Orangeburg (hereinafter referred to as "City") entered into a Development Agreement with the County of Orangeburg (hereinafter referred to as "County") for the purpose of developing an industrial park located at the intersection of U.S. Interstate 26 and U.S. Highway 301, and

**WHEREAS**, the City and County agreed that title to the industrial park real property would be vested in the Orangeburg County/City Industrial Park Commission (hereinafter referred to as "Commission"), and

**WHEREAS**, any proceeds from the sale of property within the park are to be shared equally between the County and City, and

**WHEREAS**, the Commission has entered into a Purchase and Sale Agreement dated April 27, 2016 with the Murdoch Family Limited Partnership for the sale of approximately 11.86 acres, Tax Map Number 0235-00-01-021, for the consideration of \$150,000.00, and

**WHEREAS**, the Commission agreed that the purchase price of \$150,000.00 would be refunded to the Murdoch Family Limited Partnership if in the development of the property Murdoch created five (5) full time-new jobs and made a capital investment of \$3,500,000.00 within 5 years of the purchase closing date, and

**WHEREAS**, in accordance with the Development Agreement between the City and County it is necessary that the City agree to the refund provisions of the Purchase and Sale Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED, on this the 11th day of May, 2016 that:**

(A) The sale and development of the property is anticipated to benefit the general welfare of the City and the County and City Industrial Park;

(B) The purposes to be accomplished by the sale and development of the property are proper governmental and public purposes and the inducement of the location of industrial development is of paramount importance and the benefits received from the sale and development of the property to the public are greater than the anticipated refund; and

City Council has evaluated the proposed development considering all relevant and required factors but not limited to the anticipated dollar amount and nature of the investment to be made and the benefits to the County and City and finds that it is the best interest of the citizens of the City of Orangeburg that the Purchase and Sale Agreement between the Orangeburg County/City Industrial Park Commission and Murdoch Family Limited Partnership dated April 27, 2016 be approved, including the refund provisions of the purchase price as set forth in Section 8 of said Agreement.

AND IT IS SO RESOLVED.



Michael C. Butler  
Mayor

Debra Kane

Danda P. Knotts

Chris B. Barrett

Timothy H. Heist

Chris Duggan

Richard A. Strom  
Members of Council

ATTEST: Carrie A. [Signature]  
City Clerk

# CITY COUNCIL MINUTES

May 3, 2016

2525

Orangeburg City Council held its regularly scheduled City Council meeting on May 3, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

## PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the April 19, 2016, minutes as distributed. This motion was unanimously approved.

Ms. Evelyn Disher, Community of Character Director, accepted the May Character Trait Proclamation, "Patience".

Assistant City Administrator Singh addressed Council, he stated, "We have talked about some type of incentives for business licenses and we are working on finishing the details with a rough Ordinance and you have some details with some recommendations from Ms. Johnson on tying down some details. When we are talking about the rebate and the waiver and with talking to City Administrator Yow, the recommendation would be to start with the waiver as doing as an incentive to get us started. If it works well, we may come back to you in increasing the incentives or a rebate. We are looking to present to you at the next meeting, a waiver of the first year license and that will be it, and it is only in the downtown area. Included in your packet, is a map that is shaded for the area that is defined for the waiver. The concept is to promote the downtown area."

Mayor Pro Tem Keitt asked, "Are we looking at that the business is presenting and not focusing on what they are bringing?"

Assistant City Administrator Singh stated, "What we have here is a basic incentive, we are really not focusing on what they may be bringing. With staff, if you have a business come in with a very detailed business plan and with a good deal of backing that may be a different type of incentive. Almost like an industrial incentive. Florence has put out a lot of incentives to their downtown. You as Council would make the decision."

City Administrator Yow stated, "This is not limited, this is more for the small businesses. It is very basic."

Councilmember Jernigan asked, "It is restricted to the map that is shown here for downtown?"

Assistant City Administrator Singh stated, "That is the proposal by staff."

Councilmember Jernigan asked, "Does that include the old E-Mart building?"

Assistant City Administrator Singh stated, "Yes, it does by street line, we need to make it more shaded."

City Administrator Yow stated, "You can go down Amelia to Doyle, that is up to Council."

Councilmember Jernigan stated, "That would be a good area for someone to come in there."

Mayor Butler stated, "It is a good idea, it is needed."

**2526**

Assistant City Administrator Singh stated, "We will have some more examples in the Planning Session."

Councilmember Jernigan stated, "There is a group that is planning on presenting some ideas to Council soon as well."

Councilmember Haire asked, "Ms. Keitt, what were your thoughts on your comments in duplication of businesses?"

Mayor Pro Tem Keitt replied, "Not necessarily, I think it would be according to what they bring to the table, we need to set up some criteria."

Councilmember Haire asked, "We need to set up criteria to prevent duplication of the same thing."

Council received this as information.

Concerning the discussion of an Ordinance of prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours, Department of Public Safety PSO Warrington addressed Council concerning crime trends of three bars in the City limits, Locals Pub, The Palms and Agora/Faces. He stated, "We have gathered statistics since January 1, 2014 through April 28, 2016. One hundred and eighteen crimes occurred at only three club locations. If these locations would have been required to close at 2:00 AM, this would have eliminated 49% of these crimes. At Locals, we have had 66 incidents, at the club and within one block of the location, we have had 218 incidents. Between 2:00 AM and 6:00 AM, there were 41 incidents of the 66. At Agora, there were 34 incidents and 203 within one block. Between 2:00 AM and 6:00 PM, there were 12 incidents. At the Palms, there were 18 incidents and 209 within one block of the location, five being between 2:00 AM and 6:00 AM. Crimes within one block are reflective of the location's crimes; these crimes are more frequent in the surrounding area. Crimes are occurring at higher rates in 2016 than in 2014 and 2015 with reports taken in only four months of nearly the previous year totals."

Director Mike Adams stated, "We have had six incidents since this presentation was completed from April 28th. One was of a high and aggravated assault at Locals and we were not notified of the crime until they arrived at the hospital to seek treatment and the hospital called us. As the Director, I am concerned about this."

Mayor Pro Tem Keitt asked, "Why do we not have a time for these places to close?"

Director Adams stated, "That is what we are trying to do now. The City of Charleston and Columbia close at 2:00 AM. What we are advocating is some open and frank discussion on this concerning a time these businesses should close. If you look at the number of offenses that occur after 2:00 AM, it is a large number. If you get there at 9:00 PM and drink all night until 2:00 AM, that is a long time. You have some establishments that will close a long time before 2:00 AM."

Councilmember Haire asked DPS Director Adams, "Do you find any correlation between what the County has done as it relates to shutting down these facilities at 2:00 AM and increasing in the City."

DPS Director Adams stated, "Yes, sir, I do believe there is a direct correlation between the two. An Ordinance was passed by the County on Nov 15, 2015, and as PSO Warrington pointed out, the correlation is that we have seen an increase in the number of offenses so far this year based upon the time of the study. In the first four months we are up 75% from all of last year, so I do believe that is a correlation. We have a club that is going to open on US 301 and we just did

final inspection and they were approved. We have information that another club is going to relocate in the City.” 2527

Councilmember Haire asked if the club was going to locate next to the old Holiday Inn across from the old KFC.”

Chief Adams state, “That is correct.”

Councilmember Jernigan asked Chief Adams, “Don’t you think that from 2:00 AM to 6:00 PM would be adequate to prohibit sale and consumption of alcohol.”

Chief Adams answered, “I do think it would be adequate and fair that from 2:00 AM to 6:00 AM the sale and consumption of alcohol would be prohibited and the owner would be prohibited from selling and the patron would be prohibited from buying and at 2:30 AM everyone would have to be out of the establishment and the consumption of alcohol would cease at 2:00 AM.”

Councilmember Stroman asked, Can you sell alcohol on Saturday after 12:00 AM, which is Sunday”

Chief Adams stated, “In a private club you can. Time restrictions are different in private clubs than public clubs”.

Councilmember Jernigan asked, “Does this Ordinance relates to public and private?”

Chief Adams Stated, “Yes.”

Councilmember Jernigan asked, “This would regulate both.”

Chief Adams stated, “Yes sir, all licensed establishments.”

Councilmember Stroman asked, “Everybody in the City.”

Chief Adams answered, “Yes Sir.”

Mayor Pro Tem Keitt stated that it is important that the clubs close at 2:00 AM and I thought this was when they were closing.”

Chief Adams stated, “We are a college town and there is a lot of young kids and establishments that are staying open after 2:00 AM and this is not good as it is about protecting the kids.”

Mayor Butler stated, “I thought individuals would be home at such a time at night and I would like to know what time Five Points close.”

Chief Adams stated, “They close at 2:00 AM, similar to what we are proposing.”

Councilmember Knotts stated, “The businesses around these three clubs that you are talking about. What have they said as it relates to the traffic and incidents that have occurred.”

Chief Adams stated, “That is a good question. Like Club Agora. POS Warrington discussed the issues of Henry Travel Plaza and the Dodges store right next door. I am not aware of employees at the store addressing Club Agora but I can tell you what we see from our experiences. We see that it takes a lot of time to get in the club as they are trying to be thorough when they get people in there as they are concerned about weapons, etc. You will have folks parking at Henry’s Travel Plaza and there are issues that go along with that. This also happens at the Dodges store and I will tell you that the owners of the club are trying to keep up with what is going on with the people. We get calls from the locals stating that can’t sleep at night.”

Mayor Butler asked, “What time does the Country Club closes?”

Chief Adams stated, “Way before 2:00 AM.”

City Administrator Yow stated, “We are proposing to bring this Ordinance back to you at the next meeting for first reading, so please review it thoroughly.”

Chief Adams asks if there were any more questions that he would be happy to answer them.

2528  
Councilmember Haire asked, "What about the County's Ordinance on this and do you see any problems with it."

Chief Adams stated, "Their Ordinance is similar to the one that we have. Closing times are the same."

Councilmember Jernigan asked, "Is there a state law governing serving alcohol at certain times?"

Chief Adams stated, "It depends on the day and the establishments; and like I said, private club times are totally different."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to appoint Clayton Bozard (Finance Dept., IT) to the Grievance Committee to fill an unexpired term. He will also serve as the Chairman and Lt. Jennifer Haig to serve on the Committee as an alternate from the Department of Public Safety. This motion was unanimously approved. At the May 17<sup>th</sup> City Council meeting more additional vacancies will need to be nominated to the Committee.

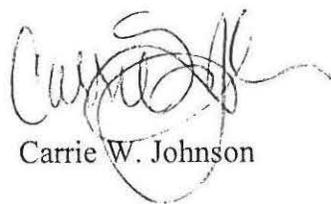
The Fiscal Year 2016-17 Budget Calendar will be placed on the May 17, 2016, agenda for approval due to scheduling conflicts.

There were no utility matters brought before Council.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for legal matters (1) Monetary Assistance to SC State University, (2) Sale of property at 1099 Russell Street.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson

/pfb



# SPECIAL CITY COUNCIL MINUTES

## May 11, 2016

Orangeburg City Council held a Special City Council meeting on Wednesday, May 11, 2016, at 10:00 A.M., in Council Chambers with Mayor Butler presiding. 2529

**PRESENT:**

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

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for Economic Development – Project Bulldog- sale of real property.

Council will return to Open Session.

A motion was made by Mayor Pro Tem Keitt, second by Councilmember Barnwell, to return to Open Session. This motion was unanimously approved.

Council returned to Open Session.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve a Resolution for Project Bulldog, sale of real property. This motion was unanimously approved.

City Administrator Yow stated, “We have met and I have given you an outline while we work on the 2016 1% sales tax list. The Mayor has talked with the County that we are meeting today developing a list. The list will be on the agenda next week.”

Councilmember Jernigan asked, “When will the 8.2 million be available to use?”

City Administrator Yow stated, “It will be voted on in November. They will borrow money after the Referendum. I asked the County what is the projected total dollar amount countywide, and they stated \$64,500,000 which would be split between the County & seventeen municipalities. There will be issuance cost of bonds and administrative fees.”

Councilmember Haire asked, “If we nominate a project for 1 million and we deem it no longer viable, where does the dollars go?”

City Administrator Yow stated, “You do not have to expend exact amounts, costs are unknown, some under and some over, you may remember a project some years ago went back to County.”

Councilmember Knotts, “Can we see the total list from County prior to voting in November?”

City Administrator Yow stated, “Yes, the meeting will be open to review the list.”

Councilmember Jernigan asked, “Will the list be on the ballot?”

City Administrator Yow stated, “Yes, the priorities are as Council directs and the list is a draft based on input from you. Councilmember Keitt wants to do a Bayne Street sidewalk. I’ve received some feedback on a parking lot at the Arts Center and some Department Heads have mentioned section of ditches on Middleton and Broughton and building a culvert or pipe for ditches.”

Assistant City Administrator Singh stated, “Pedestrian Bicycle Improvement Project to implement some part of it.”

2530 Councilmember Haire asked, "Didn't we talk about culvert on Sunnyside Canal? Residents are a great advocate of completing the canal, started at the end and not where it starts. People were promised it would be completed. If we can do culverts, we can complete that project."

City Administrator Yow stated, "All of that was before our time. Would you like it on the list?"

Councilmember Haire stated, "If we never start, we are never going to complete it."

City Administrator Yow stated, "We may need to add money for a study, engineering and costs to know what it entails."

Council went through the Capital Projects List.

#### **Item #1 Library**

Councilmember Stroman stated, "As long as County builds the library and not a private citizen."

City Administrator Yow suggested, "The County owned library."

#### **Item #2 City Airport**

City Administrator Yow stated, "We have received letters for large Corporate hangars for large planes. Some Councilmembers expressed interest."

Councilmember Barnwell asked, "Do we have commitments?"

Councilmember Jernigan stated, "I agree, there needs to be a list so we will be able to find them. We need to have money set aside. Can we list improvements? Better time, use of money to improve it."

City Administrator Yow stated, "We have used money for fuel tanks, Council has to have a grant match money for projects. You can use this to match several grants."

Councilmember Stroman stated, "When we increased the tax, Sumter needed to move a jet, and Orangeburg had nowhere to put it."

Councilmember Haire stated, "List under improvements."

City Administrator Yow stated, "This will assist with Economic Development and will increase our fuel sales for operations."

Councilmember Jernigan stated, "At the Municipal Association they often get asked about communities with Airports, industries want to know if you have an Airport. I do think the Airport is an asset of the City for development."

#### **Item #3 Improvements of City owned streets**

City Administrator Yow stated, "The City owns roads in Pine Top subdivision, roads are in need of repair, we did not accept the dam. This was before my time. We will address roads at some time. Repairs to Pine Top are less than \$600,000.00. Other roads, the City owns are a small section of Rowe Street that the State did not accept, Executive Court, Mosely Street and Blair Street. Councilmember Stroman thinks it is private."

#### **Item #4 Mirmow Field**

Resurface parking lot, walk under bleachers, all of that needs updating.

Councilmember Haire stated, "Birds roost there."

City Administrator Yow stated, "Large fans are needed to keep cool and possibly a need for electrical upgrades."

**Page 3****Item #5 Railroad Corner**

City Administrator Yow stated, "Mayor Butler has indicated that Railroad Corner is a priority. We are trying to get an environmental assessment done. Budget was 5 million a few years back. If you use all the money there, you won't have enough."

Councilmember Jernigan asked, "Are we duplicating services or money? Isn't the developer talking about developing the area as a private development? Are we subsidizing a private developer?"

City Administrator Yow stated, "City Council has not said you are doing anything with a private developer."

Councilmember Jernigan asked, "Are we willing to develop property ourselves? Do we want to spend money or whether a private developer is going to develop?"

Councilmember Haire asked, "What about streets, parking, and drainages? That's not something a private developer will address."

City Administrator Yow stated, "Some may want some incentives such as streetscape and lighting."

Councilmember Jernigan stated, "That's a lot of money in a project."

City Administrator Yow stated, "We have projected it at 3 million."

**Item #6 Expand City Hall and Stevenson**

City Administrator Yow stated, "We need to expand the Finance Department, a place is needed at Stevenson to hold a reception, we need to move street over, Market Street to St. John Street, estimated at \$1,000,000.00."

**Item #7 Edisto Garden Improvements and Riverfront Development**

Councilmember Jernigan asked, "Revisit RV Park or not?"

Mayor Butler stated, "We need to develop near the water."

Councilmember Haire asked, "Didn't we discuss with Senator Matthews about cleaning the river and development?"

City Administrator Yow stated, "Yes."

Mayor Butler, "Build a fishing deck. We could do a RV park if we develop the riverfront."

Council decided to included \$571,948.00 for Riverfront Development

**Item #8 North Road/Recreation Complex**

City Administrator Yow stated, "North Road project is not finalized. We need to include money in the next round to carry project over. We are trying to get the encroachment permit and enter into a Memorandum of Understanding with SCDOT. This may warrant a traffic signal. The City is responsible for that and the Legislation Delegation will help us."

Councilmember Haire asked, "When did they start requiring that? I thought they were all about safety and welfare?"

**9. Parking beside City Gym**

All Councilmembers have agreed to spend \$150,000.00 for this project.

**10. Other Items Discussed**

Councilmember Jernigan, "What about the Gardens and Boardwalk money City Administrator Yow stated, "We are getting money from FEMA on that we hope. Parking at Arts Center? We can come back to address." Councilmember Jernigan stated, "Since the money is received over seven years, we can't do all these projects on the list."

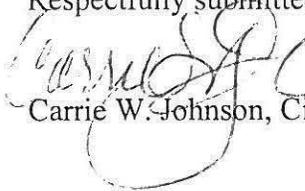
City Administrator Yow stated, "It takes us years to get the money. We can fund small projects with cash flow. We can't do three big projects at one time."

Sidewalks for \$100,000.00 were also added.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Carrie W. Johnson, City Clerk





## RESOLUTION

A RESOLUTION AUTHORIZING THE INVESTMENT OF FUNDS HELD BY THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG WITH WEALTH MANAGEMENT GROUP OF FIRST-CITIZENS BANK & TRUST COMPANY IN ACCORDANCE WITH SECTION 6-5-10 OF THE CODE OF LAWS FOR THE STATE OF SOUTH CAROLINA

**WHEREAS**, the Department of Public Utilities of the City of Orangeburg has for many years used the investment services of South State Bank and First Citizens Bank of South Carolina, and

**WHEREAS**, First Citizens Bank & Trust Company, Inc. of South Carolina and First Citizens Bank of North Carolina have now merged and an investment division of the surviving company is Wealth Management Group of First-Citizens Bank & Trust Company, and

**WHEREAS**, Wealth Management Group of First-Citizens Bank & Trust Company has requested authorization to invest the funds of the Department of Public Utilities.

**NOW, THEREFORE, BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED**, this 19<sup>th</sup> day of May, 2016 that O. Thomas Miller, Jr., Manager, Department of Public Utilities, is authorized to execute any and all documents necessary to utilize the investment services of Wealth Management Group of First-Citizens Bank & Trust Company, including without limitation, the authorization of employees Joshua Nexsen, John W. Beeks, and O. Thomas Miller, Jr. to access and view the online investment accounts of the Department of Public Utilities and to authorize investments, deposits, withdrawals and internal transactions in accordance with Section 6-5-10 of the Code of Laws for the State of South Carolina.

**BE IT FURTHER RESOLVED** that O. Thomas Miller, Jr. shall authorize Janice Price to access and view the online investment accounts of the Department of Public Utilities.

**AND IT IS SO RESOLVED.**



Michael C. Butch  
MAYOR

Samuel Hare

Dandra P. Lewis

Charles B. Bannister

L. Zimmerman Keitt

Chris Dyer

Richard A. Stone

MEMBERS OF COUNCIL

Carrie J. Hill  
ATTEST: CITY CLERK

# CITY COUNCIL MINUTES

May 17, 2016

2533

Orangeburg City Council held its regularly scheduled City Council meeting on May 17, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

## PRESENT:

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the May 3, 2016, City Council minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the May 11, 2016, Special City Council minutes as distributed. This motion was unanimously approved.

Dr. Jerome Fitts of Claflin University and the Baseball SIAC Conference Champions thanked City Council for their acknowledgements. Coach James Randall stated, "We are headed to Tampa, Florida, of the NCAA Regionals and we are scheduled to play Thursday at 3:00 P.M., as a 7<sup>th</sup> Seed and we thank you for your support."

City Administrator Yow presented the City's FY 2016-17 Budget Calendar.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the adoption of the City's FY 2016-17 Budget Calendar and to cancel the July 5<sup>th</sup> and July 19<sup>th</sup>, 2016, City Council regularly scheduled meetings.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the reappointment of Ms. Anna Bloome from Parks and Recreation Department and LeAndrae Felder from the Service Department to the City's Grievance Committee. This is a three year term expiring June 4, 2019. This motion was unanimously approved.

Assistant City Administrator John Singh presented the First Reading of an Ordinance amending Chapter VII of the Code of Ordinances of the City of Orangeburg by adding a new Section 7-8, Titled Business License Incentive Program for New Businesses. He stated, "This is an incentive for businesses in the downtown area. We will be bringing back a cleaner map for second reading and we have added the area City Council wanted down Amelia Street. A \$1,000.00 maximum waiver limitation was also added."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the First Reading of an Ordinance amending Chapter VII of the Code of Ordinances of the City of Orangeburg by adding a new Section 7-8, Titled Business License Incentive Program for New Businesses. This motion was unanimously approved.

DPS Director Mike Adams brought before Council the First Reading of an Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours. Director Adams stated, "This is the same as we discussed earlier with a closing time of 2:00 A. M. and a must stop serving and premises cleared by 2:30 A.M."

Councilmember Haire asked, "How many establishments are we talking about?"

Chief Adams stated, "Six."

Mayor Pro Tem Keitt asked for a list of these places.

Councilmember Knotts asked, "What days do this refer to?"

Director Adams stated, "Everyday, they can sell on Sunday in private clubs."

Mayor Butler stated, "With the number of crimes out there this is the reason why we are doing this"

Director Adams stated, "Between 2:00 A.M. and 5:30 A.M. is when you have the largest number of offenses at these establishments and within a one block area."

A motion was made by Councilmember Stroman, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to approve the adoption of the 2016 Capital Project Sales Tax List as follows:

**2016 Capital Project Sales Tax List**

Library-City portion of total funding for County owned library in downtown	\$1,000,000.00
Airport improvements & upgrades	\$1,000,000.00
Improvements of City owned streets including Pine Top Subdivision	\$ 600,000.00
Mirmow Field improvements	\$ 400,000.00
Railroad Corner Redevelopment	\$3,000,000.00
Expand City Hall & Stevenson Auditorium street realignment and construction	\$1,200,000.00
Edisto Gardens improvements & riverfront development	\$ 571,948.00
North Road Rec. Complex, traffic Control	\$ 200,000.00
Parking beside City Gym	\$ 150,000.00
City Sidewalks	<u>\$ 100,000.00</u>
Total	\$8,221,948.00
*Amount projected to be received by City	\$8,221,948.00

This motion was unanimously approved.

DPS Director Adams stated, "On April 5<sup>th</sup>, we demonstrated our newer patrol vehicles that included a rumbler siren that overcomes radios and they work very well and we are installing them in our standard packages. Councilmember Haire asked that this be brought up for discussion and has requested some information about it. We have twenty-seven (27) patrol vehicles and eleven (11) fire apparatus and each rumbler costs \$426.93 and including installation would be approximately \$29,883.43."

Councilmember Haire stated, "I asked for this information after the demonstration was held and I immediately saw a need for the additional safety of personnel. We should go ahead and invest to see if we can get them installed. I feel that if we can save a life, it is a worthwhile investment. I wanted to bring this up before Council to share your opinions."

Director Adams stated, "I had intended to include this as a budget item, as this upgrade we are speaking about stands out above the rest. We have over 1,000 fire calls a year and a new truck is over \$500,000 and if we wreck one, we are behind the 8 ball."

Mayor Pro Tem Keitt asked, "Do we have the money?"

City Administrator Yow stated, "We will be amending the current year budget and it is not uncommon for us to fund things in the year-end with good budgeting and management. We will see if we can work it in the year-end budget."

Council received this as information.

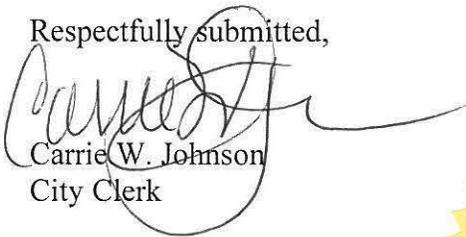
A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve a Resolution authorizing the investment of funds held by the Department of Public Utilities with First Citizens Investment Services, Inc., in accordance with Section 6-5-10 of the Code of Laws for the State of South Carolina. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to enter into an Executive Session for a legal matter for sale of property at 1099 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





## RESOLUTION

A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIVE, RESPONSIBLE BID BY FOREMOST PIPELINE CONSTRUCTION CO., INC. OF GASTON, SOUTH CAROLINA IN THE AMOUNT OF \$1,831,187.47 FOR THE CONSTRUCTION OF APPROXIMATELY 8 MILES OF 6" STEEL GAS MAIN ON U.S HIGHWAY 176 SOUTH.

WHEREAS, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on May 18, 2016 for the construction of approximately 8 miles of 6" steel gas main on U.S. Highway 176 South; and

WHEREAS, the low responsive, responsible bid for this work was submitted by Foremost Pipeline Construction Co., Inc. of Gaston, South Carolina in the amount of \$1,831,187.47; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsive, responsible bid shown above 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 7<sup>th</sup> day of June, 2016.



*Michael C. Butch*

MAYOR

*Paul Hair*

*Jordan R. Knott*

*Charles B. Bannock*

*Chad Dixon*

*Richard T. Stone*

MEMBERS OF COUNCIL

ATTEST:

*[Signature]*

**AN ORDINANCE AMENDING CHAPTER VII OF THE CODE OF ORDINANCES  
FOR THE CITY OF ORANGEBURG BY ADDING A NEW SECTION 7-8,  
TITLED BUSINESS LICENSE INCENTIVE PROGRAM FOR NEW  
BUSINESSES**

**WHEREAS**, the City Council finds that the development of its business tax base requires a business license incentive program for new businesses (“incentive program”), and determines that a reduction in the business license taxes for qualifying new businesses will foster and encourage business development in the downtown core area.

**NOW, THEREFORE, BE IT ORDAINED**, by City Council duly assembled, that Chapter VII of the Code of Ordinances for the City of Orangeburg is amended by adding a new Section 7-8, titled Business License Incentive Program for New Businesses which shall read as follows:

**7-8 – BUSINESS LICENSE INCENTIVE PROGRAM FOR NEW BUSINESSES.**

**Section 7-8.1 Purpose and Intent**

The City Council finds that the development of its business tax base requires a business license incentive program for new businesses (“incentive program”), and determines that a reduction in the business license taxes for qualifying new businesses will foster and encourage business development in the downtown core area.

**Section. 7-8.2. Definitions**

For purposes of this article, the following words shall have the meanings ascribed to them in this section:

*Acquisition* shall mean the combination of two (2) or more existing businesses where one (1) business acquires the ownership of the other business.

*Business license year* shall mean April 1st through March 31st of each calendar year.

*Change in business form* shall mean a change in the organization of an existing business. A change in business form occurs whether such change is voluntary or involuntary, recognized by the South Carolina Secretary of State or not recognized by the South Carolina Secretary of State.

*Merger* shall mean the combination of two (2) or more existing businesses to establish a new business.

*Name change* shall mean the change in the name upon which a business trades. A name change occurs whether or not the business registers such name or change of name with the South Carolina Secretary of State.

*Similar business combination* shall mean any transaction that is of the same nature as a merger or an acquisition.

**Section 7-8.3. Business license tax incentive created.**

There shall be a business license tax category of “new business qualifying for incentives”. Rates otherwise applicable under the City’s classification for business license tax purposes, as from time to time amended, shall be abated for new businesses qualifying for the category as provided in Section 7-8.5.

**Section 7-8.4 License tax abatement schedule.**

(a) Business which meet the requirements of “new business qualifying for incentives” as provided in Section 7-8.5 shall have their business license taxes abated one hundred percent for the first taxable year of operation or any portion thereof, but not to exceed a maximum tax abatement of \$1,000.00.

(b) Any business which meets the requirements of Section 7-8.5 and which is issued a business license permit for less than a six month period in its first taxable year of operation may elect to extend its 100 percent abatement to the second taxable year for the remaining unused abatement in order to obtain a total taxable year abatement.

(c) No business and no successor or affiliated business entity having one or more of the same principals and substantially the same business activity may cease business operations in the name of one business and then resume business operations in another name if the effect of such resumption is to circumvent this section or to prolong the incentives provided beyond one total taxable year.

#### **Section 7-8.5 – Qualifying Requirements.**

*Qualifying business* shall mean a business that locates for the first time in the following described, designated area of the City after the effective date of this article. A business shall not be deemed to locate in the City for the first time based on a merger, acquisition, similar business combination, name change, or a change in business form. A business shall not be deemed to locate in the City for the first time if there is an existing business in the City trading under the same or substantially similar business name, the businesses conduct similar business activities, and the businesses are related either by a shared ownership structure or a contractual relationship such as a franchisor/franchisee relationship. A qualifying business shall not include peddlers and itinerant merchants. A qualifying business shall not include contractors required to obtain a business license under the License Schedule, Section 7-2.4 of this Code. When applying for any benefit afforded under this article, the applicant shall have the burden of proving qualification as a qualifying business.

Description of Area: Any new business fronting on either side of Russell Street beginning at the intersection of Russell Street and Riverside Drive and continuing from said point in a northeastern direction to the intersection of Russell Street and Boulevard Street, any new business located in the area marked with hatched lines on Exhibit "A" attached to this Ordinance and described generally as having the following boundaries; Northwest by Amelia Street, Northeast by Doyle Street and Middleton Street, Southeast by St. John Street and Fischer Street and Southwest by Broughton Street; and any new business fronting and located on either side of said streets.

#### **Section 7-8.6 – Application and Appeal.**

(a) Any business seeking to qualify as a qualifying business shall complete an application in writing. The application shall be on forms developed by the City Finance Director.

(b) Any determination of qualification or of non-qualification as a qualifying business shall be in writing by the City Finance Director.

(c) The appeal of a determination of non-qualification shall be filed and decided by the City Administrator.

#### **Section 7-8.7 – Obligations of a Qualifying Business.**

(a) Nothing in this article shall be construed to repeal any requirement of businesses within the City to maintain records or comply with an audit by the City Finance Director.

(b) A qualifying business shall report its gross receipts to the City Finance Director, at such times and in such manner as required by law and the failure to timely report shall result in the forfeiture of any entitlement to the license tax abatement provided herein.

#### **Section 7-8.8 – Effective Date.**

This article shall be effective July 1, 2016 and the incentive may be granted to qualifying businesses for a period of three (3) years thereafter; expiring on June 30, 2019 unless extended by Resolution of City Council.

DONE AND RATIFIED by City Council for the City of Orangeburg, State of South Carolina, in Council duly assembled this 21<sup>st</sup> day of June, 2016.



Michael C. Butler  
MAYOR

Senora Hair

Dandrea P. Kuttel

Charles B. Barnwell Jr.

Richard A. Stum

L. Zimmerman Keist

Chris [Signature]

MEMBERS OF COUNCIL

Attest: [Signature]  
City Clerk

**CITY COUNCIL MINUTES**  
**June 7, 2016**

Orangeburg City Council held its regularly scheduled City Council meeting on June 7, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

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

**ABSENT:**

**L. Zimmerman Keitt**

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the May 17, 2016, City Council minutes as distributed. This motion was unanimously approved.

Mayor Michael Butler and Tommy Miller, Department of Public Utilities Manager, presented a Retiree Resolution and gold watch to Mr. Charlie Williams, Jr., from DPU for his twenty-four years, ten months and seventeen days of service to the Department of Public Utilities.

Mr. Gene Gartman and Cheryl Dalton from the Dalton House for Veterans and Non Veterans made Council aware of their facilities and that they have twenty (20) beds available and they are now one-half full. They stated that would like to receive \$30,000.00 from the City of Orangeburg for their next year's operation. Council took this presentation under advertisement and took no action.

Regarding the Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours the following individuals made an appearances before Council.

Mr. Eric Clark from the Local's Pub spoke. He stated, "Local's Pub is a licensed tax paying business in Orangeburg and one of the most businesses that is being discriminated against. The Local Pub constantly reaches out to local law enforcement agencies about extra security measures and constantly being ignored. How can we have a safe environment if we can't have our Public Service that is paid to protect us and ignore the citizen's needs? I feel there is a disconnection between Orangeburg County and Public Safety. Public Safety does not interact with the Orangeburg County Sherriff. I reached out to both the County and Public Safety. Community policing is very important between Public Safety and Orangeburg County. How is the disconnection? Police officers don't interact with the community they just mainly patrol the streets. Crime statistics are very questionable. The Local's Pub is becoming a scape goat for crimes that are in the community. We are constantly being blamed for crimes that are not even in the vicinity of the Local Pub. The Local's Pub hires licensed, bonded security companies with armed and unarmed sled certified officers. On various occasions we try to hire law enforcement officers and have been denied. Several times the requests have been denied. What else can a business do for security and we don't have the support of local law enforcement. Local's Pub is one of the few establishments that actually gives back to the community and most of the hotels and businesses that benefits from the clubs and bars. During graduation and homecoming weekends, tow truck companies take advantage of visitors and citizens and they are also the ones that do absolutely nothing for the community of Orangeburg. Why are we being restricted on what is going on in Orangeburg". Mr. Clark made mention of several local charities and organizations that he has assisted or is affiliated with.

Mayor Butler asked, "Why do you want to stay open?"

Mr. Clark replied, "Because I cater to the plants such as AVP and Koyo that get off on the graveyard shift. They get off around 11:30 -12:00 midnight and they go home and get dressed and they come out 1:00 A. M. which would only give them an hour. Also, 40% of my sales are between the hours of 1:00 A.M. and 4:00 AM. "

Mayor Butler asked, "What time do you normally close?"

Mr. Clark replied, "It varies between 4:00 – 5:00 AM. I have a staff of 25 people to include 10 bouncers. There are individuals certified by SLED in the parking lots also. By closing at 2:00 AM will limit the taxes that I will be paying the City. I will be losing \$9,000 - \$10,000 a month by closing at 2:00 AM."

Ms. Simone Clark, of Local's Pub, 1510 Wingate Street Spoke. She stated "Good Evening. I just wanted to touch on some points. Who we cater to as our customers and why we are concerned with the early closing. We aim to please all our customers by opening early in the evening and closing as late as 4:00 AM. We are trying to be suitable for all our customers to meet everyone's social needs. A large part of our service is between the hours of 2:00 – 4:00 AM as we cater to the grave yard shift at Koyo, Zeus, Sunbeam Bakery, gas stations and restaurants. We host upcoming artist talent for local young people to show their craft which happens between 11:30 – 2:00 AM. We try our best to provide a safe environment for college students to enjoy. Some of our customers are not social drinkers; they just come to interact with their peers. Even if we have to close at 2:00 A.M. The Locals Pub, as well as other local businesses, within the community will continue to become more dedicated and sophisticated in dealing with the well-being of our City and our citizens."

Ms. Shondro Bender, of Local's Pub spoke. "The Local's Pub has monthly meetings once or twice a month to make sure our employees are happy and discuss what we can do to make our bar number one and safe for our employees and customers. We have armed security and bouncers on the inside. Customers must have ID to enter and must be at least 21 years of age. All customers are searched before entering. If a person is intoxicated when entering they are turned around. If someone becomes intoxicated while in the bar, we will no longer serve them. We try to find out who they are with to make sure they get home safely or we ourselves have taken them home. We do not allow any gang related clothing or signs. We want to stay open because we have so many men and women that depend on us to make a living and take care of their families."

Ms. Eva Baltzegar from The Palms Social Club spoke against the Ordinance for bars closing at 2:00 A.M. She provided a handout for Council of her comments, which is attached to the minutes and spoke from this handout..

Mr. Aaron Gillespie, Cloud Nine, 1664 Russell Street, stated "Today we are coming in with not a particular time we want to stay open; I'm speaking as a business, not as a club. There are no other businesses in Orangeburg that are required to close their businesses, none. If I go to any other establishment and if I am intoxicated, I'm responsible, So why is it when someone comes to my establishment, I the business owner is responsible. Look at us as businesses. It took us 18 months to get our liquor license. We want the opportunity to operate our business in the confines of the law. We opened this business with our money in 2011. This is how we feed our families. When we went for licenses no one said we had to close at a certain time. Anything can be accomplished if we sit down at a table and speak together and come to an agreement. And I think that's how things should be handled, instead of saying this is what it is. I thank you for your time."

Mayor Butler asked, "What is Cloud Nine? Is it a restaurant?"

Mr. Gillespie answered, "Yes, it a Hookah Lounge and Bistro."

Mayor Butler asked, "Where is it located?"

Mr. Gillespie stated, "It is located at 1664 Russell Street next to Freddie Ford's across the street from the old Piggly Wiggly. We're open Monday through Saturday and we open at 6:00 A.M. We offer all types of foods."

Councilmember Jernigan asked, "What time do you normally close?"

Mr. Gillespie stated, "On the weekends, on an average, it is anywhere between 3:00 and 4:00 A.M. During the weekends our hours are longer since people don't have to work the next day. If they can spend their money here, we would prefer them to spend it here as opposed to going to Columbia or Charleston. It is beneficial for everybody. I thank you for your time."

Mr. William Green, a concerned citizen spoke. He stated, "Good evening. I am here as a citizen. My address is 1048 Doyle Street, Orangeburg, SC. I have been running around Orangeburg working on several committees and organizations trying to bring Orangeburg back from where it is now. If this Ordinance, which I call it a curfew for adults, is passed, we're in big trouble. There are people looking at Orangeburg. There are several committees and organizations in the City of Orangeburg and outside investors that are thinking about opening up businesses within the City limits and downtown Orangeburg, such as a supper club. There is an individual that is looking at two separate locations. I have lived in Atlanta and Baltimore and other places in Europe. A supper club basically starts around 12:30 A. M. or 12:00 A. M. is when people begin coming in. They serve supper and they serve breakfast. If this is passed, this will not take place. A supper club provides live entertainment, jazz, anything from the arts scene to theatrical. All of this is provided once you are dining and having your meal. I also feel that Orangeburg needs to move forward into the 21<sup>st</sup> Century. Orangeburg is 40 years behind places like Aiken, Sumter, Spartanburg and Summerville. We are 40 years behind these places. If this Ordinance is passed, it will throw 20 or 30 more years to Orangeburg. So how do we plan to grow as a community? We have taxpayers here. These club and bar owners that are sitting here tonight cannot afford to pay their workers if they have to have a limit on what time they have to close which means cutting their staff down or perhaps even closing their business and if this Ordinance is passed to close at 2:00 A.M. who's to say next year it will be 1:00 A.M. We have to look forward to the future of the City of Orangeburg. When we look at the Councilmembers sitting here, basically all the Councilmembers are from the same generation. We do not have a Council that represents the citizens of Orangeburg. We don't have any young people on the Council. So how can the decision be a fair decision, if you're not open-minded? Thank you."

Mayor Butler stated, "We thank Mr. Green for his comments and all of you for your comments. We are listening to you and will take it under advisement. Do any Councilmembers have any questions?"

Councilmember Jernigan stated, I appreciate everyone that was here tonight to speak. I appreciate you coming and I appreciate you voicing your opinion. That's why we have a Council meeting so that the public can come and voice their opinion when this happens. We all have to consider the fact also that our Department of Public Safety is tasked with the job of protecting the citizens of Orangeburg. They are tasked also with keeping the peace and making sure that crimes stay as low as possible in the City of Orangeburg. When our crime statistics in the City of Orangeburg start increasing it concerns DPS. They do studies and they know when they are called out and when they have to go to places and the places they have to go to. When they come to City Council and ask that we do an Ordinance to help them to control crime in the City of Orangeburg, I feel it is Council's obligation to do that. I realize that you may feel like that we're making a decision that is detrimental to your business, but I really would like to know what you really think about that. Whether or not closing at 2:00 A.M. in the morning, how much business are you actually going to lose if you close at 2:00 A.M. and we weigh that against how much crime we are going to prevent by closing establishments at 2:00 A.M. that have a pretention for crime. We want to be proactive on crime as much as we can in the City. We want to try to keep this a safe town. Whoever it was that spoke about the people coming in and looking at Orangeburg and having something to do: they also come and look at the crime rate in Orangeburg. If they look at it and see a crime rate that is increasing or see a big crime rate, they say what you are doing in this situation. We rely on DPS, on which in my

opinion, does a good job in preventing crime in Orangeburg. I can't see where this Ordinance is going to be detrimental to the businesses in Orangeburg. Based on that, I'm going to support the Ordinance and I haven't heard anything tonight that would convince me anything different in why I wouldn't support it. The statistics that we have seen, I have them here in front of me, and I've looked at them again and I don't see any reason why we shouldn't pass this Ordinance. Thank you." 2539

Mayor Butler asked, "Do any other Councilmembers have comments or questions?"

Mr. Aaron Gillespie from Cloud Nine stated, "Mr. Jernigan, my response to that is there is a lot of violence at McDonald's. People get shot at the Bojangles all the time. We know for sure every year during Black Friday at Walmart there will be a fight. Security is provided to them. All I'm saying is don't require us to shut our businesses down. You're saying that you don't see how that can affect our businesses, right? We're saying it can. If you want to go further into it, we're more than willing to help you come along to that. But to sit here today and say, okay I'm going to agree with this based on limited knowledge of the situation, then I think that it is unfair to us. I can tell you right now and Chief Adams is here. I don't think it is right for anyone to get into fights and be shot at any establishments, but if we're going there how many people have been shot and killed in these communities compared to how many people have been shot and killed at these establishments. So we can't put all the violence on these places. At least with us, you can say that at Cloud 9. If someone gets shot right now in one of these neighborhoods, on Chestnut or John C. Calhoun, who do you go to?"

Councilmember Jernigan answered, "DPS is there to protect us."

Mr. Gillespie stated, "And who do they go to?"

Councilmember Jernigan stated, "I guess they go to the people that did the shooting."

Mr. Gillespie stated, "I guarantee if something happens at my establishment, they come to me. There's no guessing. They will come to me. We can work together to figure it out. I'm not saying that nothing is definitive. I'm saying it has to be some room for us as adults, business owners and Councilmembers. I shouldn't feel like you all are against me. You all are here to help me."

Mayor Butler stated, "Our purpose as Council is we want to hear you and once we hear you, we can take what you say under consideration. That's why we ask for the hours. We can take what you say under consideration, this entire Council, we can discuss it and come back with a decision, but our main thing is that we're looking at it and we don't have enough man power to get around to everyone at these clubs if something goes wrong. We are required to keep the City safe because we have people that don't go to clubs that are at risk. That's one thing that we have to do. But we want to hear you; we hear what you're saying. And we can consider what you said and discuss among ourselves and take it under consideration and get back with you. But we hear you; we hear what you're saying. I'm listening, but we have to consider the whole spectrum because we have people that send their children here to Claffin and State. They depend on us to keep their children safe. We have old people that depend on us to keep them safe in every neighborhood under the jurisdiction of DPS."

Mr. Gillespie stated, "I'm just saying to everyone go home at 2:00 A.M., That's all I'm saying. We should be able to sit down and talk this out."

Mayor Butler stated, "It's not our intention to stop new business or to stop you from having income. We hear you and we want to give you consideration. We are listening to you."

Ms. Baltzegar stated, "Orangeburg has had so many businesses to close in the last two or three years. It is a statistical fact when unemployment increases, crime increases. Most people that are going to do crime, are going to do it at night and in the wee hours of the morning. They are not going to do it in the middle of the day. My second question to Council, which I have not even heard discussed, if someone is in noncompliance of this Ordinance, if it is passed, what will

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the result be if they do not comply? What is the penalty going to be? Has that even been discussed or considered? Thank you.”

Mr. William Green stated, “In reaction to what I just heard, what do you do when you close down a business at 2:00 A.M. in the morning; preplanned to that since everyone knows we have to close at 2:00 A.M.? There are people that are planning house parties in several communities around Orangeburg and in the Orangeburg City limits. How do you control that? If they remain at a club or sports bar, you know where they are. If Public Safety is getting several calls from all parts of the City of Orangeburg because there is a party here that something happened or a party there that something happened. How do you know where to get to? If you have to go to a club, you know where to club is located? You don’t know where these houses are located. So how do you control that? There are already people starting to have house parties in communities. If this Ordinance is passed, there will be even more house parties in the communities. How do you control that? How many officers do you have to send to these different areas where all of these parties are located? And some of the streets, you may not know the name of them. So how do you find them? If they are at one of these pubs, you can find them because these pubs have a name. I feel, like I said before, the Councilmembers that are sitting up here, if this Ordinance is passed, it really shows how unattached you all are with the citizens of Orangeburg. There is a big age difference between the people that are sitting on this Council and the people that are trying to have a good time and enjoy them in the City.”

Mayor Butler stated, “We have heard everyone and we are going to take what everyone said under advisement and we will get back with you.”

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance amending Chapter VII of the Code of Ordinances of the City of Orangeburg by adding a new Section 7-8, Titled Business License Incentive Program for New Businesses. This motion was unanimously approved.

A motion was made by Mayor Butler, seconded by Councilmember Stroman, to table the Second Reading of an Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours. This was a 4-2 vote as Councilmembers Jernigan and Haire opposed.

Ms. Evelyn Disher, Community of Character Director, accepted the June 2016, Proclamation “Sincerity”.

DPU Manager Tommy Miller stated, “The Orangeburg Department of Public Utilities will implement a rate reduction to reflect lower projected fuel costs from its principal electricity supplier, South Carolina Electric and Gas Company. The reduction will equal approximately \$4.5 million over the next twelve months. The DPU’s rates automatically adjust to reflect changes in its power supply costs. The pass-through of this cost reduction will be reflected in a reduction in energy charges for all the DPU’s customers. A typical residential customer’s monthly bill will decline approximately \$6.50 or \$78.00 over the next twelve months. The changes will be reflected in the bills dated after June 1, 2016. As a part of the DPU’s long term power supply agreement entered into with SCE&G on January 19, 2011, SCE&G forecasts its fuel costs each year. SCE&G changes the rate it charges DPU for fuel costs once a year based on this forecast. A second component of the price that DPU pays for its electricity is related to the cost of power supply agreement since January 1, 2013 and will not change until SCE&G’s V.C. Summer Unit #2 goes online some time in 2019. Based on the reduction in SCE&G’s fuel costs, our rates allow us to directly pass the decrease on to our customers. The lower costs that SCE&G pays for the natural gas used in its generating units have resulted in a significant decline in their fuel costs. This is the third power supply cost decrease that we have passed on to our customers over the last two years.”

DPU Manager Miller presented a Resolution for the City of Orangeburg, Department of Public Utilities to accept the low responsive, responsible bid by Foremost Pipeline Construction Company, Inc., of Gaston, SC, in the amount of \$1,831,187.47 for the construction of approximately eight miles (approximately 42,000 ft.) of 6” steel gas main on US Highway 176

South. He stated that construction begins this summer and will take approximately ten (10) months to complete and the bid was under the budget amount.

Councilmember Barnwell stated, "Where is this going?"

DPU Manager Miller stated, "Near Interstate 95, the County ran water there years ago and this is a pipeline for the future as there is a medium plant there as well as a few agriculture customers."

Councilmember Stroman stated, "Is this the same company as the one that worked in Santee?"

DUP Manager Miller stated, "Yes."

Councilmember Jernigan stated, "Are we providing gas to Matthews Park?"

DPU Manager Miller stated, "Yes, we already have it there. This will enable us to double feed the park."

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 responsive, responsible bid by Foremost Pipeline Construction Company, Inc., of Gaston, SC, in the amount of \$1,831,187.47 for the construction of approximately eight miles (approximately 42,000 ft.) of 6" steel gas main on US Highway 176 South. The motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, to enter into an Executive Session for Contractual arrangements and proposed sale of property, (1) Orangeburg County/Piedmont Company Proposed Agreement, (2) Sale of property at 1099 Russell Street, and a Personnel Matter concerning (1) Department of Public Safety – City Grievance Committee Findings.

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

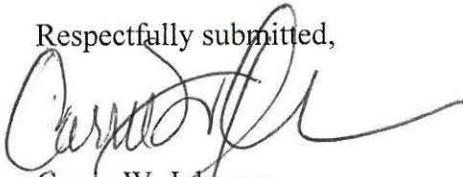
Council returned to Open Session.

A motion was made by Councilmember Jernigan, seconded by Councilmember Haire, to accept the recommendations of the Grievance Committee. This was a 5-1 vote as Councilmember Stroman opposed.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,

  
Carrie W. Johnson  
City Clerk

/pfb



2542

## CITY COUNCIL MINUTES June 21, 2016

Orangeburg City Council held its regularly scheduled City Council meeting on June 21, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

### PRESENT:

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

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the June 7, 2016, City Council minutes as distributed. This motion was unanimously approved.

Regarding the Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours, the following individuals made an appearance.

Mr. Michael Payne with Delta 4 Security, LLC spoke. He stated, "I am the owner of Delta 4 Security, Barnwell, SC and we have the same power of arrest as local law enforcement. I work at the Local's Pub. People are now getting the picture that we are not just a local security team, we are enforcing the law and we are armed. I have informed my team to raise the bar. While we work hard to prevent crime, we realize that not all crime naturally comes to an end at a club, movie theater, shopping mall, etc. At any given time you can turn on the news and see the violence in America and that the need for local security is needed now more than ever as our local enforcement cannot be everywhere as there simply is not enough. While we would like to have more officers with the local cities, counties and states, trying to balance budgets, it is just not reachable at this time. This is where our security comes in and fills in the gap. Businesses hire us at their own expense, not costing the county or city, and still keeping the crimes down. The presence of armed security officers can keep some crime down from happening with local law enforcement working. I say that because private security cannot transport according to state law, but we do have the power of arrest and we can have the suspects ready after calling in to dispatch to have law enforcement transport them to the county jail."

Mayor Butler ask, "Do you work at the Local Pub?"

Mr. Payne stated, "Yes."

Mayor Butler asks, "How long have you been there?"

Mr. Payne answered, "Four or five months."

Councilmember Jernigan asks, "Since you are a security person and work for the Local Pub, how do you explain that our DPS department has designated and given us a report that it a high crime area? What is your response to that?"

Mr. Payne answered, "Well, sir, according to state law enforcement we do not have the numbers. As security officers, we make the call into dispatch and we do not get credit for that. Your local law enforcement does."

Councilmember Jernigan stated, "You are not answering my question. How do you figure if you are supposed to be containing this crime and preventing it, why is it that our DPS department said it is high crime area there?"

Mr. Payne stated, "Well sir, I am not aware of what happened before our arrival but after our arrival we have brought everything down to a bare minimum. Now, if law enforcement considers this to be a high crime area, where are those crimes? At that particular area there are reports that these particular crimes happened at this particular area while security was there. I would have to review those files and then determine if this is in fact a high crime area."

Councilmember Jernigan stated, "Our Public Safety is tasked with preventing crimes in Orangeburg and keeping our citizens safe. Do you feel like closing from 2:00 A.M. to 6:00 A.M. would?"

Mr. Payne stated, "Sir, I don't think it is going to prevent crime. Crime is something that is going to happen just like the sunrise in the morning."

Councilmember Jernigan asked, "Do you think it will help?"

Mr. Payne answered, "No, I don't think it is going to help. It is just going to spread. I will give a scenario. In my hometown, when authorities came in to shut down a local club, downtown, the crowd was at one particular area and what they did not realize was that crimes spread throughout the neighborhood making it more difficult for law enforcement to respond quicker. At least if there is crime in a certain area, we can contain it."

Councilmember Jernigan asked, "Why does crime spread?"

Mr. Payne answered, "If you stop people from going to local clubs, they just go to someone's back yard where there is no security and more feasible for crime."

Councilmember Jernigan stated, "I don't totally agree with you and I have to go along with our Public Safety Department as that is their job and they know where they are having to go to the most in Orangeburg and what is creating the problem for them. They have come to us for a solution."

Mr. Payne asks if he could be provided with some documentation of the crimes.

Councilmember Jernigan stated that he did not have the information, but Chief Mike Adams could provide him with it.

Mr. William Green spoke "As I mentioned at the last meeting, this is the lady who is supposed to be opening up a supper club in a downtown area in City of Orangeburg. I want to know from Council why you are wanting to shut these businesses down."

Mayor Pro Tem Keitt stated, "We are not shutting the doors, we said closing at 2:00 A. M., but that is not shutting the doors, the doors are open from whatever time they open in the day until 2:00 A M., by 2:30 A.M. everyone should be out of the place."

Mr. Green stated, "These business owners clearly state that between the hours of 1:00 A.M. and 4:00 A.M. is when they make their revenue as they are getting people in that work a second shift in plants in Orangeburg County. If they have to close at 2:00 A.M. that means they are losing fifteen or twenty people and they will have to cut their staff in half because they cannot afford to pay them, pay their light bill, or their rent, if they do not own their building, so that is shutting their doors. If they have to close at 2:00 A.M. and they make their money between 1:00 A.M. and 4:00 A.M., then you are forcing them to shut their business down. Any questions?"

Councilmember Jernigan stated, "You mean to tell me that they don't make enough money from between 6:00 A.M. in the morning and 2:00 A.M. to be open?"

Mr. Green stated, "That's not how they make their money. They make their money by their customers coming, in other words they are coming when get off from a grave yard shift. That's when they make the majority of their money, so if they have to close at 2:00 A.M. you are forcing them to basically have to close their doors. That was stated at the last meeting or was

anybody paying attention or just relaxing back and reclining in their chairs. You need to take notice about what people are saying about their businesses. I see people sitting back and reclining like they are at home watching television. You all need to sit up and pay attention because this is going to destroy Orangeburg. People already do not want to come here. I have an aunt from DC that comes here with her two kids and once they are here two days, they are ready to leave as there is nothing to do here. How can you expect things to grow if you are hindering the growth? I do not understand.”

Councilmember Barnwell stated, “Every town around us closes their bars at 2:00 A. M., Columbia included.”

Mr. Green stated, “No they do not. I have heard this from law enforcement. The City of Charleston and Columbia, closes at 2:00 A.M., but outside the city closes at 4:00 A.M. or 5:00 A.M. in the morning, because I have been there, but in Orangeburg, the City and County want to close at 2:00 A.M. . The only thing you are going to do is create more crime as people want something to do.”

Councilmember Jernigan stated, “We do not have anything to do with the County.”

Mr. Green stated, “I am just bringing it up, that’s all. It was brought up last time. I brought it up to show an example. In Orangeburg, you want the City and County to close at 2:00 A.M.”

Councilmember Jernigan stated, “I do not care what the County does. I am thinking about the City and that’s all I’m thinking about and that’s all this Ordinance references.”

Mayor Butler stated, “Mr. Green, we have your message, you want to stay open past 2:00 A.M.”

Ms. Adaline Yon spoke, she stated, “I am a licensed master social worker and I am also an entrepreneur and I am going to be honest. I am shocked. I have known Ms. Keitt since I was 18 years old just coming out of high school and she introduced to me the importance of participating in different activities in the county. Ms. Keitt took care of my generation, all three of my children and one is an aspiring doctor, a musician and a journalist. When my son came home from Chicago, he came here to do the graduation speech for Howard Middle School. He told me that he was ready to leave as there was not anything to do in Orangeburg. My question is, do you all believe in passing the torch? I am a senior citizen and I always felt like getting involved in things to get the City to grow and we have to do something to encourage these young people and I don’t see any young people here. I mean, people, what’s going on? How many more years do you all think we have to live, what’s going to happen to Orangeburg and it breaks my heart. I can remember in the 1970’s, when I was a teenager, that we had a lot of stuff going on, wonderful things. You don’t even see the college students walking down the street anymore and no jobs. It broke my heart about the Samaritan House. Orangeburg has a lot of problems.”

Mr. Samuel Glover spoke. He stated, “As noted on your agenda, I am here for a particular reason, the Samaritan House. I appeared before County Council last night. I started with the Samaritan house one year ago in May as I wanted to do something for the County and the homeless. I had no idea that one year later that I would be the Chairman of the Samaritan House. I want to thank Councilmember Jernigan’s wife for starting the Samaritan House and it is certainly needed in this three county area, Orangeburg, Calhoun and Bamberg. The next nearest place for the homeless is Columbia, which is quite some distance and I think all of you are aware that we have quite a few homeless people in Orangeburg. One year ago, at the Samaritan House we had seven (7) board members and now we have twelve (12) very professional board members. I think we know how to run the Samaritan House, all except the part that is most important, as someone needing to be the director of the Samaritan House and someone to run that place on a day to day basis. What really happened, there were some things in the paper and I wrote an editorial. The Samaritan House opened in 2002 and was operating off of a shoe string budget, in 2004 we received a HUD grant for \$226,000.00 with matching funds. For the first three years the City supported us and Orangeburg County has continued to support us. On the 2<sup>nd</sup> of May, we got a notice that the Samaritan House would not be receiving any additional funds as of the 31<sup>st</sup> of May and that was not enough time for us to get funding to continue to

operate. We were getting by on a shoe string budget with what we were getting from HUD and some other places, the County and some churches allowing us to get by. When I became Chairman, we started meeting on a monthly basis and we started to see things that needed improving and one of them was funding. The director at that time said she was going to retire and that really was not good for us and in addition to that we only had two people, the night person and on weekends a part time cook. We had fourteen (14) persons in the house at that time, the 2<sup>nd</sup> of May, and when it got to the 31<sup>st</sup> we only had two (2) people in the house. One went to the Dalton House and the other one had a problem with his social security card and once we got that taken care of, he will have a job. We want that facility to return and it is going to take approximately \$125,000 to \$130,000 a year for that facility to stay open and that is operating with the bare minimum and that is starting with five people to help them to be productive citizens.”

Mayor Butler asks, “What kind of fund raisers have you done?”

Mr. Glover stated, “We have only done one and we closed down on the 31<sup>st</sup> and at that time HUD required us to do certain things and get reports back to them. There was not a whole lot of time to do anything else.”

Councilmember Barnwell asked, “Why did HUD cut off part of your funding?”

Mr. Glover stated, “We have no idea, but it happened throughout the United States.”

Mayor Butler stated. “They do not want to work with temporary shelters; they want to work with permanent shelters throughout the United States.”

Councilmember Barnwell asks, “You are not a permanent shelter?”

Mr. Glover stated, “We are a transitional facility in that we have a certain period of time to get folks ready to go to work and that is why we need skilled workers.”

Councilmember Haire stated, “I thought I heard you say that you were still getting things ready for HUD which leads me to believe there is still a possibility of getting HUD assistance.”

Mr. Glover stated, “There is no possibility, as all across the United States transitional facilities are being closed.”

Mr. Haire asks, “What is it that the other counties are doing as it relates to the Samaritan House?”

Mr. Glover answered, “We are giving them the same presentation as we are giving to you all.”

Councilmember Haire asks, “Have they in the past, to your knowledge, contributed anything to the Samaritan House in the past?”

Mr. Glover states, “Yes, Calhoun County has and with my limited knowledge and searching around the house without a director, I could not find anything of what has happened in the past.”

Councilmember Jernigan asks, “Have you determined who owns the building now?”

Mr. Glover stated, “That is a good question The Federal Home Bank owns that building now and there is a \$150,000.00 note on the building. If we occupy the building until 2024, then the county, city or Samaritan House will own that building, but it has to be occupied.”

Councilmember Jernigan asks, “Has there been any payments on the building?”

Mr. Glover stated, “It is a forgivable loan.”

Mayor Pro Tem Keitt asks, “What plans do you have now, other than asking for help.”

Mr. ~~Yow~~ <sup>2546</sup> stated, "We have no plans."

Councilmember Jernigan asks, "Have you put any kind of budget together? I will actually need to see an operating budget, what's your plan?"

Mayor Pro Tem Keitt asks, "Put together a budget where we can see what you have itemized."

Mayor Butler stated, "We are very passionate about the Samaritan House and we want to see it open and that is the consensus of the Council. If we get a budget, we will definitely vote on it because if we have a homeless problem that will affect everybody."

Councilmember Barnwell asks, "What funds did you get from the County, Calhoun and Bamberg?"

Mr. Glover stated, "Well, I have not been to Bamberg or Calhoun yet. I will say when the article came out we got a lot of calls and now the calls have just went away."

Mayor Pro Tem Keitt stated, "Present the budget to our City Administrator and he will get it to us."

Mr. Willie Johnson made a presentation to Council. He stated, "About three years ago we had a company out of Columbia as a consultant in revitalizing the downtown with a lot of pictures and drawings and nothing ever materialized. So over this year, I became a concerned citizen. I meet with Mr. Adolphus Johnson of New America, Mr. Jim Johnson with the small business government of SCSU and an associate, Mr. Gary Robinson. We had meetings with pros and cons but the one common element we all had is a City tax plan that will help spark small businesses in the downtown. There were five common ones. There were (1) revolving loan companies, (2) the City will waive the business license fee for the first year, (3) downtown façade grant money that is available, (4) city parking, that we already have, and (5) free wi-fi."

Mr. Gary Robinson stated, "I am coming as a citizen and business owner. First, I want to thank you for working with the County on the Orangeburg County Library. A number of individuals have been turned down for bank loans for new businesses. So having some type of program to help businesses is needed in order to build more businesses downtown."

Councilmember Jernigan stated, "I have met with these fellows on several occasions and these guys have worked hard to see that Orangeburg progresses. They have done it without any pay or recognition. I would like them to know that City Administrator Yow is on top of everything that you are talking about. We are having a third reading of the Business License Incentive Program tonight. He is definitely on top of the rest of these items. It's citizens, like you, that will make a difference in Orangeburg."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance amending Chapter VII of the Code of Ordinances of the City of Orangeburg by adding a new Section 7-8, Titled Business License Incentive Program for new businesses with first taxable year of operation not to exceed a maximum tax abatement of \$1,000.00. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours. This motion was unanimously approved.

There were no utility matters brought before Council.

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A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to enter into an Executive Session for (1) contractual arrangements and proposed sale of property regarding the Orangeburg County/Piedmont Company Proposed Revenue Sharing Agreement and Option for sale of property at 1099 Russel Street and (2) Personnel Matter regarding the Department of Public Utilities Administrative Division.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, for Council to return to Open Session. This motion was unanimously approved.

Council returned to Open Session.

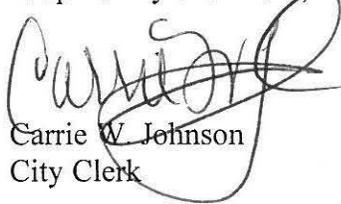
A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to accept the findings of DPU's Grievance Committee. This was a 5-2 vote as Councilmembers Barnwell and Jernigan opposed.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to authorize City Administrator Yow to enter into option with Piedmont Company for purchase of property at 1099 Russell Street. This was a 6-1 vote as Councilmember Barnwell, opposed.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem 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

# BUDGET WORKSHOP MINUTES

July 11, 2016

5:30 P.M.

2549

Orangeburg City Council held a Budget Workshop Meeting on Monday, July 11, 2016, at 5:30 P.M., in the City Council Building.

## **PRESENT:**

Michael C. Butler, Mayor  
Charles B. Barnwell  
Bernard Haire  
Charles W. Jernigan  
L. Zimmerman Keitt  
Sandra P. Knotts  
Richard F. Stroman  
John H. Yow, City Administrator  
John D. Singh, Assistant City Administrator  
Carrie W. Johnson, Finance Director/City Clerk

City Administrator Yow overviewed the current FY 2015-16 Budget year-end projections and the summary sheet for the proposed FY 2016-17 Budget.

## **TOTAL GENERAL FUND**

Revenues	\$ 19,360,458
Expenditures	\$ 19,360,458

\*Includes all General Fund operations and capital expenditures; does not include 2% Hospitality or 1% County CPST. General Fund does include \$62,300 in anticipated grants and Federal/State reimbursements. City Administrator Yow stated that the General Fund Budget proposed is a balanced budget.

## **REVENUE HIGHLIGHTS**

No property tax increase  
No business license rate increase; Council did implement Downtown business license incentive for new businesses up to \$1,000  
No commercial sanitation rate increase unless we are notified of increase in tipping fee  
\$1.00 per month increase in residential sanitation; from \$12.00 monthly to \$13.00 monthly. Last increase was FY 2012-13 (about \$55,000 annually)  
No increase proposed in DPU transfer  
No increase in fire contracts; Fire Response Recovery Ordinance will be proposed within next several months  
Still working with County on Fire Tax District  
Recreation fees review; we do anticipate \$30,000 through new gym tournaments, rental and camps; Parks & Recreation reviewing registration and sponsorship fees  
\$650,000.00 cash reserve budgeted  
Interest income up slightly; still way down from years past  
Building permits steady; not growing  
No change in Franchise Fees (AT&T, Time Warner)  
No proposed changes in Hillcrest fees at this time  
Hospitality Fund steady; helps take load off General Fund with certain departmental requests; \$256,000 transferred to 2% for FY 2016-17  
No major Airport Grant this year; no plans to spend \$150,000 FAA Entitlement Fund in FY 2016-17 - Will be carried over to future projects; fueling island FY 2015-16

**Page 2**

Forensics lab fees being developed by command staff at DPS

2550 water management fee proposed as new costs

No proposed change in Stevenson Auditorium rates, was raised in FY 2015-16;  
needs more promoting

**EXPENDITURE HIGHLIGHTS**

Continue all existing services; including glass recycling, which some cities have  
ceased as glass recycling costs City between \$1,000-\$2,000

2.5 % COLA \$83,000 equals 1% with benefits; for all full time employees = \$208,750

Merit totaling \$50,000 City-wide; \$65,000 pays adjustments for DPS, command staff to  
decide for DPS

City Administrator Yow stated, "We are looking to the Department of Public Safety staff  
to allocate the \$65,000 to personnel, even with the possibility of signing bonuses."

Councilmember Haire asked, "What about signing bonuses?"

City Administrator Yow stated, "The Class Compensation Study needs to be revisited."

Councilmember Barnwell stated, "I think we need to do a study."

Councilmember Haire stated, "If it is City wide, what is the time line for this?"

City Administrator Yow stated, "Four to five month at least."

Councilmember Haire stated. "If there was money in the budget for a study, when it is  
complete, we won't know how much this will be."

City Administrator Yow stated, "Yes."

Councilmember Jernigan asked, "Can we see the internal study?"

City Administrator Yow answered, "Sure."

Councilmember Knotts stated, "At least this sends a message that we are making an  
effort."

City Administrator Yow stated, "You will have to come up with the money to increase  
salaries from here on. We need to do it, but do it right. We need someone from outside,  
no vested interest, to do the study, compensation and classification with bottom and top  
levels. Some may top out. Cost unknown about \$50,000 for City and DPU."

Councilmember Jernigan stated, "I would hate to see it get more top heavy with  
\$65,000."

Councilmember Haire asked, "Can we agree to get this study done?"

City Administrator Yow stated, "Please go over this with DPU and have DPU fund it.  
There will be a number Council will have to address."

Councilmember Haire stated, "It is our desire to have a City wide Classification  
/Compensation study done."

After extensive conversation, all City Council was in agreement to the study.

Councilmember Haire stated, "If adjustments need to be made, let us know."

City Administrator Yow stated, “We will need to address different revenue sources on the road to find funds to compensate employees.” 2551

Councilmember Jernigan stated, “We are trying to protect our citizens and citizens need to pay their fair share. DPS is approximately 45% of our budget, we really have no increases.”

Two (2) new personnel for Gardens/Parks in P&R; approximately \$55,000  
Increase again in employee state retirement rates from 10.91% to 11.56% on SCRS general employees and PORS from 13.34% to 14.24% as of 7-1-16  
\$60,000 budgeted from medical and dental insurance increases; dependent amount picked up by employee; City is self-insured  
\$1,465,500 for capital expenses in FY 2016-17 to be done on three (3) year lease purchase; major items include fire truck, \$550,000; sanitation truck, \$285,000; miscellaneous mowers, tractors, vehicles (see lease purchase list)

Councilmember Barnwell stated, “Who decides if we need a new fire truck?”

City Administrator Yow stated, “DPS command staff. Trucks have to be inspected each year and ISO has a say on this. The amount of \$176,000 was brought forward from Fire Equipment Reserve as revenue to assist with the purchase of a new truck.”

There was discussion on an aerial platform fire truck.

\$179,225 equipment costs budgeted in year-end FY 2015-16 to help defray equipment costs for FY 2016-17 (see attached list)  
\$100,000 for continued building demolition and code enforcement  
\$256,900 of department requests moved to 2% Fund (list provided), others covered in next CPST or Cemetery Funds or Narcotics Fund  
No funds budgeted in General Fund for Railroad Corner Redevelopment;  
\$3,000,000 in next round of CPST; 4<sup>th</sup> Penny  
Retiree supplemental insurance continues to be capped at \$100 monthly; we will bring back a Resolution of employee benefits  
Fuel and tire costs stabilized for now. Again, have held most operational line items  
\$176,000 brought forward from Fire Equipment Reserve as revenue to assist with purchase of new truck; helps defray cost of fire truck  
New DPS radio system (PAL 800) expense annually \$43,000 CJIS Compliance \$67,500, new expenses  
Also, review what we can continue to provide in terms of barricades, bleachers, PA systems, other equipment; costs to the City, won't affect budget but we need a policy to vote on these items. Delivery of equipment is a direct cost to the City.  
No funds currently budgeted for new recently submitted outside agency requests; no direction given by Council at this time.

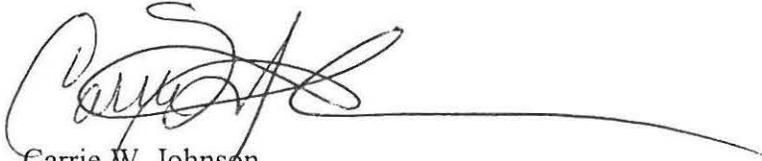
Councilmember Barnwell stated, “On the Samaritan House, we need more detail on the budget.”

City Administrator Yow stated, “Council needs to decide and give me direction.”

Councilmember Keitt stated, “The Samaritan House budget was not detailed enough, we need more information; we need information from other counties giving funds to them also.”

**2552**  
There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson  
City Clerk

**Lease Purchase FY 16-17**

70/20	Walker Mower	\$14,000
70/20	Kubota L47TB Bucket & Tractor	\$55,000
70/40	½ Ton Pickup	\$19,000
70/40	Kubota Tractor MC5200F	\$19,500
70/40	Kubota ZD1010 52' Deck Mower	\$15,000
40/01	Vehicle	\$30,000
40/65	Garbage Truck	\$285,000
10/30	Software	\$250,000
60/20	Three Vehicles & Eqmt	\$114,000
60/25	Firetruck	\$550,000
60/25	Two Vehicles	\$ 76,000
60/30	Vehicle	<u>\$38,000</u>
<b>Total</b>	<b>Other Financing</b>	<b><u>\$1,465,500</u></b>

3 years approximately \$488,500 Principle

Added to Projections FY 2015-16 from Requests of FY 2016-17

(City Administrator Recommendations)

Revised 7/18/2016

90/10	Weed Trimmers	Misc Eqmt	\$1,125
	Vehicle	Capital	\$22,000
10/30	Battery Backup	Sm Cap	\$6,000
	Core Switch	Cap	\$10,000
	Computer Replacement	Sm Cap	\$2,000
	Laptop Replacement	Sm Cap	\$2,000
20/10	Vehicle	Capital	\$35,000
	Copier	Capital	\$10,000
40/01	Laptop	Sm Cap	\$2,000
40/30	Painting Garage	Fac Maint	\$8,500
	Pressure Washer	Cap	\$7,000
	Roof for Garage	Fac Maint	\$10,000
70/10	Copier	Capital	\$10,000
70/40	Blades	Misc Eqmt	\$2,400
70/40	Trailer	Misc Eqmt	\$1,700
60/10	Microsoft License	Comp Operations	\$2,500
60/20	Rumblers	Traffic Control 460-028	\$30,000
60/25	Scott Packs	Cap	\$4,000
	Vent Saws	Cap	\$6,000
	Cooling Vests	Cap	\$4,000
	Metal Detector	Cap	\$6,000
	Battery Backup	Cap	\$4,500
	Saw Blades	Materials & Supplies	\$1,500
60/30	Victim Ser Tablet	Sm Cap	<u>\$1,000</u>
			<b>\$189,225</b>

**Moved to Cemetery Funds**

70/40	Finishing Mower	\$3,200
	Weedeaters/Hedge Trimmers	<u>\$2,400</u>
	<b>Total</b>	<b>\$5,600</b>

**Moved to Drug Fund**

60/30	Binoculars	\$960
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**City Council Meeting  
Special Minutes  
July 21, 2016**

**2553**

Orangeburg City Council held a Special City Council Meeting on Thursday, July 21, 2016, at 10:00 A.M. in Council Chambers with Mayor Butler presiding.

**PRESENT:**

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

**ABSENT:**

Charles B. Barnwell

The purpose of the meeting was for the First Reading of an Ordinance (2016-6) to convey property located at 1170 Russell Street, City of Orangeburg, SC, to Palmetto Development Group.

Attorney James Walsh updated Council. He stated, "This is the first reading of this Ordinance and we will update it further on the second and third readings. There will be updates to the Ordinance because of grant applications. The second grant will be for equipment and third grant to be applied for renovations and the possibility of a reverter, property will revert back to the City upon conditions.

Councilmember Stroman stated, "Reverter, what does that mean?"

Attorney Walsh stated, "The grant applications may not permit a reverter, which means the property will revert back to the City upon conditions, until we get the grant application, I cannot say. The third grant is for renovations, \$100,000 is what I've been told."

Councilmember Stroman stated, "We should postpone this until we know what is being done."

Councilmember Jernigan stated, "Why was this such a rush?"

Mayor Butler stated, "To assist this organization in furthering the City and getting loans to get the grants in."

Mayor Pro Tem Keitt stated, "They need this to know for grants being applied for, you cannot get grants unless you own the building. There are two more readings so we can adjust as we go or start over, this is just first reading."

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the First Reading of an Ordinance (2016-6) to convey property located at 1170 Russell Street, City of Orangeburg, SC, to Palmetto Development Group. This was a 5-1 vote as Councilmember Jernigan opposed.

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

Respectfully submitted,

Carrie W. Johnson  
City Clerk

/pfb

# CITY COUNCIL MINUTES

August 2, 2016

2554  
Orangeburg City Council held its regularly scheduled City Council meeting on August 2, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

## PRESENT:

**Charles B. Barnwell**  
**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 Stroman, seconded by Councilmember Haire, to approve the June 21, 2016, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the July 11, 2016, Budget Workshop Minutes. This motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the July 21, 2016, Special City Council Minutes. This was a 6-0-1, vote as Councilmember Barnwell abstained.

Ms. Shaniqua Simmons, Director of Parks and Recreation, introduced all coaches for the Dixie All-Star Machine Pitch Baseball Team. They are Shane Burroughs, Chad McCutcheon, Fred Riley and Jarrett Hill. Coach Shane Burroughs introduced the members of the team. A banner was presented to the team and they had their picture made with Council.

Ms. Aaron Gillespie of Cloud 9 Bistro addressed Council concerning the Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours.

He stated, "Have penalties been discussed? I know you said this is about stopping the violence after 2 A.M. I went in and got the records from my establishment from when it opened and in three years, there has only been one case. My business should be exempt because of that and I shouldn't be subject to this."

Mayor Pro Tem Keitt replied, "Thank you and we will take this matter under consideration and we will have to deal with your issue individually."

City Attorney Walsh stated, "For the record, penalties are \$500 per offense or thirty (30) days in jail."

A motion was made by Councilmember Jernigan, seconded by Councilmember Haire, to approve the Third Reading of an Ordinance prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during certain hours. This motion was unanimously approved.

Ms. Evelyn Disher, Community of Character Director, accepted the July Character Trait Proclamation, "Determination" and the August Character Trait Proclamation, "Cooperation."

City Administrator Yow addressed Council. He stated, "The General Fund 2015-16 fiscal year-end budget is different from the last time it was presented by \$10,000. That is due to an oversight of the roof for the garage that was excluded originally. It has been added to the year-end which makes the difference added to the fund balance of \$585,255. Otherwise, there are no changes to projections."

A motion was made by Councilmember Haire, seconded by Councilmember Stroman, to approve the First Reading of an Ordinance amending the Budget for the City of Orangeburg, ~~2565~~ the fiscal year beginning October 1, 2015, and ending September 30, 2016. This motion was unanimously approved.

City Administrator Yow addressed Council concerning the budget for FY 2016-17. He stated, "The General Fund vis a balanced budget in accordance with Revenues and Expenses of \$19,360,458. This does not include Enterprise Funds, Hospitality Funds, or the County Capital Project Sales Tax Fund. I would like to go over some of the highlights of the budget for the audience."

City Administrator. Yow stated, "Revenue Highlights are as follows:

No property tax increase

No business license rate increase; however Council did implement a Downton Business License incentive for new businesses up to \$1,000

No commercial sanitation rate increase unless we are notified of increase in tipping fee \$1.00 per month increase in residential sanitation; from \$12.00 monthly to \$13.00 monthly. Last increase was FY 20112-13

No increase proposed in DPU transfer

No increase in fire contracts; budgeted \$30,000 new revenues for gym; anticipate \$5.00 -\$10.00 increase in registration fees

Recreation fees reviewed

\$650,000 cash reserve budgeted, which is down from last year of \$ 950,000. We did not use any of the \$950,000

No Airport Grants but \$150,000 entitlement money will be transferred top future projects

No change in Stevenson Auditorium rates

No storm water fees budgeted

City Administrator Yow stated, "Expenditure Highlights are as follows:

Continue all existing services; including glass recycling, which some cities have ceased 2.5% COLA for all employees, \$65,000 pay adjustments for Department of Public Safety

Two new personnel for Gardens/Parks Division with Parks and Recreation Department

Increase again in employee state retirement rates

\$60,000 budgeted from medical and dental insurance increases

\$1,465,500 for capital expenses in FY 2016-17

\$179,225 equipment costs budgeted in year-end FY 2015-16 to help defray equipment costs for FY 2016-17

\$265,900 of department requests moved to 2% Fund

\$176,000 bought forward from Fire Equipment Reserve, as revenue, to assist with purchase of new truck, which is budgeted at \$550,000.

New DPS radio system expense annually \$43,000. CJIS Compliance \$67,500, Sanitation Truck \$285,000; \$100,000 for Code Enforcement

Councilmember Jernigan stated, "Without you and the staff and employees this would not be a great place to live, work and play. We have good people working for us. The budget is balanced and I appreciate it. I thank Councilmembers and it is a team effort.

A motion was made by Councilmember Barnwell, seconded by Councilmember Haire, 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, 2016, and ending September 30, 2017. This is a General Fund balance of \$19,360,458. This motion was unanimously approved.

There were no DPU utility matters brought before Council.

Councilmember Haire made a motion, seconded by Councilmember Knotts, to postpone the Executive Session for contractual matters and proposed conveyance of property at 1170 Russell Street, in the City of Orangeburg, SC, to Palmetto Development Group and then Return to Open

Session 2556 the Second Reading of an Ordinance to convey property located at 1170 Russell Street in the City of Orangeburg, SC, to Palmetto Development Group.

Councilmember Jernigan asked, "Why are we doing this?"

Councilmember Haire stated, "I haven't gotten all the information I want gathered."

This was a 3-3 vote and the motion did not carry with Councilmembers Jernigan, Stroman and Barnwell opposing.

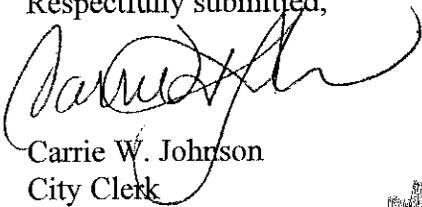
A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to enter into Executive Session for contractual matters and proposed conveyance of property at 1170 Russell Street, in the City of Orangeburg, SC, to Palmetto Development Group and the Return to Open Session for the Second Reading of an Ordinance to convey property located at 1170 Russell Street in the City of Orangeburg, SC, to Palmetto Development Group. The vote was 3-3 and the motion did not carry with Councilmembers Knotts, Haire and Mayor Pro Tem Keitt opposing.

Councilmember Stroman thanked the City for removing debris and fallen trees from the river in the Gardens.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson  
City Clerk

/pfb



**CITY COUNCIL MINUTES**  
**SPECIAL CITY COUNCIL MEETING – AUGUST 9, 2016**

Orangeburg City Council held a Special Meeting on Tuesday, August 9, 2016 at 5:30 p.m. in the Assembly Room of the Department of Public Utilities, 1016 Russell Street with Mayor Michael C. Butler presiding. 2557

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

Mayor Butler gave an invocation.

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

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

**Budget Presentations**  
**Manager Tommy Miller to Mayor and Council**

Manager Miller proceeded by thanking the Mayor and Members of Council for taking 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 amount of work that they put into this budget. This is a team effort; there are a lot of people working in the background. Accounting people, cost analysis people compiling the data that this budget was developed from. I would be remised if I did not thank Ms. Carol Franklin; this is her first budget meeting with us and she has been a tremendous help to me, she prepared the booklets and checked to make sure everything was accurate.

The purpose of our budget is to meet the future goals and obligations of the Department of Public Utilities and to ensure that it remains one of the most respected utilities in South Carolina. This budget allows us to continue to provide quality utility services to our customers at just and reasonable rates and lays the foundation for the future so with that, I am pleased to present to you a proposed budget for the City of Orangeburg's Department of Public Utilities for fiscal year 2016 – 2017. This proposed budget has an income of \$94,704,380, almost \$100,000,000. With expenses of \$78,832,410 with a net profit before the transfer of \$15,871,970 and this represents a return on equity for the citizens of the City of Orangeburg of 6.8%. Two of the large components of the Department of Public Utilities budget of course is the energy charges that we purchase, that would be the electric power that we buy and of course the natural gas that we purchase. This budget does take into account electric supply costs that are based on our contract with SCE&G. It does not anticipate the unpredictable cost for electric generation. If you remember back on January 1 we reduced power supply costs by \$4 million annually and then again on June 1, six months later, we reduced power supply costs by an additional \$4.5 million. This was due to the cost of fuel going down for the generators primarily due to the low cost of natural gas which is what they are using today to produce electric power and we anticipate those costs to remain stable at least until SCE&G's nuclear units go online sometime in 2019 or 2020. These power supply costs are directly passed on to our customers and have no effect on DPU. It is a net zero for us but the good news is that because our supply costs have been going down, the cost of electricity to our customers have been going down and I think that is good news for our customers. This budget also forecasts that the cost of natural gas as I mentioned a few minutes ago to remain relatively stable; that is due to the shale production so we expect the cost of gas to remain relatively low through 2017.

However, the cost of providing water and wastewater services continues to increase. The cost of many of our commodities and government regulations and labor are expected to rise and add to the cost of doing business. I am now going to talk a little bit about the 2558 division.

In the Electric Division, we predict that overall sales for the next fiscal year will remain approximately equal to this year's sales. This year so far, residential customers served are down about 17 customers compared to last year but commercial customers are up 29 customers over the same period so the total customers are up slightly which I think is good news and we believe that trend will continue. So far this year, large industrial sales are down. If you remember, we lost one large industrial customer this year. That particular customer was downsizing over the last several four or five years and finally this year they shut that operation completely down. That and a warm winter contributed to our loss of sales there. The good news in the Electric Division is that I do not recommend a change in any of our electric rates at this time.

In the Natural Gas Division, we are predicting that sales will increase in 2017 due to increases in industrial transportation and the addition of customers in special projects. The Gas Division has one particular customer that I think began around January, required a large increase in gas consumption and it's our understanding that number will increase even some more in 2017 so we are actually really excited about that. The Gas Division served twenty more customers, primarily small commercial customers this year as compared to last year. The West System cost recovery is on schedule and as I have said earlier, we anticipate the market cost of natural gas to remain relatively stable due to the continued production of shale gas. We are very fortunate to have lower natural gas costs and what it allows us to do is to be the low cost gas provider compared to other gas systems. We are constantly looking at marketing efforts so that we can increase our gas sales and our gas usage throughout the county and you will see that in some of the proposed projects that Dave Durgin will present in a few minutes. As in the Electric Division, we do not recommend or anticipate any change in any natural gas rates at this time.

In the Water Division, we are predicting that sales and revenues will stabilize in fiscal year 2017. Sales in fiscal year 2016 in the Water Division have been declining, partially offsetting the 2016 rate increase that you approved back on April 1. We do show a 3% increase in revenues that is attributable to that rate increase but in reality it probably should be more than that. The decline in sales offsets about half of that increase. I remember back in November which was the lowest water sales month that we ever had. The good news is that with the hot summer that has turned around and water sales have increased somewhat. As we have reported many times, the cost of operating and maintaining our water system continues to rise, rapidly increasing costs primarily due to increases in chemical costs, depreciation costs and increased distribution flushing due to regulatory requirements. The rate increase in April that you approved obviously has been very beneficial but we are continuing to study our water rates to determine if any future increases will be necessary. The good news is today, at this time, we do not anticipate any changes in our water rates.

In the Wastewater Division, it sort of parallels towards the Water Division. The sales are up slightly, only 1% in 2016. We are predicting that sales and revenues will stabilize in fiscal year 2017 and pretty much remain the same as they are today. There is a 9% increase in revenues in the Wastewater Division and again that was due to the April 1 rate increase; the same increase that we had in the Water Division. The flat sales in wastewater has offset some of that rate increase but not has had as much effect on the Wastewater Division as it has the Water Division. As with the water operations, the cost of wastewater continues to increase and these costs will increase significantly as we continue to operate and maintain the Wastewater Treatment Plant and the gaining distribution system. The increase in our wastewater rates in April have been beneficial but we will continue to study our wastewater rates to determine if there will be any need for future increases but again, I am happy to report that we do not anticipate or recommend any change in our wastewater rates at this time.

Proposed spending on capital projects fiscal year 2016-2017 is \$13,824,100. In a few minutes the Directors will present their proposed projects in their respective divisions and give you some more details on them. There are 13 capital projects, six of those project are carry-over capital projects previously approved and seven are new proposed capital projects. As always, we feel that this is a sound and responsible budget proposal and I will say it one more time, does not include an increase in any of our rates that this time. It does allow for a 2.5% cost of living increase for employees and it allows for the transfer to the City to remain the same. This proposed budget will also allow us to continue with the previously approved capital projects and with your approval, allow us to get started on the new proposed projects that we will present to you in a few minutes. I don't know that DPU has or ever had a mission statement but if I had to say what our mission is: "Our mission is to provide our customers with the safest and best service at the lowest possible rates. Our mission is to provide a reasonable return on investment for the City of Orangeburg. Our mission is to continue to maintain and invest in our utility infrastructure to meet the needs and challenges of the future." We are confident that we can continue to meet these obligations with this proposed budget.

Mr. Mayor and Council, this concludes my portion of the budget presentations. I will be happy to try and answer any questions that you may have. Councilmember Keitt said no questions but she is glad to see no recommendations for any rate increases.

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.

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**ADMINISTRATIVE DIVISION PROJECTS**  
**JOSH NEXSEN – DIRECTOR**

Director Nexsen informed the Mayor and Council that the Administrative Division has three projects in the proposed 2016-2017 budget for consideration. The first project is a continuing previously approved project, the Enterprise Software.

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

<u>Total Project Cost:</u>	<u>\$11,600,000</u>
<u>Expenditures to Date:</u>	<u>\$ 5,888,260</u>
<u>Estimated 2016-2017 Cost:</u>	<u>\$ 2,539,600</u>

We are currently in the second phase; this was a two phase project. The first phase went live in July 2015 and was the internal work management and financial systems. The second phase is the customer service and billing component. This is the larger undertaking of this whole project. We are currently under budget and currently on time and with a proposed go live date of spring 2017. The key benefits of this project are it updates our current GIS software which is nearly 25 years old at this point and the operating system that it is running on its end of life; the IBM system is no longer supported. There will be less reliance on manual processes. We will be able to take advantage of our AMI / GIS capabilities with this system. We will have better access to information from management, employees, customers and vendors. There will be better reporting analytical tools and more integration with these systems. The total budget for this project is \$11,600,000; we are in our fourth year of this project and we plan to spend \$2,539,600 in the upcoming fiscal year. Director Nexsen asked if there were any questions.

**Project #2 – Economic Development Building –  
Orangeburg County / City Industrial Park**

Total Project Cost:	\$ 2,600,000
Expenditures to Date:	\$ - 0 -
Estimated 2016-2017 Cost:	\$ 2,600,000

The next project on the Administrative Division's budget coming to you is an Economic Development Building. We plan to construct, with the City Council's approval an Economic Development Building in the Orangeburg County / City Industrial Park located at I-26 and US Hwy 301. Similar to the building that was built several years ago that GKN Aerospace is now in. The project overview is expected to take somewhere between 12 and 15 months with the goal to attract industrial prospects into the DPU service territory, increasing economic development activity and jobs in the area. 100% of the funds we plan to use on this project we plan to recoup from the sale of the asset so whatever we put into the project we plan to just break even. We are not looking to mark it up; we are trying to cut all the cost out of it as much as possible and give it for the price we can get. The key benefit of this area is that it has a good strategic location for Volvo and Boeing suppliers. It is in the close proximity to I-95, I-26 and US Hwy 301, the Global Logistics Triangle. It has all four utilities readily available in that park and it eases entry for any suppliers to some of the bigger names that are closer to Charleston to locate. The graphic is a proposed site location. The primary building will be 56,000 square feet with an additional 56,000 square feet build-out should the prospect desire to do so. Director Nexsen asked if there were any questions. Councilmember Haire asked in the OCCIP which we jointly own are there any monies we need to pay the County for the use of that space? Manager Miller stated that DPU has not actually discussed the plan with the County yet but what we would like to think that the County would give their half of the ownership to us and allow us to build that building. We would like to get the project approved before making that next step. Director Nexsen stated that DPU has allocated about \$150,000 in the budget for any land development needed. This is a win-win for the County as well because if we build this and it gets sold to an industrial prospect they bring jobs and investment, the County gets tax revenue from the property taxes and industrial property taxes. Manager Miller said if the property is approved that will be the first order of business to ensure that we have the property.

Councilmember Haire asked to back-up to the software project. He stated that Director Nexsen said that DPU currently spent \$5,888,000 as it relates to software. You project to spend \$2,539,000 and we are scheduled to go online in 2017. If you are going online then is there additional expenditures you are anticipating. Director Nexsen said that only recurring support and maintenance; we would hopefully be significantly under budget. Councilmember Haire asked are we looking at expenses around another \$1,000,000 to \$3,000,000 and Director Nexsen answered yes sir. Director Nexsen stated that he wanted to make sure DPU went live before he gave Council the good news; your math is correct. We are significantly under the original budget. If you recall, we looked at approximately 25 different vendors and we got numbers back from some in the mid \$20,000,000 range and we got some that were unbelievable in the \$2,000,000 range. He thinks the original contract was \$7,000,000 or \$8,000,000. Director Nexsen asked if there were any other questions on any of the two projects that were discussed.

**Project #3 – 1036 Russell Street / DPU Main Office**

Total Project Cost:	\$ 400,000
Expenditures to Date:	\$ - 0 -
Estimated 2016-2017 Cost:	\$ 400,000

Director Nexsen stated that the third project is a proposed project that will be the construction of a customer parking area located at 1036 Russell Street. This project is estimated to take 12 - 15 months. The goal is to improve the DPU Main Office customer parking area which will improve traffic and storm water management as well as beautification of the area in the downtown street scape fashion. The key benefits are the removal of an unsightly building and deteriorated parking area. It will improve

pedestrian and automobile traffic on high traffic days and it consolidates the DPU campus between Russell, Windsor, Cuttino and US Hwy 301. What you see is a rendering of what the site would look like after construction. It includes resurfacing completely of Cuttino Street down to the entrance of the drive-thru parking lot at DPU as well as the complete resurfacing back to the corner of Oliver Street by the Salvation Army. He has spoken to Durwood Bowden and John Yow and this is on their budget in the upcoming year or the year after to resurface Oliver Street with some penny tax funds. We will do a cut in this area where they will be able to tie back into. This project also includes some curb and gutter work along the sidewalk to improve some of the drainage issues that we have. The budget for this project is \$400,000 and is all planned to be spent in this upcoming fiscal year. Director Nexsen asked if there were any questions. Councilmember Keitt asked if the project would start this year in October and Director Nexsen said yes. Director Nexsen said that we have done the site layout and we would do a bid package for demolition and construction of putting it up. Mayor Butler stated it would be a good look for downtown. Director Nexsen said that one of the big things is if you look out there now there is head-in parking here and there is also head-in parking there and on busy days the SCDOT doesn't like that you have to back out on each side of the street so that is one issue it would solve and the other issue is the walkway. Before the City owned this piece of property, our customers would park all over it. Mayor Butler asked if we would take down the Cherry Feed and Seed building and Director Nexsen stated yes sir that is the plan.

Director Nexsen said a summary of the projects are as follows: the total expenditures to date for the software project is \$5,888,260 and hopefully this will be the last year for this project and he will give an update in the next upcoming fiscal year for any unused balance. The Economic Development Building has a \$2,600,000 budget and the 1036 Russell Street project has \$400,000 budget, which both plan to be expended in the upcoming fiscal year. Director Nexsen asked if there were any other questions. He thanked the Mayor and Council for their time.

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**ELECTRIC DIVISION PROJECTS**  
**WADE HOLMES – DIRECTOR**

Director Wade Holmes informed the Mayor and Council that the DPU Electric Division has five capital improvement projects for the upcoming fiscal year. Two of these projects are previously approved projects and three are new projects. All the capital improvement projects I will present will serve to enhance our DPU Electric Division distribution system.

**Project #1 – 115 KV Transmission Line**  
**Extension to Koyo / Highway 601**  
**Substation #10 – Cont'd.**

Total Project Cost:	\$ 1,000,000
Expenditures to Date:	\$ 120,000
Estimated 2016-2017 Cost:	\$ 500,000

Director Holmes stated that Project #1 is our 115 KV Transmission Line Extension Project. This project will basically provide transmission lines along US Hwy 601 in front of Koyo. The key benefits of this project are that it will help reduce our already taxed 46 KV Transmission System and will alleviate some of the burden off that system as well as to build the lines on the existing right of way along US Hwy 601. This project will coincide with the rebuild of Substation #10 providing power to that substation. This is a \$1,000,000 project of which we spent \$120,000 thus far and are asking to spend another \$500,000 for the upcoming fiscal year for the purchase of materials such as the poles and the conductors. He asked Council if they had any questions.

**Project #2 – Koyo / Highway 601**  
**Substation #10 Rebuild – Cont'd.**

Total Project Cost:	\$ 5,700,000
Expenditures to Date:	\$ 1,560,000
Estimated 2016-2017 Cost:	\$ 1,000,000

Director Holmes stated that Project #2 is our Substation #10 Rebuild Project that is Substation #10 along US Hwy 601 and Koyo. US Hwy 601 is one of the fastest growing areas in our DPU electric territory. It is essential that we rebuild this substation to accommodate any future growth along US Hwy 601. The key benefits of this project are that it will allow us to get rid of all the antiquated equipment at Substation #10 and will replace it with a much better system and it is also a part of our overall five year system improvement plan. We have identified and evaluated various substations and this is one of the older substations we have that we have provided plans as to how we will upgrade or rebuild over the next five to ten years. It is essential that we rebuild this substation because it provides electric services to Carolina Regional Parkway, International Boulevard Parkway, Koyo and The Regional Medical Center. This projects total cost will be \$5,700,000 of which we have already spent \$1,560,000 which was for the purchase of the substation transformers. We are asking to spend another \$1,000,000 on this project in the upcoming year for the other substation equipment such as the structures, the foundation, poles and other equipment. Councilmember Keitt asked when was the last time this substation was upgraded? Director Holmes replied this substation was built in 1971 and probably in 1983 some of the breakers and substation controls were upgraded. Right now the substation is running at a little over 80% capacity during peak time which is usually at the limit at which you want to put a substation. Anything more you would be in duress and would probably start seeing failures. Councilmember Keitt said that it really is due an upgrade. Councilmember Haire asked where is there a comparable substation that is going to look like what you are going to do at that site? Director Holmes said that Substation #19 near Husqvarna is comparable. Councilmember Knotts asked that when you are doing that rebuilding of that substation will there be any interruptions in service? Director Holmes stated no maam; there will be no interruptions in service to any of the industrial parks or The Regional Medical Center. We have a system that when we take the substation down we can feed it from nearby substations. Director Holmes asked if there were any other questions.

**Project #3 – Goff Avenue / Claflin University /**  
**SC State University Substation #17 Rebuild**

Total Project Cost:	\$ 800,000
Expenditures to Date:	\$ - 0 -
Estimated 2016-2017 Cost:	\$ 300,000

Director Holmes said that Project #3 is a new project for the Electric Division. It is Substation #17 Rebuild. This substation serves Golf Avenue, Claflin University and SC State University. This substation was built and designed in 1979 and most of the equipment at this substation is at the end of it life cycle status. It is no longer viable to replace it because we cannot find the parts. The key benefit in rebuilding this substation is it will help us to eliminate the underground enclosures that you see here in that substation. That is important because those enclosures represent circuit feeds and if they ever go down, we can only take one at a time down so any worker would have to be very much impaired with any of the other equipment while they are trying to work on any of those enclosures; it is a major safety hazard to actually have it the way it is. Our desire is to rebuild the substation and bring everything above ground. Councilmember Haire stated that in essence, the substation was built from an esthetic point of view and the new substation will be more practical. Director Holmes said yes, the new substation won't be as pretty but will be a lot more functional and a lot safer to work on. The present enclosures actually open up and the worker would have to get inside or use some live-line tools to actually work on it. When they are working on the current substation they are actually exposed to other energized parts. This project is once again part of that overall five year system improvement plan. The project total cost is \$800,000 and we are asking to spend \$300,000 for the purchase of substation

breakers, equipment and structures. Director Holmes asked if there were any other questions in reference to Project #3.

**Project #4 – Peak Shaving / Wastewater Plant Generation  
Rowesville Road Substation #20**

**2563**

<u>Total Project Cost:</u>	<u>\$ 2,125,000</u>
<u>Expenditures to Date:</u>	<u>\$ - 0 -</u>
<u>Estimated 2016-2017 Cost:</u>	<u>\$ 1,700,000</u>

Director Holmes said that Project #4 is also a new project for the Electric Division. This is Substation #20, the Rowesville Road Generation Station. This project will add an additional 2 megawatts of generation to the DPU Electric Division distribution system. The key benefit of this project is that it will add peak shaving capacity to the Electric Division. This project will pay for itself over the first ten years of service. This project will also allow us a backup feed to the Wastewater Treatment Plant so that if there is ever a power outage, they will be able to run totally offline without losing power. The total cost of this project is \$2,125,000 and we are asking to spend \$1,700,000 in the upcoming fiscal year for the purchase of the generator itself. Director Holmes asked if there were any questions.

**Project #5 – City of Orangeburg Department  
Of Public Utilities Street Lighting Upgrade (Phase 1)**

<u>Total Project Cost:</u>	<u>\$ 200,000</u>
<u>Expenditures to Date:</u>	<u>\$ - 0 -</u>
<u>Estimated 2016-2017 Cost:</u>	<u>\$ 100,000</u>

Director Holmes said Project #5 is also a new project for the DPU Electric Division. This is a street light upgrade to LED lighting. Presently we have over 1500 street lights throughout its territory that DPU maintains. The first part of this project will be to replace the street lights along US Hwy 301 South to Five Chop Road. We figure this is one of the main arteries into the City of Orangeburg and it would be aesthetically pleasing to have newer lights and poles. The lights will be LED lighting and will coincide with the other work that is being done by streetscape. One of the major benefits of this project is it will tie into our already existing AMI system and we will have remote control functionality with the lights to dim or brighten them through our dispatch center. Also, the lights will actually report back to our dispatch center if there is something wrong with the light (whether the light is out, the light is cycling or if there is a problem). That information will be broadcast from the light itself to our dispatch center. With the new LED type lighting, the lights will actually be more energy efficient and will definitely reduce our maintenance cost. The total cost for the first phase of this project is \$200,000 and we asking to spend \$100,000 in the next fiscal year for the purchase of the lights and the poles. Director Holmes asked if there were any questions. Councilmember Haire asked is the five projects would be operating simultaneously or in phases. Director Holmes said that the Substation #10 Rebuild will be the longest of two projects. Substation #17 will be operating in conjunction with Substation #10 because with Substation #17 we actually have enough space there to rebuild that substation without having to interfere with the existing equipment there. Those two projects will probably be going on at the same time. Councilmember Haire asked how much of the work will be contracted out? Director Holmes stated that for Substation #10 most of the groundwork for the ground grid will be contracted out. We actually rebuilt Substation #19 so we have experience there to rebuild ourselves. Substation #10 is the same thing, we will do most of the work ourselves. The lighting project we will probably have to contract out because that is going to require breakaway setting the breakaway poles and putting in new raceways to those lights. Right now along John C. Calhoun Drive the pipe in the raceways are particularly old so it is probably easier to hire a contractor to boar the raceways to the light locations. Councilmember Keitt asked if the manpower is suitable enough now to handle the work. Director Holmes said yes, we do utilize Sumter Utilities to help us with our maintenance work so that when we do have times we have to shift crews for the capital projects we cover our other work. Director Holmes asked if there were any other questions.

Director Holmes said that to summarize the projects, the Electric Division spent \$1,680,000 on the two previously approved projects and in the next upcoming fiscal year, if approved, we plan to spend \$3,600,000 on all five projects. He thanked the Mayor and Council for their time and consideration.

2564

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**GAS DIVISION PROJECTS**  
**DAVE DURGIN – DIRECTOR**

Director Dave Durgin informed the Mayor and Council that the Gas Division has two previously approved projects and one new project for the upcoming fiscal year for their approval. These projects represent an important investment in DPU and the future of Orangeburg.

**Project #1 – Natural Gas to the Town of Ellore / Cleveland Street (Special Project) – Cont'd.**

Total Project Cost:	\$ 1,576,250
Expenditures to Date:	\$ 100,000
Estimated 2016-2017 Cost:	\$ 1,476,250

Director Durgin said that Project #1 for 2016 is a previously approved project to extend Natural Gas Service along Cleveland Street in the town of Ellore. This project consists of installation of over 76,000 feet of plastic gas main pipe. Since project approval last year, we have had discussions with the Ellore Town Council and secured an exclusive franchise to provide gas to that town. This project is currently out for bid and we expect to complete the project in the upcoming fiscal year. We recommend classifying this as a special project for 15 years. The estimated cost is \$1,576,250. Director Durgin asked if there were any questions. Councilmember Haire said this is a special project for 15 years; are we going in the hole as it relates to our return. Director Durgin said that whenever we approach doing a special project or are considering something to be a special project, we enlist some outside help with our rate consultants and they help us evaluate the validity of the project. We have reached out to several of the larger customers in Ellore and have also conducted a survey of the population there and received really good survey results from folks who are interested in getting gas service from us. Director Durgin asked if there were any other questions.

**Project #2 – Natural Gas Service Along Highway 176 (Old State Road) (Special Project) – Cont'd.**

Total Project Cost:	\$ 1,958,250
Expenditures to Date:	\$ 300,000
Estimated 2016-2017 Cost:	\$ 1,658,250

Director Durgin said Project #2 for 2016 is a previously approved project to extend natural gas service from US Hwy 301 along US Hwy 176 towards I-95. This project consists of the installation of a 6" steel gas main pipe and will allow DPU to serve a very large area of the Global Logistic Triangle. We recommend classifying this as a special project for 15 years. This project has an approved winning bid of \$1,831,187 and should take six months to construct. He added that this amount is below our projected budget. Director Durgin asked if there were any questions. Councilmember Haire asked for clarification of when you say a special project for 15 years, after 15 years, for the record, do we have to renegotiate with someone as it relates to our ability to provide the services for that area? Director Durgin stated no sir, the special project enables us to put a construction adder to the customers in those areas that allows us to help financially justify this project. Our ability to serve has never been challenged. It allows us to extend natural gas service to areas that would normally be more difficult to serve. Because our rates are so low, we generally don't have that type of inability to contract. Director Durgin asked if there were any other questions.

**Project #3 – Natural Gas Service Along Highway 178 (Charleston Highway) (Special Project)**

Total Project Cost:	\$ 590,000
Expenditures to Date:	\$ - 0 -
Estimated 2016-2017 Cost:	\$ 590,000

**2565**

Director Durgin said Project #3 for 2016 is a new project to extend natural gas service along US Hwy 178 along Charleston Highway. This project consists of the installation of 18,500 feet of 6" high pressure natural gas main pipe to Bethel Forest Road. This project will help support commercial and industrial growth along the I-26 corridor and should take six months to construct. We expect to complete it in the upcoming fiscal year. We recommend classifying this to as a special project for 15 years. The estimated cost of this project is \$590,000. Director Durgin asked if there were any questions.

Director Durgin said in summary, that the Gas Division have spent \$400,000 this year on our previously approved projects and we expect to spend \$3,724,500 in the upcoming fiscal year for all projects to be completed in the upcoming fiscal year. Director Durgin asked if there were any further questions. He thanked the Mayor and Council for their time.

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**WATER DIVISION PROJECTS**  
**ERIC ODOM – DIRECTOR**

Director Odom said that the Water Division has two projects for your consideration for the upcoming fiscal year.

**Project #1 – Advanced Meter Infrastructure (AMI) – Cont'd.**

Total Project Cost:	\$ 7,450,000
Expenditures to Date:	\$ 290,000
Estimated 2016-2017 Cost:	\$ 710,000

Director Odom said that Project #1 is the Advanced Metering Infrastructure Project (AMI). This project is a continuing project that has been previously approved. The purpose of this project is to build on our already existing Advanced Metering Infrastructure that is in place at DPU. By replacing and retrofitting our water meters with new automated meters that will be capable of being read remotely which is very similar to what the Electric and Gas Divisions currently have. Today we have completed the installation on our AMI System of the radio network infrastructure. We have also completed the meter data management software installation; it is all up and running and 100% of the electric and gas meters are currently converting to AMI. Water is the only division we haven't done yet. Once again, what Director Holmes just deluded to earlier, he is starting to look into street lighting capability that utilizes the AMI technology as well. The plan for the 2016-2017 fiscal year is to change out for retrofit all of our existing commercial and industrial accounts with new automated meters. Once the installation of all of our C&I meters have been completed, we plan to move towards our residential meters. We are trying to basically get more bang for our buck by putting our money into the larger user customers by going with the commercial and the industrial accounts. We plan to change out approximately 4,000 – 5,000 meters a year until we are complete so we anticipate this to take probably 4 – 5 years before we will have all of them converted; that is commercial, industrial and residential. This is actually a good thing for us because on the water meter side unlike electric which has basically an unlimited power supply to it, water meters are out there standalone by themselves and they have a battery so that by spacing the project out over multiple years once the battery starts to die on the meters it will allow us to have a phased approach to get the batteries replaced. The total cost of this project is \$7,450,000. This past fiscal year we spent approximately \$290,000 purchasing the water meters for the C&I customers. We

anticipate spending an additional \$710,000 in order to finish the installation and conversion of those meters to AMI for the upcoming fiscal year. Director Odom asked if there were any questions.

**2566**  
**Project #2 – Ellis Avenue Booster Pump Station Standby Generator Replacement**

Total Project Cost:	\$ 250,000
Expenditures to Date:	\$ - 0 -
Estimated 2016-2017 Cost:	\$ 250,000

Director Odom said that the second project that we have for you this year is our Ellis Avenue Booster Pump Station Generator Replacement. This is a new project for your consideration this year. The purpose of this project is to replace the existing backup generator at our Ellis Avenue Pump Station. The current generator, I call this my WWII generator, was installed at our Water Treatment Plant in 1973. It stayed there until 1993 when we did a plant upgrade and we took this generator and moved it to our Ellis Avenue Pump Station where it sits today. The pumping station which it sits at on Ellis Avenue currently serves our St. Matthews Road system. That St. Matthews Road pressure zone is the St. Matthews Road area, the US Hwy 601 to the interstate, The Regional Medical Center is on it as well as approximately 3,500 residents, commercial and other medical facilities that are out there so that is a very important area for us to maintain at least a backup power source so we can continue to pump water bearing an outage. The plan for us on this project is to replace this existing diesel generator with a new natural gas fire generator. We also plan to upgrade the switch gear; there is currently a manual switch gear which requires us during a storm or power outage to dispatch someone to manually throw the switch so we plan to change it out with a new automatic switch gear that will automatically transfer it in a loss of power. This will save manpower and time on restoring the pump station to be able to pump water. The total cost of this project is approximately \$250,000 and we do anticipate spending all of that in the upcoming fiscal year. Director Odom asked if there were any questions.

Director Odom said in summary to date, the Water Division have spent \$290,000 on an advanced metering project that is basically for the purchase of meters. The upcoming fiscal year, we plan to spend approximately \$960,000 in capital projects. Director Odom asked if there were any questions. He thanked the Mayor and Council for their time.

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**WASTEWATER DIVISION PROJECTS**  
**RICHARD LABRADOR – DIRECTOR**

Director Labrador said the Wastewater Division proposes no new projects for the upcoming fiscal year. The Wastewater Treatment Plant Upgrade Project is on schedule and budget and will be completed next month. Unfortunately, the bond payment and associated interest expense as well as the plant appreciation expense will begin this upcoming fiscal year. He asked if there were any questions.

Manager Miller invited the Mayor and Council at a later date to tour the Wastewater Treatment Plant. It is a very nice facility; they did a super job out there. Right now they are in the cleanup phase plus it is 90 degrees outside so maybe in the fall of this year when it gets a little cooler we will have you out and show you what \$27,000,000 looks like.

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Manager Miller said Mr. Mayor and Council, this concludes our proposed capital budgets and projects and budget presentations. He said he would be happy to answer any questions. Councilmember Haire said he knows we are going to modern technology with the software. Is there any kind of feel that you have for hacking and people getting control of your systems. He is just wondering what kind of safeguards

you have against hacking. Manager Miller stated that we have talked about this many, many times and it is a great concern of ours as would anybody who has a database that contains customers' information. Manager Miller knows that Director Nexsen has done some work on that. He said he is not going to say that the system is 100% perfectly safe because he doesn't know if there is such a thing anymore but we have taken some measures. Director Nexsen said there are directives for the divisions. Director Homes said that for the electric utility we get messages from FERC which is the Federal Energy Regulatory Commission. They send out alerts monthly that we have to check for malware. About two months ago they sent us a red alert to contact our IT Department to make sure our system is capable of detecting malware and cyber intrusion. Director Nexsen said we also have protected passwords. You have to have a 15 digit password that has to be changed often. We recently bought a firewall between us and the outside world. We have done some network upgrades recently that keeps a log of basically every transaction that happens on all networks and blocks traffic from certain locations. There are a lot of big areas in the world that we call blacklists such as China, Russia, Iran and Africa which have IP addresses and we are not expecting information from them so we do not accept any traffic from these sites. Manager Miller said that he read something just the other day about a Quantum computer that is in the process of being developed, it is still a couple of years away, and this article said that once it is developed all the protection processes will be vulnerable to it. It will be able to get into any computer system. Our federal government and defense system are working now to get ahead of that. It is a real fear, there is no doubt about that; we are all very vulnerable to that.

Mayor Butler thanked the Manager and all the department heads for the presentations that were presented tonight. We are all working for the betterment of the citizens here in Orangeburg and we really appreciate it. Councilmember Keitt said she certainly wanted to thank Manager Miller, department heads and other staff members for a job well done; we thank you.

Mayor Butler asked if there were any other questions regarding the budget and if not they will have the First Reading to Adopt A Budget for the Operation of the Department of Public Utilities for the Fiscal Year October 1, 2016 through September 30, 2017.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell to accept the First Reading of this Ordinance. The motion was approved unanimously.

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

There being no further business, the meeting was adjourned.

Respectfully submitted,



Carol E. Franklin  
Executive Administrative Assistant to the Manager  
Department of Public Utilities



**RESOLUTION**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A NATURAL GAS FRANCHISE AGREEMENT BETWEEN THE CITY OF ORANGEBURG AND THE TOWN OF ELLOREE**

**WHEREAS**, the Town of Elloree by Ordinance dated June 21, 2016 agreed to grant the City of Orangeburg, State of South Carolina a Natural Gas Franchise Agreement for a period of sixty (60) years and subject to the terms and conditions as contained therein; and

**WHEREAS**, by Resolution of the Town of Elloree dated September 12, 2016 the timeline to accept said Franchise Grant was extended; and

**WHEREAS**, the Manager of the Department of Public Utilities has advised Council that it is in the best interest of his department that said Franchise be accepted.

**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 O. Thomas Miller, Jr., Manager of the Department of Public Utilities is hereby authorized to accept the grant of the Natural Gas Franchise of the Town of Elloree dated June 21, 2016.

**AND IT IS SO RESOLVED BY** City Council duly assembled this 20<sup>th</sup> day of September, 2016.



Michael C. Butler  
MAYOR

[Signature]  
[Signature]

L. Zimmerman Keitt  
Richard F. Stone

Charles B. Barnwell  
[Signature]  
MEMBERS OF COUNCIL

ATTEST:  
[Signature]  
CITY CLERK



**RESOLUTION**

**A RESOLUTION FOR THE CITY OF ORANGEBURG, DEPARTMENT OF PUBLIC UTILITIES TO ACCEPT THE LOW RESPONSIVE, RESPONSIBLE BID BY PIKE ELECTRIC, LLC OF MOUNT AIRY, NORTH CAROLINA IN THE AMOUNT OF \$1,097,962.40 FOR THE CONSTRUCTION OF APPROXIMATELY 14.5 MILES OF PLASTIC GAS MAIN OF VARIOUS SIZES TO THE TOWN OF ELLOREE**

**WHEREAS**, the Department of Public Utilities of the City of Orangeburg, South Carolina, received bids on August 25, 2016 for the construction of approximately 14.5 miles of plastic gas main of various sizes to the Town of Elloree; and

**WHEREAS**, the low responsive, responsible bid for this work was submitted by Pike Electric, LLC of Mount Airy, North Carolina in the amount of \$1,097,962.40.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same, that the low responsive, responsible bid of Pike Electric, LLC of Mount Airy, North Carolina in the amount of \$1,097,962.40 is accepted; and

**BE IT FURTHER RESOLVED**, that O. Thomas Miller, Jr., Manager of the Department of Public Utilities, is authorized and he is hereby directed to accept said bid and execute the contract documents on behalf of the Department of Public Utilities of the City of Orangeburg.

**RESOLVED BY** City Council duly assembled this 20<sup>th</sup> day of September, 2016.



*Michael C. Butler*  
\_\_\_\_\_  
MAYOR

*Brenda Haire*  
\_\_\_\_\_  
*Dauda Phillips*  
\_\_\_\_\_

*L. Zimmerman Keitt*  
\_\_\_\_\_  
*Richard J. Stroma*  
\_\_\_\_\_

*Charles B. Barnwell*  
\_\_\_\_\_  
*Chad J. [Signature]*  
\_\_\_\_\_  
MEMBERS OF COUNCIL

ATTEST:  
*[Signature]*  
\_\_\_\_\_  
CITY CLERK

# CITY COUNCIL MINUTES

## September 6, 2016

Orangeburg City Council held its regularly scheduled City Council meeting on September 6, 2016, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding. 2575

### PRESENT:

**Charles B. Barnwell**  
**Bernard Haire**  
**L. Zimmerman Keitt**  
**Sandra P. Knotts**  
**Richard F. Stroman**

### ABSENT:

**Michael C Butler, Mayor**  
**Charles W. Jernigan**

A motion was made by Councilmember Stroman, seconded by Councilmember Knotts, to approve the August 9, 2016, Special City Council Minutes as distributed. This motion was unanimously approved. Councilmember Barnwell was not present at time of voting.

A motion was made by Councilmember Stroman, seconded by Councilmember Haire, to approve the August 16, 2016, City Council Minutes as distributed. This motion was unanimously approved. Councilmember Barnwell was not present at time of voting.

Mrs. Barbara Johnson Williams and Mr. Cecil Williams, 1843 Lake Drive, Orangeburg, SC, addressed Council.

Mrs. Williams stated, "For over 10 years, we have been asking for help and assistance with the extraordinary high sewer cost in our neighborhood, which is Northwood Estates. We have been pretty much tossed aside or overlooked. We pay a charge for city water with our DPU bill. We also pay a service charge for sewer as well as a treatment fee from Midland Utility, which is the sewer company. We pay approximately \$53 to DPU. The treatment fee is \$31.31 and a \$21.66 service fee. We cannot see what benefits we are getting for these service charges. Why are we paying these services outside the city limits? We are being told that ground water is going into our system and the system is costing us more per unit. The capacity charge went from \$1.90 to \$2.30. The commodity charge decreased from \$.33 to \$.31. It is my understanding that we are being charged \$3.00 per 100 cubic feet which is about 740 gallons. The way the system is setup, it doesn't matter about the seepage into the system, we are still going to have a high cost. The little research I've done it seems people in newer subdivisions use approximately 200-300 gallons of water/sewer. We, as a neighborhood, are a little overwhelmed and are coming before you this evening to ask for your assistance."

Councilmember Haire asked, "Have you met with anyone at DPU about your concerns?"

Mrs. Williams answered, "We had a meeting some months ago. We met with the Mayor and I think several DPU persons were in that meeting. And these were some of the things we talked about like the high cost of our sewer and the amounts we are paying. It seems as the sewer company is blaming DPU and DPU is blaming the sewer company."

Mayor Pro Tem Keitt asked if there were any other questions.

Councilmember Haire asked, "Since your meeting, you have not heard anything back from DPU?"

Mrs. Williams answered, "No, because we also talked about the possibility of them taking it on provided the system was brought up to par and we also talked about annexation. Those were the two things that came up."

Councilmember Haire asked, "The Company owns the system, right?"

Mrs. Williams answered, "They manage the system. We have been told Northwood Estates owns the system. I'm not sure as I'm new to the area. Some years back this company got involved with the sewer system at Northwood Estates."

Mr. Cecil Williams answered, "I have been there longer than she has, probably 28 years. The system does not belong to us. They probably would like it to be known that we own the system, but if we owned the system, we would not be paying the ridiculous rates we are paying. So we have no control."

Councilmember Haire asked Director Labrador, "I suspect you were involved in this meeting with DPU?"

Mr. Williams answered, "Yes."

Councilmember Haire asked, "What needs to be done as it relates to upgrading that system?"

DPU Director of Wastewater Richard Labrador stated, "First of all, I have had experience with Midlands Utilities. We do not own it. Midlands Utilities owns the system. Homeowners pay Midlands utilities. They have a wholesale contract just like the County and the Oaks. These are standard rates, DPU has a fair rate structure and they bill by gallons used through the meter."

Councilmember Haire asked, "So there is nothing that the Department has done or figured out what needs to be done in order to bring the system up to standard?"

Director Labrador stated, "If you have a problem with Midlands Utilities you go to the Public Service Commission. It is not up to standards. Someone is doing a study to bring it up to standards. We have assisted Midlands at our expense. It's an old system and it needs work."

Councilmember Haire asked, "If the system is brought up to standard, is Midlands willing to turn it over to DPU?"

Director Labrador stated, "I have no firsthand knowledge of that. The County is involved in doing a study."

City Administrator Yow stated, "If I could interject something here, the water that they are talking about is the water coming through the water meter. And I think what you're talking about Mr. Labrador is the wastewater that is coming through the master meter. There is a difference in that."

Mrs. Williams stated, "I thought that was what I was talking about too. The same water is what they are saying we are being billed for. Whether it comes through that meter from Midlands or whatever. It doesn't seem like we are being charged based on that. It seems like they just take the total cost and divide it among everyone in the neighborhood because we were told that there were persons that were not paying for sewer."

Mayor Pro-Tem Keitt stated, "We are going to have two more questions and then we are going to cut it off."

Councilmember Haire asked, "The way I understand and maybe I misunderstood. At my house, I am billed based on the water that I use that comes through the water meter. Are you telling me that this is based on the water that goes through the meter?"

Director Labrador stated, "It is liquid waste that goes through the meter."

Councilmember Barnwell asked, "Where is Midlands located?"

Director Richard Labrador stated, "I believe they are in Lexington."

Mr. Cecil Williams stated, "I appreciate this great opportunity to address you. I have been **2577** resident there for 28 years and a lifelong resident of Orangeburg. Northwood Estates is a residential community with approximately 100 homes which approximately 99% are African American. We've come to you because we need your assistance. We are located four miles from Interstate 26. Approximately 68% of the residents are retirement age, fixed income with an average of 2.6 persons per household. Even though I'm a member of the Northwood Estates Neighborhood Association (my wife is the President), I wish to speak to you from the prospective of an individual. My wife spoke with you as the President of the Association. We want to bring some attention to matters I feel greatly impact myself and others in the subdivision economically and health wise. With extraordinary patience, for more than 10 consecutive years, the Northwood Estates Association has tried to resolve the sewer issue. We have bounced from the County to the City, to Midlands and back and forth. Everybody is talking about a lot of things but nobody has stepped forward to help us resolve the problem. We pay our taxes. We are good citizens. We obey the law. We love this community. We try to do things for this community, but it's not being reciprocal to us in this Neighborhood Association. We are here to ask for your help and I'm stepping forward here publically because in most cases I've seen my wife year after year in retirement struggle with an issue and get bounced back and forth and nothing really happens. In fact, my wife and the Organization have devoted 10 years. They have held meetings, conferred, sought advice, lobbied City, County, corporate entities and Commissions who after listening, talking and promising say wait or they pass the buck each and every time blaming someone else promising change which never comes. At least, it hasn't come yet. I'm only here tonight because apparently these methods did not work. Whatever we tried did not work. Now we realize that we are at the City meeting, we just left the County. We are not located in the City, we're in the County. We are charged unmetered for the discharge of sewer. For example, my sister went out of town recently and she was gone for nearly a month. When she got back, even though she did not use any sewer whatsoever, her bill was the same as mine, so it doesn't matter if you use the sewer or not. We had about six inches of rain in Orangeburg County last week, so guess what; our bill next month will be even more. So we're impacted by both the City and the County. So let me graphically depict what we pay for sewage services. This is a disgrace the amounts we are paying and there not be a resolution. Residents of Northwood Estates pay the highest sewer rates in the Southeastern United States and 27<sup>th</sup> in the entire United States of America. (Mr. Williams showed Council various posters.)

Representatives we have talked with, City, DPU and County and others are well aware of sewer problems arriving from an old decaying system that allows waste water and storm water to uncontrollably enter the system. That's why I showed you the pictures. You see compounded with DPU and Midlands Utility charges on three different charges. Three charges we have. So you take a retired 85-year-old person in our neighborhood on a fixed income is paying almost \$1,000 a year on sewer. This should not exist in our County. This is shameful. The health concerns are a major issue to me. There have been a lot of deaths in our neighborhood. Unrelated, I don't know. What I'm saying is, I don't drink the water. We feel for a long time these problems have gone unaddressed. We are here tonight to really ask for your assistance to solve these problems. We are vulnerable and we need some assistance. We just left the County and they said "Blah, Blah, and Blah" as they have done many times in the past. We asked them a question, okay, so you have no answers for us. We can go back in our community and tell the home owners. Regardless, where the problem is and where the solution lies, all we need is some help. Do we have to become the Flint, Michigan of Orangeburg, SC? But it's not lead we're talking about, it's something else I don't want to mention. I want to thank you very much for listening to me and I want to thank you again for your efforts in trying to help the tax paying citizens of Northwood Estates in Orangeburg solve these problems."

Mayor Pro Tem Keitt stated, "Thank you Mr. and Mrs. Williams and your neighbors in the Northwood Estates. As of right now, we have heard there is a study being done. We're hoping that the City of Orangeburg, the County and Midlands will get together. Something needs to be done. There is a study that is being done by the County and we're hoping that it is the County that needs to do this."

Mr. Williams stated, "Do you know when this situation accelerated and the interest coming to our community started? After I did the research on this. So we have heard this for years but

2578 there has not been any earnest. Can they do assessment as to why they are charging people who cannot afford it?"

Mayor Pro Tem Keitt stated, "We are very much concerned with the problems you have. As of tonight, we are going to take it under advisement, but you will hear from us in a few days. I promise you that because I really don't think anyone should go through what you all are going through; however, the County, the City and Midlands have to get together. This is what has to happen. The Mayor will be back in town by Thursday and we're going to work on this. We feel your pain."

Councilmember Haire stated, "I have a request. I would like DPU to provide me a report on wastewater, water, and sewer leakage in this area"

Director Richard Labrador stated, "We have given the Home Owner's Association a report in the past and we will update it and get it to you."

Mayor Pro Tem Keitt stated, "We ask that DPU look at this and provide a report to us as soon as possible so that we can do something. We will definitely work to see what can be done."

A motion was made by Councilmember Barnwell, 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, 2015 and ending September 30, 2016. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to raise revenue and adopt a Budget for Orangeburg, SC, for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017. This motion was unanimously approved.

Ms. Evelyn Disher, Executive Director of the Community of Character, accepted the Character Trait Proclamation for the month of September 2016, "Respect".

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve the appointment of Mr. Ron Kohler, Airport Manager, to the City Grievance Committee, as an alternate, to fill an unexpired term which expires 6-4-17. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to grant authorization to the County of Orangeburg for a highway right-of-way as they are planning to pave Ambrose Street which runs parallel to the left side of the City's old C&D Landfill located at the end of Pitt Road off of Cannon Bridge Road. The City's fence is currently located 12½ feet from the centerline of Ambrose Street right-of-way and the County is requesting the additional 12 ½ feet making the edge of the right-of-way 25 feet from the centerline of Ambrose Street. The County will replace the old fence. This motion was unanimously approved.

Regarding matters pertaining to the Department of Public Utilities, DPU Manager Tommy Miller stated, "On August 9, 2016, at the DPU Administration Building, you were presented with and approved the First Reading of an Ordinance for the proposed budget for DPU for Fiscal Year 2016-17 and then on August 16<sup>th</sup>, you approved the Second Reading of the Ordinance budget. This proposed budget has an income of \$94,704,380 with expenses of \$78,832,410 for a net profit before the transfer of \$15,871,970. This represents a return on equity for the citizens of the City of Orangeburg of 6.8%. We anticipate sales in the Electric, Water and Wastewater Divisions to remain stable, as well as an increase in sales in the Gas Division. This proposed Budget does not include an increase in any of our rates at this time. Proposed spending on capital projects in Fiscal Year 2016-17 is \$13,824,100. There are a total of thirteen (13) capital projects proposed in this Budget. The majority of the projects are six (6) carryover capital projects and seven (7) new proposed capital projects. This proposed budget allows us to continue to provide safe and quality utility service to our customers and continues to lay the foundation to meet the needs and challenges of the future. I would ask that you please consider the Third

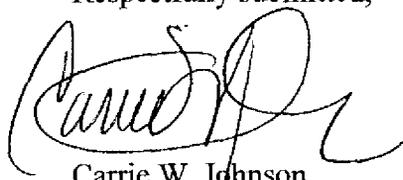
Reading of the DPU Budget Ordinance and the proposed rate changes as presented for Fiscal Year 2016-17.

Councilmember Barnwell made a motion seconded by Councilmember Knotts, to approve the Third Reading of an Ordinance to adopt a Budget for the Operation of the Department of Public Utilities for the Fiscal Year October 1, 2016 through September 30, 2017. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to enter into an Executive Session for (1) Legal Matter concerning demolition of a structure at 1916 Centre Street and (2) Contractual matter and proposed conveyance of property at 1170 Russell Street in the City of Orangeburg, SC, to Palmetto Development Group. 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

## September 20, 2016

**2580**  
Orangeburg City Council held its regularly scheduled City Council meeting on September 20, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

### PRESENT:

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

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the September 6, 2016, City Council Minutes, as corrected. This was a 6-0-2 vote, as Mayor Butler and Councilmember Jernigan abstained, as they were not present at the meeting.

Ms. Michelle A. Mapp, Executive Director of the South Carolina Community Loan Fund made a presentation to Council. She stated, "Thank you for the opportunity to be here tonight. The SC Community Loan Fund was founded in 2005. We are a non-profit lender certified by the US Treasury and the SC Department of Commerce as a community development financial institution making loans for community facilities, housing, health food enterprises and community based businesses. Over the last eleven years we have made 311 loans ranging from \$10,000 to \$6.2 million dollars. We loan to local governments, non-profits and for profit entities. We are focused on financing real estate assets generating income in low income or moderate income communities. In Orangeburg, we have worked with New America Corporation and it has been one of our borrowers and has worked with redeveloping main street and we have made loans in twenty-one ( 21) of forty-six (46) counties. We get our capital by borrowing capital from financial institutions and foundations and we pool that capital with fundings with local governments and apply to the United States Treasury for matching funds. We leverage local dollars, twelve to one, that we relend for community development projects. In our packets, you will find our annual report and other information of who we have helped. There is a wide variety of community based projects and we are here to help and they look to us. We do not see ourselves as a competitor but as a partner to make a deal happen."

City Administrator Yow will meet with Ms. Mapp in the future to further explore opportunities and to have a presence in Orangeburg.

Mr. Fred Johnson with F.A Johnson Consulting Group, Inc., gave Council an update on Railroad Corner. He stated, "On April 13, 2016, we received a notice to proceed and have been engaged in project launch meetings. There are a completed number of appraisals and several proposed contracts and 82% of property owners engaged. I have ordered sixteen appraisals and three parcels to submit for City Administrator Yow's consideration. There is some federal and state option funding."

Councilmember Keitt asked, "Have we bought any property?"

Mr. Johnson stated, "There are three contracts for your review tonight and three property owners have agreed to the terms."

Mr. William Green of 1048 Doyle Street spoke to Council. He stated, "I have worked with DORA and brought up the idea of the Farmers Market having crafts for sale, but was told it would be \$100.00 to sell crafts, why is this?"

City Administrator Yow stated, "The City doesn't put on the Farmers Market, this is a DORA project. They work with farmers who sell their own produce that they grow. They do not have a business license and not required to have one per state law."

Mr. Green stated, "I think the City needs a permanent Farmers Market, one that is in and out. Is there any talk of this? I know Elizabethtown, NC, has one downtown."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve a Resolution committing the City of Orangeburg with a local match for a Municipal Association of South Carolina Hometown Economic Development Grant for the Airport. This will be used as an Economic Development Grant for the Airport. This is a \$25,000 grant with a \$5,000 match. This motion was unanimously approved.

Mr. Dave Durgan, DPU Gas Division Director stated, "On June 21, 2016, the Town of Elloree signed for gas service. We now need to counter sign the Agreement to start the process. We recommend passing this Resolution and allow the Department of Public Utilities Manager to execute this Franchise Agreement."

Councilmember Jernigan asked, "How long will this project take?"

Director Durgin stated, "Eight to nine months."

Councilmember Haire stated, "Hasn't this item come up before?"

DPU Division Director Durgin stated, "Yes, it was addressed in budget meetings."

Councilmember Jernigan asked, "What is the return on investment based on the number of people in Elloree?"

Director Durgin stated, "Less than fifteen (15) years to recover the money."

Councilmember Jernigan asked, "How many gas customers are there in Elloree?"

Director Durgin stated, "100."

Councilmember Jernigan asked, "Are they using propane?"

Director Durgin stated, "Yes."

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt, to approve a Resolution authorizing the acceptance of a Natural Gas Franchise Agreement between the City of Orangeburg and the Town of Elloree. This motion was unanimously approved.

Director Durgin stated, "I would now like to present to you a Resolution for the City of Orangeburg Department of Public Utilities to accept the low, responsible bid from Pike Electric LLC in the amount of \$1,097,962.40 for the construction of approximately 4.5 miles to the Town of Elloree. This bid is below budget and Pike has a number of crews in North Carolina and South Carolina and we suggest that you allow the DPU Manager to execute the contract."

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 responsive responsible bid by Pike Electric, LLC of Mount Airy, North Carolina, in the amount of \$1,097,962.40 for the construction of approximately 14.5 miles of plastic gas main of various sizes to the Town of Elloree. This motion was unanimously approved.

Councilmember Haire spoke regarding DPU Electric Division. He stated, "On July 28, 2016, City Council met at DPU to talk to the Electrical Division. This was done to let them know of our support to them. The Electrical Division provided a list of their concerns. On August 15<sup>th</sup>, we met with DPU Management and gave them a copy of the concerns and asked that they let us know which concerns they could honor. Two weeks passed without a response, not even a yes or no. After a period of time, I called. I was informed they are working on answers and a response. I then informed Management as to whether or not it could be done, yes or no. Later we received a more detailed answer from the Department that I feel was evasive and not to the point. I have come to the conclusion that it seems there was some foot dragging going on as it took too long of a period to receive an answer or a narrative. We have men who are employed to

2582 provide these City utilities. There is a war between Management and the Division. We are not taking these items seriously. There are things you hear in the street and you can't believe it all. There seems to be some type of resistance to provide relief to these men. The City needs to look closely at these items and they feel that the response is one that brings us closer to Management and employees. We need to go back and meet with Management as we need answers and this needs not to be done in Open Session. Men who are here tonight in the Electrical Division, there is an environment that seems to say, take it or leave it. I don't want to lose these men who put their lives on the line and I do not take it lightly. They work storms, etc., and are called out at night. We cannot expect these men to continue to work for us in this climate. We, as a Council, need to sit down with Management and go through this list. If I rated this episode from a 1 to 10, the rating would be a 2, due to response time. This has lasted too long, two months and I want us to bring a halt to it. Is there a feeling of intimidation, if so, we need to get it behind us. If you see any value in what I'm asking, can we get together to address these concerns."

Mayor Pro Tem Keitt stated, "We are in agreement with Councilmember Haire to get this moving. We need to work with them to help keep them safe."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to enter into an Executive Session for (1) Proposed Purchase of Property – Appraisals of properties in Railroad Corner Redevelopment area, (2) Legal Matter –Northwood Estates Wastewater System, (3) Contractual Matter – Update on access road for Recreation Complex off of North Road and (4) Contractual and Legal Matter – Proposed conveyance of property at 1170 Russell Street in the City of Orangeburg, SC, to Palmetto Development Group. This motion was unanimously approved.

Council entered into Executive Session.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to return to Open Session. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to approve the Third Reading of an Ordinance to convey property located at 1170 Russell Street, City of Orangeburg, SC, to Palmetto Development Group. Councilmember Barnwell stated, I am opposed. "They have lied the whole time." The vote was 4-2-1, with Councilmembers Barnwell, and Jernigan opposing. Councilmember Stroman abstained.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve authorization for City Administrator Yow to enter into a contract with R&T Grading, Inc., in the amount of \$611,476.76 for construction of an access road to the planned Recreation Complex area. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem, 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



## CITY COUNCIL MINUTES October 4, 2016

Orangeburg City Council held its regularly scheduled City Council meeting on October 4, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding. 2583

**PRESENT:**

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

**ABSENT:**

**Bernard Haire**

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the September 20, 2016, City Council Minutes, as corrected. This motion was unanimously approved.

Department of Public Utilities Manger Tommy Miller presented Councilmember Charles B. Barnwell his fifteen (15) year service pin from the Department of Public Utilities.

Ms. Shaniqua Simmons, Parks and Recreation Director, recognized Ms. Joyce Jenkins who won the SCRPA Champion for Community Award. This award is done by secret nomination for the volunteer of the year with the South Carolina Recreation Parks Association..

Mr. Gene Gartman spoke in reference to the Dalton Home for Veterans, Non-Veterans and In-Home Care for everyone. He stated, "The Dalton Home has a permanent shelter as well as a transitional shelter. Months ago, we proposed a \$30,000.00 grant to subsidize the homeless shelter. We understand the City is not in a position to grant funding. We want to lay out a partnership with the City with vouchers where the City sponsors people that are homeless. You can log in and sponsor homeless individuals. This should be more affordable to the City."

Ms. Cheryl Dalton, CEO of the Dalton Home spoke to Council. She stated, "We are at capacity and we don't have accommodations for families. We should be able to accommodate them. We need help with the shelter. We get them on their feet and the program is working. We were hoping that the City could donate some funds to the Dalton Home. We are certified by the Department of Health and Environmental Control. If the City could donate the Samaritan House to us, that would be great. However, we would not keep the name because we feel the name is tainted."

Mayor Butler stated, "We really appreciate your concern and it has been a problem for all of us. The Samaritan Houses does not belong to the City, it belongs to the Samaritan House. I do not want your mission to die."

Mr. Gartman stated further, "This would be a discounted voucher on an individual basis per person. We receive calls that come to us stating that the City referred them. We have funding challenges and we would have them under a contract. We would try to accommodate them."

Councilmember Barnwell asked, "Who is the voucher from?"

Mr. Gartman stated, "You would call in and we give you a voucher, the next day we have to have a contract, sponsors or individuals, it is a 70/30 approach. Transitional funds were 70% HUD grants which ceased. Homeless shelters closed down. We have to come up with a program where sponsors fund \$1,500 a month for four (4) people. Permanent housing has some sort of funding. We are on a shoe string budget and we cut costs any way we can. We cannot house men with women together. Children and women need to have a separate facility. We have projections for what we want to do."

Mayor Butler thanked Mr. Gartman and Ms. Dalton for their appearance before Council.

Ms. Debra Wardlaw of 636 Rowe Street made an appearance before Council. She is interested in a startup project for the homeless. She stated, "The concept is the same, we are 'Pearls in the Sand.' I work for Orangeburg County Disability and Special Needs Board. I go to Mental Health and I see where people have no where to go. It is sad to be known as an outcast and it could be anyone of us. I want to help and the need is great. People walk the streets every day. This is a transitional home for six months to twenty-four months. We as people should recognize the importance of helping another person. We all have to pay costs. I stand here to ask for help and help Orangeburg. People come out of dirt to become a pearl and I'm quite sure you have been hurt in the past as well. Our Mission Statement is Jeremiah 30:17."

Mayor Bulter stated, "We hear your position for help and will take this under advisement.

Dr. Lamar Cato addressed Council. He stated, "Our roads in Pinetop subdivision are in bad shape. I have been living there for nineteen years and it has never been resurfaced. There are pot holes in areas that were patched. I am here to ask for our roads to be resurfaced."

Councilmember Stroman stated, "It's in the Penny Sales Tax Fund in the referendum for November."

City Administrator Yow stated, "It's on the CPTS ballot for the November election and it will have to pass for the funds to be in place."

Ms. Evelyn Disher, Community of Character Director, accepted the Character Trait Proclamation for October 2016, "Obedience".

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a (1) Contractual matter concerning additional Natural Gas Capacity --Dominion Carolina Gas Transmission Corporation, (2) Legal matter concerning the Department of Public Utilities Electric Division and (3) Development of Security Personnel-- Department of Public Safety.

Council entered into an Executive Session.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to return to Open Session.

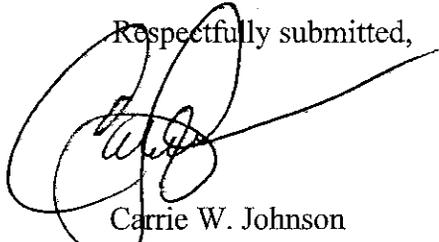
Council returned to Open Session.

A motion was made by Councilmember Knotts, seconded by Mayor Pro Tem Keitt, to approve a Resolution authorizing the Execution of a service agreement for additional natural gas capacity of 2,400 MDRQ (DTS) and subject to rate schedule FT with Dominion Carolina Gas Transmission Corporation for a five (5) year term. This motion was unanimously approved.

A motion was made by Mayor Pro Tem 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



**City Council Minutes**  
**November 1, 2016**

**2585**

Orangeburg City Council held its regularly scheduled City Council meeting on November 1, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

**Michael C. Butler, Mayor**

**Charles B. Barnwell**

**Bernard Haire**

**Charles W. Jernigan**

**L. Zimmerman Keitt**

**Sandra P. Knotts**

**Richard F. Stroman**

Mayor Butler asked that all the Federal Emergency Management Agency and other County, State Disaster Assistance related groups, please stand and state what agency they represented.

A motion was made by Councilmember Keitt, seconded by Councilmember Barnwell, to approve the October 4, 2016, City Council Minutes as distributed. This was a 6-0-1 vote as Councilmember Haire abstained as he was not present at the meeting.

Ms. Elisa Roper, Intergovernmental Affairs Specialist for FEMA from Atlanta, Georgia spoke. "I do work for the State of South Carolina. Basically, I want to tell you that we are in here as you can see in force and we have abilities and skills to take care of things and if there are any questions about these programs, we will have people outside to talk with you. Individual assistance needs to file for disaster assistance. You can go online for the application or call and there are disaster recovery centers in Orangeburg County. You need to file your claims for assistance, if you do have insurance apply and if you don't apply. Even if you are denied you have the ability to file for a Small Business Administration (SBA) loan. Just because it is a loan it tends to make people uneasy as they don't want to ask for a loan. One of the big things was that if you apply for a loan and you are approved, you don't actually have to take the loan, you can stop it. If you are not approved it goes back to FEMA and there is a second chance for you to get some assistance. Ms. Clara King is present tonight with the SBA and Mr. Rob Burton is here from South Carolina. They can talk about the hazard mitigation program and also other people with FEMA that can talk about filling out applications. I have some handouts for you if you have any additional questions.

Mayor Butler asked, "Our Councilmembers represent districts. Are you having any trouble with going into the neighborhoods and people not answering the door. They are not sure if it is actually FEMA representatives."

Ms. Roper replied, "Looking at the numbers, we are leaving a lot of flyers and having a lot of interaction also. I cannot tell you the number of people not answering the door but we have had over 3,500 interactions of which have left flyers on the doors. As of yesterday, I was showing right at 149 new registrations we had put in coming through the City. A couple of incidents that had to be handled, but most people were very receptive to us but, if they feel uncomfortable with us we do offer the website and an 800 number."

Mr. Yow stated, "Ms. Roper, you mentioned you do have centers for people to get assistance. Can you tell Council where the centers are located."

A FEMA representative replied, "There is one at the YMCA and one in Holly Hill."

Ms. Roper stated, "You don't have to go to one in your County. There are ten centers now and you can go to whichever is closer to you. Also, in regard to people knocking on the door, we all have badges and they are official badges."

Ms. LaShandra Morgan with the Department of Health and Environment Control spoke, "I am the Lowcountry Healthy Eating Active Living Coordinator working with DHEC and I work with Orangeburg, Allendale, Bamberg and Calhoun Counties. I am under a CDC Grant called the SC Prevention and Health Across Systems Grant. One of the programs is pedestrian planning. I wanted to do this in the City of Orangeburg because currently according to CDC data the obesity rate here is 41% and that is pretty significant. I wanted to make you aware of this. This year two of the four regions will be selected for this grant. If you are not selected this year, you could be selected next year for this pedestrian planning. Also, I am working with open community youths where schools open their outdoor facilities to children for open community use."

Ms. Beth Thomas, Executive Director of the Orangeburg County Fine Arts Center addressed Council, "I would like to thank you for the support you have given us for our renovations. We are making progress and steadily moving along and we are not quite as far along as we had hoped but getting close. We did find out that we cannot be under construction during the election because we are a polling site and could not in any way hinder any potential voters. Mr. Cliff Emery has spearheaded this program from the start and he has prepared reports throughout. We did submit a report and we do have an update that we can pass out to you. Mr. Emery will go over this with you."

Mr. Cliff Emery spoke. He stated, "Thank you for inviting us to give you an update on the Center. A year and a half ago we were here telling you what our plans were. Since that time a lot has happened and we have been raising funds. We have done engineering drawings, and an asbestos survey was done, hired an architect and an interior design firm. We have worked with a set of professionals all the way through this process. We have done fund raising in several phases. The first was the city, state and county phase which all stepped forward and gave us a significant amount of money to go forward. A second phase was foundations throughout the region. It has taken longer than expected and it has not really developed the dollars we had hoped for. We got \$25,000 through the Home Foundation. This morning we found out that the Central Carolina Foundation is now open for another set of fund raising and we will submit a letter of intent for that. We have been working with local businesses and individuals on raising funds. A major potential donor is coming to the area and we are meeting with them the first of December. We are not where we wanted to be at this time. Most of the construction elements are set to go and we are getting closer and closer every day. Early next year, we will have a renovated Art Center."

Ms. Evelyn Disher, Executive Director of the Community of Character, accepted the November 2016 Proclamation, "Responsibility".

Concerning discussion of Rental Property Regulation Ordinance, Mr. Haire stated, "I asked that this item be placed on the agenda. I was going through parts of my district and I was appalled of the conditions in parts of the district. There were places where water was coming in from the ceilings into their beds and on Gibson Street there was an elderly lady who fell at her house and because of the fracture she had, she was out of the house. The daughter had to have someone come in and scrape the ceiling because of the particles, etc. coming from her ceiling. On Fair Street there was a lady that informed me that she had notified her landlord on numerous occasions, sending emails and communicated with him as it related to a problem with mold in the children's bedroom, so all of them had to live in one bedroom. I have provided Council with information as it relates to an Ordinance and I would like for this Council to go on record to adopt an Ordinance wherein there are conditions, that are just horrendous with some rental property. The Ordinance I have given you is a copy from the City of Columbia. I am not saying that we have to adopt this Ordinance but that we should go on record as to doing an Ordinance where in in these kinds of conditions that I saw in the last few weeks, cannot be continued here in the City. The landlords are getting income from these dwellings and the tenants need to be living in decent conditions. We need to go on record to ask our attorney to put together an Ordinance that would address what I have expressed here in the City of Orangeburg."

City Administrator Yow stated, "Mr. Haire and I have discussed this and also briefly in our planning session but we really did not address it as a rental housing regulation. We talked about some of the issues we have with code enforcement and as I see it, this is just another tool in the toolbox. To address some of the things you mentioned, could be addressed through the building codes that are already in place. In reviewing the Ordinance that Mr. Haire provided it really gives you a way to register the rental properties and issue permits. If you read through it, it talks about accessing points for violation and it gives people a chance to get the points taken off their record. We need to give Council a chance to review this and give us some feedback. We can't just assume that you will like all parts of it. I do think it is a step in the right direction that will show that Council is on record that they want rental property maintained. It will be then incumbent upon us as how we are going to manage it as staff. We will need to meet on this and discuss."

Councilmember Keitt stated, "What I like about this Ordinance, is that it makes the landlord be more responsible for these houses."

Councilmember Jernigan asked, "The majority of the things you are talking about, isn't it code enforcement or code issues as opposed as to trying to get an Ordinance. Could we do it under our Code Ordinance?"

City Administrator Yow stated, "It does more than that and it makes people register to have a permit and they could lose that permit to have rental property."

Councilmember Jernigan stated, "I am thinking about the enforcement of an Ordinance to do this. If we are having a problem enforcing the codes, wouldn't we have problems enforcing this Ordinance since it has some of the same areas?"

City Administrator Yow stated, "We are always going to have issues enforcing codes and Mr. Haire and I have talked about this. Since the City of Columbia has adopted this they have already identified some issues. We need to put another tool in the toolbox to have a way to enforce these codes. Quite frankly, after we are in it for another year, we may need another staff person to do this, but that would be worth it if the rental property is maintained."

Councilmember Jernigan stated, "I think initially while we are trying to come up with an Ordinance that we should put extra emphasis on the problems about the rental houses. We need to put more emphasis on our code enforcement for these areas."

Mr. Yow stated, "For instance we would not know that water is coming into the house. Now that we know, we can address that. It is a process that the landlord has certified that he has already addressed these issues. We would not knock on people's doors to see if there is any mold."

Councilmember Jernigan stated, "This person talked to Mr. Haire and if Mr. Haire comes and talks to you, then we need to send code enforcement people around to check it."

City administrator Yow stated, "We do that all the time."

Councilmember Haire asked, "Let me understand where we are at with this. We are going to wait for feedback from each Councilmember at this time, right?"

City Administrator Yow stated, "Yes sir. We really are interested in this and I would like for you to read it and we may not know the answers to your questions. There are only a couple of cities we know of in South Carolina that have done this."

Mr. Tommy Miller, DPU Manager, spoke regarding matters pertaining to the Department of Public Utilities. He stated, "Mr. Mayor and Council, good evening. DPU has been blessed over the years of having the privilege in serving several towns within our service territory. These

towns are Rowesville, Cordova, Cameron and Cope. We have franchise agreements with these towns that range 40 to 60 years and we are presently in the process of renewing one of those agreements, actually an agreement that includes three utilities with one of the towns. There is another town that expires in February 2017 and we are in the process of addressing that as well. Presently, our general terms and conditions do not address franchise fees. So in anticipation of future franchise fees, we are proposing to amend the General Terms and Conditions to add a paragraph to Section 7. Section 7 is entitled; Billing and Payment Terms and that paragraph will be number 18 and read as follows: all electric, natural gas, water and wastewater customers in addition to applicable rates shall be billed their prorated share of any sales tax, franchise fee or business license tax imposed or accessed by any state, franchise or other government taxing authority on services received. So this evening, I am requesting first reading approval on Ordinance 2016-10 that will amend the General Terms and Conditions as presented. I will be glad to answer any questions.”

Councilmember Haire stated, “In this particular addition, paragraph 18, are you saying those areas for instance. Let me back up, will all citizens have to pay these fees. Say we are going to run gas to Ellore and there is a franchise fee that has been added. Are you saying all gas customers are going to pay this as it relates to this.”

DPU Manager Miller stated, “If you would allow me to use Ellore as an example, we do have a franchise agreement with Ellore. There is a moratorium on the franchise fee for the first seven years so there will be no fees for the first seven years. After that, just a fee on the gas bill and that applies to all customers in that town. “

Councilmember Keitt asked, “Approximately how much are we talking about?”

DPU Manager Miller answered, “Generally, and I did a little bit of research, and it appears to be about 5% of the bill.”

Councilmember Haire asked, “The way I look at it now is that everybody could possibly be charged.”

DPU Manager Miller stated, “This is the statement that is accepted by the Public Service Commission.”

City Attorney Walsh stated, “If you look at your telephone bill or cable bill there is always a charge for a franchise fee. All utilities have gotten a tariff from the Public Service Commission which permits that. So this is what DPU is trying to do. If a franchise fee is going to be charged, they just want to pass that through to the customer.”

Councilmember Haire stated, “The affected customer ?”

Attorney Walsh stated, “That’s right, only the customer that is receiving service in that franchise area.”

City Administrator Yow stated, “So, it should read to all affected customers within the jurisdiction of the franchise.”

City Attorney Walsh stated, “It does not have to say that. The language only said charge for the services received, so if you don’t receive services under a franchise, you don’t have to pay a franchise fee. It also has included business license taxes and sales taxes. We have just been discussing franchise fees, but there are two other elements here. Mr. Miller, did you ever determine what customers are paying a sales tax?”

DPU Manager Miller stated, “On the DPU system residential services, you don’t pay any sales tax.”

Attorney Walsh stated, "I know, but some customers do."

DPU Manger Miller stated, "Commercial and industrial customers that are not exempt from sales taxes, pay sales tax."

City Attorney Walsh stated, "So you see who would be affected there and that would be system wide."

Councilmember Jernigan stated, "Residential customers do not pay sales tax on utilities."

Councilmember Haire stated, "At some point, could this not be applied to residential customers?"

City Attorney Walsh stated, "It could, if Council decides on it. There is not going to be franchise fees in our area."

Councilmember Jernigan stated, "I am not talking about franchise fees. I am talking about where it said all electric, natural gas, water and wastewater customers. We talk about sales tax, franchise fees and business licenses. We have already said in the Ordinance all customers."

City Attorney Walsh stated, "You can't just pick out a segment of it."

Councilmember Jernigan stated, "What part of this Ordinance takes out the customers from sales taxes?"

Attorney Walsh stated, "Just what he said, residential customers don't pay sales tax."

Councilmember Jernigan asked, "What determines that?"

Attorney Walsh stated, "The South Carolina Department of Revenue."

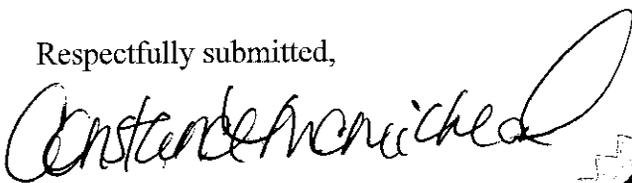
Mayor Butler stated, "Do we wish to table this item and bring it back up later or have first reading tonight?"

A motion was made by Councilmember Jernigan, seconded by Councilmember Barnwell, to approve the first Reading of an Ordinance amending the General Terms and Conditions of the Department of Public Utilities by amending Section VII, Billing and Payment Terms, by adding a new paragraph 18 for the purpose of collecting sales tax, franchise fees and business license taxes. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion was made by Mayor Pro Tem Keitt, seconded by Mayor Butler, to enter into an Executive Session for a (1) Legal matter concerning the Department of Public Utilities Electric Division and (2) a personnel matter concerning the Department of Public Utilities. This motion was unanimously approved.

There being no further business the meeting was adjourned.

Respectfully submitted,



Constance McMichael  
Assistant City Clerk



2590

**Special City Council Minutes  
November 7, 2016**

Orangeburg City Council held its regularly scheduled City Council meeting on November 7, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

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

A motion was made by Councilmember Barnwell, seconded by Councilmember Keitt, to enter into an Executive Session for a Personnel Matter concerning the Department of Public Utilities.

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

Council returned to Open Session.

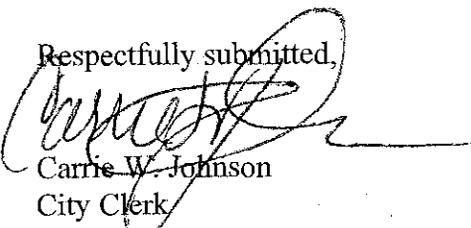
Mayor Pro Tem Keitt spoke. She stated, "I move to terminate the employment of Mr. O. Thomas Miller, Jr., as Manager of the Department of Public Utilities, effective immediately, for the following reasons: City Council had discovered Mr. Miller failed and refused to read an investigation report dated August 16, 2016. The outside investigation was authorized by the Department of Public Utilities because of an accidental injury to an Electric Division lineman which occurred on June 27, 2016. Despite receiving an oral summary of the report from the attorney representing the Department, Mr. Miller refused to read the report. Based upon the oral summary, Mr. Miller was aware that the report recommended the Department of Public Utilities implement additional safety procedures and processes. In order to effectively implement and enforce the recommended additional safety procedures and processes it was necessary that Mr. Miller read the report. During the month of September 2016, the City Attorney upon first receiving the report, presented the report to Mr. Miller and specifically requested he read it. He refused. This Council believes that Mr. Miller's refusal to read the report and take immediate safety procedures, processes and regulations identified in the report, placed the Electric Division employees and perhaps members of the community at large, in serious potential danger. This Council concludes Mr. Miller's actions indicate a profound lack of good judgement and leadership and terminating the employment relationship is in the best interests of the City. Furthermore, although previously directed by Council, to inform the City Attorney if he retained outside legal counsel to represent the City and its Department of Public Utilities, Mr. Miller at the onset failed to do so."

Councilmember Haire seconded the motion to terminate Mr. Miller's employment relationship with the City. This was a 6-0-1 vote, as Councilmember Stroman abstained.

A motion was 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



## **City Council Minutes November 15, 2016**

Orangeburg City Council held its regularly scheduled City Council meeting on November 15, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Haire, to approve the November 1, 2016, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts, to approve the November 7, 2016, Special City Council Minutes as distributed. This motion was unanimously approved.

Ms. Sarah S. Monroe of 840 Chestnut Street, made an appearance before Council in reference to fallen trees and debris from Hurricane Matthew being placed on City owned land behind her Chestnut Street property. She stated, "It is City owned property and it causes health and aesthetic problems for me and my tenants. The mulching of the trees causes saw dust to cover the side of my home and vehicles. I also believe fire is a threat. When I retire at night, I wonder if myself and my tenants will be awakened from sleep due to a fire emergency." She also appeared before Council in 2014 with this same issue after the ice storm.

Councilmember Haire insured her that the trees are soaked with water periodically to limit the amount of sawdust blowing over to the properties.

Mayor Butler said the City would continue to monitor the lot.

Concerning adoption of Nationally Recognized Codes and standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60, Councilmember Haire asked Attorney Walsh, "Do we have to adopt the Nationally Recognized Codes and standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60?"

Attorney Walsh answered, "If not, we will have to contract with the County to enforce codes in the City."

Assistant City Administrator Singh stated, "Staff recommends you adopt this Ordinance."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance to adopt Nationally Recognized Codes and standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60. The City adopts and enforces the building codes sent down from the state level. This was a 6-0-1 vote as Councilmember Haire abstained.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve bids for the purchase of a Ferrara Fire Pumper Apparatus in the amount of \$549,836.00. This motion was unanimously approved. City Administrator Yow assured Council that funds for the truck has been placed in the budget for FY 2016-17.

Page 2

Matters pertaining to the Department of Public Utilities. Second Reading of an Ordinance amending the General Terms and Conditions of the Department of Public Utilities by amending Section VII, Billing and Payment Terms, by adding a new paragraph 18 for the purpose of collecting sales taxes, franchise fees and business license taxes, City Attorney Walsh asked to table this issue in order for staff to do more research on the Ordinance.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to table the Second Reading of Ordinance amending the General Terms and Conditions of the Department of Public Utilities by amending Section VII, Billing and Payment Terms, buy adding a new paragraph 18 for the purpose of collecting sales taxes, franchise fees and business license taxes. This motion was unanimously approved.

A motion as made by Councilmember Haire, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a (1) Personnel Matter concerning discussion of employment of Interim Department of Public Utilities Manager, and (2) Legal Matters concerning the Department of Public Utilities Electric Division and Northwood Estates.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to return to Open Session.

Council returned to Open Session.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Jernigan, to appoint Mr. Warren Harley as Interim Manager of the Department of Public Utilities. This motion was unanimously approved.

A motion as made by Councilmember Barnwell, seconded by Councilmember Knotts, to adjourn.

There being no further business the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson  
City Clerk

/pfb



## City Council Minutes December 6, 2016

Orangeburg City Council held its regularly scheduled City Council meeting on December 6, 2016, at 7:00 P.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

**Michael C. Butler, Mayor**

**Charles B. Barnwell**

**Bernard Haire**

**Charles W. Jernigan**

**L. Zimmerman Keitt**

**Sandra P. Knotts**

**Richard F. Stroman**

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to approve the November 15, 2016, City Council Minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Barnwell, to approve the Second Reading of an Ordinance to adopt Nationally Recognized Codes and standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60. The City adopts and enforces the building codes sent down from the state level. This motion was unanimously approved.

Me. Evelyn Disher, Community of Character Director, accepted the Community Character Trait Proclamation for the month of December 2016, "Compassion".

City Administrator Yow addressed Council in regards to the cancelation of the January 3, 2017, Council Meeting and if there is any pressing business to handle, he would call a special meeting.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to cancel the January 3, 2017, City Council Meeting. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Stroman, to approve the following 2016/2017 Facade Grants, (1) Palmetto Office Supply, (2) Acacia Flower Shop, Inc., (3) George Amash, (4) West and Freda Summers and (5) AYS Holdings, LLC., as well as additional funding for (6) Ann E. Epps, (7) One Source Distributors, LLC, (8) Reverend Sammie Gordon, (9) The Music Doctor and (10) New America. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Councilmember Knotts, to approve the First Reading of an Ordinance amending the Code of Ordinances for the City of Orangeburg, SC, by redefining the Section 2-5.3, Purchasing Procedures. This motion was unanimously approved.

Assistant City Administrator John Singh stated, "The City Attorney is reviewing the Purchasing Ordinance and will be making additions, deletions, etc., for Council's review for Second Reading of the Ordinance.

City Administrator Yow stated, "This will allow us to save approximately \$8,000 on a commercial sanitation truck which will be on the next City Council agenda.

Regarding DPU Matters, DPU Interim Director Warren Harley stated, "Gas Rate 3G Transportation Service is available to any customer using more than 1,000 DT a month and able to meet the requirements of the rate. This is the rate most looked at in Economic Development projects that have large Natural Gas requirements. With this in mind we have examined this rate

in the past to explore ways to make it more attractive to very large customers who have shown an interest in locating on DPU's system. It also makes sense to provide an incentive for existing customers to add new load as there is typically not much capital cost to serve the additional load. Currently, five (5) large industrial customers subscribed to this rate and this change will only affect one (1) of them and will have the net effect of reducing their costs. This customer recently added a load to their facility that was in itself larger than any other load on the DPU system. DPU recommends adopting this rate that reduces the Distribution Charge as the customer uses substantially more natural gas. DPU recommends adoption of this rate change to Gas Rate – Code 3G- Gas Transportation Serviced.”

A motion was made by Councilmember Haire, seconded by Councilmember Barnwell, to approve the First Reading of an Ordinance Adopting Amended Electric and Gas Rates for the Department of Public Utilities effective on February 1, 2017. This motion was unanimously approved.

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a (1) Contractual Matter concerning contracts for Health and Dental Insurance and reinsurance and (2) Legal Matter concerning Orangeburg County vs. SCDOT and City of Orangeburg, street closure.

There being no further business the meeting was adjourned.

Respectfully submitted,



Carrie W. Johnson  
City Clerk

/pfb



## City Council Minutes December 20, 2016

Orangeburg City Council held its regularly scheduled City Council meeting on December 20, 2016, at 7:00 P.M., in Council Chambers with Mayor Pro Tem Keitt presiding.

### PRESENT:

**Michael C. Butler, Mayor – (Came in late)**  
**Charles B. Barnwell**  
**Bernard Haire**  
**L. Zimmerman Keitt**  
**Sandra P. Knotts**  
**Richard F. Stroman**

### ABSENT:

**Charles W. Jernigan**

A motion was made by Councilmember Barnwell, seconded by Councilmember Stroman, to approve the December 6, 2016, City Council Minutes as distributed. This motion was unanimously approved.

Mr. Adam Humphries with the SC Department of Transportation appeared before Council. He overviewed projects for the upcoming year.

Mr. Humphries stated, "The projects for 2017 are (1) US 301/SC 33 (John C. Calhoun Blvd., Russell Street) SCDOT is currently securing consultant services to assist in development of the design moving forward. Proposed redesign will eliminate realignment of SC 33 and a free-flow right turn movement onto US 301 as an acceleration lane extending across the bridge. Redesign will also include replacing the US 301 bridge over North Edisto River and the overflow bridge. The Right-of Way Phase is moving to FY 2019, and the construction phase moving to FY 2021."

Councilmember Barnwell asked, "Do you have plans for a light?"

Mr. Humphries stated, "No, plans for signal, just free flow right hand movement."

Mr. Humphries continued and stated, "(2) US 601/S-1099 (Magnolia Street/Zan Street) Intersection and Railroad Realignment at Claflin University. Partnering project includes improvements identified by Lower Savannah Council of Governments (LSCOG) consisting of new sidewalks, stamped crosswalks, push button pedestrian signals, signs, and potential triangular landscaped area. Right-of-way Phase currently underway, with 11 of 22 tracts secured. Construction letting/bid opening anticipated in the summer of 2017. (3) Orangeburg Bicycle and Walk Friendly Community Action Plan (2012). The Orangeburg Action Plan envisions a network of safe, convenient and connected bicycling and walking facilities and program that equitably support bicycling and walking as daily activities for transportation, recreation and fitness for all citizens, businesses and visitors of the Orangeburg community. Facilities to potentially be implemented include bicycle lanes, paved shoulders, bicycle routes, greenways/multi-use paths and sidewalks."

Mayor Pro Tem Keitt stated, "We will welcome that."

City Administrator John Yow stated, "Council has already endorsed this project."

Mr. Humphries stated, "The Orangeburg Bicycle and Walk Friendly Community Action Plans goals/objectives are to increase and improve the quality of bicycle and pedestrian access in Orangeburg, improve bike and pedestrian safety in Orangeburg through engineering, education and enforcement, increase the popularity and number of bicycle and pedestrian trips in

Orangeburg through encouragement and evaluation programs. Increase the number and quality of support facilities and programs in Orangeburg to complement the bicycle and pedestrian network. Protect Orangeburg's history, character and sense of place by connecting bicycle and pedestrian facilities with local culture and heritage and establish long-term, institutional support for bicycle and pedestrian activity in Orangeburg. Future projects being developed around Orangeburg is the US 21/US 178 Bypass (Chestnut Street) Corridor Project from US 21 Business/US 601 (Magnolia Street) to SC 33 (Russell Street) US 301 (John C. Calhoun Drive) corridor Project Segment I, from US 21 Business/ US 601 (Magnolia Street) to US 301 (Five Chop Road). US 301 (Five Chop Road) Corridor Project Segment II from US 21/US 178 Bypass (Joe Jeffords Hwy.) to S-793 (Woodbine Drive), SC 33 (Russell Street) corridor Project from US 211/US 178 Bypass (Chestnut Street) to S-1849 (Sylvan Avenue NE) and SC 4 (Stonewall Jackson Boulevard) Corridor Project from US 601/US 301 (John C. Calhoun Drive/Old Edisto Drive) to S-824 (Airport Road). "

Council thanked SCDOT for coming.

A motion was made by Councilmember Stroman, seconded by Councilmember Barnwell, to approve the Third Reading of an Ordinance to adopt Nationally Recognized Codes and standards pursuant to South Carolina Code Section 6-9-10 and Section 6-9-60. The City adopts and enforces the building codes sent down from the state level. This motion was unanimously approved.

A motion was made by Councilmember Knotts, seconded by Councilmember Haire, to approve the Second Reading of an Ordinance amending Section 2-5/3, Purchasing Procedures, Sections f., n., s., and x. of the Code of Ordinances for the City of Orangeburg, SC. This motion was unanimously approved.

Public Works Director Bowden presented the purchase of a new sanitation garbage truck. He stated, "Included in your packet is information on a Commercial Sanitation Division's 2016/2017 Capital Budget purchase of a commercial garbage truck in the amount of \$285,000.00 to replace the 2001 Front Loader Garbage Truck which is currently fifteen years old. We previewed two units that met our specs. Both quotes included mounting their front loader on the same model Mack MRU613 Cab and Chassis. Amick equipment Company, Inc., quoted \$241,944.144 for the Mammoth Front Loader under the North Carolina Sheriffs' Contract Group Purchasing Program. I am requesting authorization from City Council or the purchase of the New Way Mammoth 340 cubic yard front loader mounted on a 2018 Mack MRU613 Cab and Chassis from Amick Equipment Company in the amount of \$241,994.44 and this truck includes three (3) cameras and backup sensors."

A motion was made by Councilmember Stroman, seconded by Mayor Butler, to approve the purchase of a commercial sanitation truck in the amount of \$241,944.44 from Amick Equipment Company. This motion was unanimously approved.

There were no matters concerning the Department of Public Utilities.

A motion was made by Councilmember Barnwell, seconded by Mayor Butler, to enter into an Executive Session for (1) Contractual Matter concerning Contracts for Health, Dental Insurance and Reinsurance and (2) Request by Orangeburg Area Boys and Girls Club for waiver of rent. This motion was unanimously approved.

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

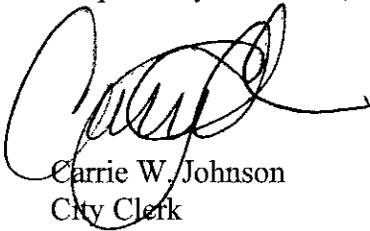
Council returned into Open Session.

A motion was made by Councilmember Keitt, seconded by Councilmember Haire, to approve a Resolution to adopt Health Insurance Benefits for City employees for 2017. (See Attachments) This was a 4-2 vote with Councilmembers Stroman and Barnwell opposing.

A motion was made by Mayor Pro Tem Keitt, 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  
City Clerk

/pfb



## SPECIAL CITY COUNCIL MINUTES

2596

December 28, 2016

Orangeburg City Council held a Special City Council meeting on Wednesday, December 28, 2016, at 10:00 A.M., in Council Chambers with Mayor Butler presiding.

**PRESENT:**

Michael C. Butler, Mayor

Charles B. Barnwell

Bernard Haire

Charles W. Jernigan

L. Zimmerman Keitt

Sandra P. Knotts

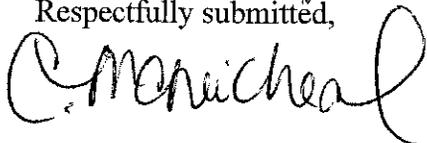
Richard F. Stroman

A motion was made by Councilmember Barnwell, seconded by Mayor Pro Tem Keitt, to enter into an Executive Session for a legal matter concerning the Department of Public Utilities Manager position.

Council did not return to Open Session.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Connie McMicheal  
Assistant City Clerk

/pfb

