

**City Council Minutes**  
**January 5, 2021**

Orangeburg City Council held its regularly scheduled meeting on Facebook Live via ~~Zoom~~ **2983** Tuesday, January 5, 2021 at 6:00 p.m., with Mayor Michael C. Butler presiding.

**PRESENT:**

**Michael C. Butler, Mayor**  
**Dr. Kalu Kalu**

**PRESENT BY TELEPHONE:**

**Bernard Haire**  
**Jerry Hannah**  
**L. Zimmerman Keitt**  
**Sandra P. Knotts**  
**Richard F. Stroman**

Mayor Butler called the meeting to order by roll call of Councilmembers.

A motion was made by Councilmember Stroman and seconded by Councilmember Keitt to approve the December 15, 2020 City Council minutes. The motion was approved by roll call vote 6-0-1, Councilmember Hannah abstained.

Mayor Butler recognized Enthusiasm as the January 2021 Orangeburg County Community of Character trait. Enthusiasm is intense and eager enjoyment, interest or approval, excitement.

Interim City Administrator Singh addressed Council concerning the First Reading of a permanent Ordinance extending and consolidating Mayoral Proclamation of April 8, 2020 and previous Emergency Ordinances numbers 2020-4 and 2020-13 and supplementing sections 3 and 4 of Executive Order Number 2020-63 of the Governor of the State of South Carolina. He stated, "There were some minor changes in language after Council received a copy. Attorney Walsh will review this item with Council."

City Attorney Walsh stated, "The changes really were minor, but we are dealing with the Governor's Executive Order and the City's Ordinance. The Governor's Executive Order cites a violation of it as a criminal misdemeanor with criminal fines. My minor change was I have included that in the City a violation of our Ordinance and the Governor's Executive Order will be a civil fine rather than a criminal fine so that it will be uniform for any violation in the City. This Ordinance, if City Council wishes, can be enacted as a permanent Ordinance because it appears that we are going to be dealing with COVID-19 through the end of the year. We have been extending the Emergency Ordinance every three months. Tonight, we will have a first reading which will enact the Emergency Ordinance for an additional sixty (60) days and then, if Council wishes, we can have a second and third reading and we will have a permanent Ordinance which we will then have the ability by resolution to repeal once the Centers for Disease Control determines and is not recommending wearing a mask and social distancing. There are a few changes because we have been dealing with Executive Order 2020-50, but the Governor has rescinded that order and enacted a new order, Order 2020-63. That was the order that he permitted restaurants to open back up with various requirements which included the wearing of the masks and was more restrictive because in the most recent Executive Order, he cites that you must wear a mask while actively involved in eating or drinking. Previously, it did not say active. That is a bit more restricted than we had before. This also extends the City's committee on Disaster Services, remote meetings of City Council, gatherings, and wearing masks. I will be glad to answer any questions."

Councilmember Haire asked, "Are you saying that the Governor's Executive Order has changed from criminal to civil?"

City Attorney Walsh responded, "The Governor's Orders were always criminal, but we have always changed that to a civil violation where we can enforce the Ordinance by an Ordinance Summons rather than an actual arrest. I think all municipalities have enacted these as civil violations."

Councilmember Haire asked, "If a violation is egregious enough that it necessitates criminal action, we will not have the right to hold that person?"

**2984**

City Attorney Walsh responded, "You could still charge under the Governor's Executive Order, which is a misdemeanor, which is a fine of \$500 and/or thirty days in prison. As far as a business, we also have the remedy of revoking the business license."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to approve the First Reading of a Permanent Ordinance extending and consolidating Mayoral Proclamation of April 8, 2020 and previous Emergency Ordinances numbers 2020-4 and 2020-13 and supplementing sections 3 and 4 of Executive Order Number 2020-63 of the Governor of the State of South Carolina. The motion was approved by roll call vote 5-0-2, Councilmembers Haire and Hannah abstained.

Interim City Administrator Singh stated, "The Third Reading of Ordinance amending and restating the Business License Ordinance of the City of Orangeburg and other matters related thereto was tabled at the last meeting and is now ready to be presented for Third Reading. There are no changes to the Ordinance. We had additional legal counsel review with Attorney Walsh, so we are recommending a vote for the Third Reading of the Ordinance for the business license. I will elaborate reminding Council this gets us prepared for the upcoming business license change the State mandated for 2022. A little further into this year, we will be fixing the additional items that need to match up for the new State law on business license ordinances. In this case, we needed to get aligned and get our code set. This brings us revenue neutral in the best way we can. I will be glad to answer any questions."

A motion was made by Councilmember Knotts, seconded by Councilmember Stroman to approve Third Reading of Ordinance amending and restating the Business License Ordinance of the City of Orangeburg' and other matters related thereto. The motion was approved by roll call vote 6-0-1, Councilmember Hannah abstained.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman to approve the Second Reading of Ordinance prescribing the dates and times of the regular meetings of City Council in compliance with South Carolina Code Section 5-7-250. The motion was unanimously approved by roll call vote.

Interim City Administrator Singh addressed Council concerning the approval of the 2020/21 Façade Grant awards. He stated, "One applicant has one parcel of property with three addresses and one whole front, which will make a tremendous difference on Broughton Street. Another applicant on Broughton Street is replacing an awning and one on Russell Street is installing a new business sign. The Façade Grant Committee met, and they have a few stipulations for all the individuals involved like verifying whether there is any debt on the property or liens. The committee has asked that the owner of the first three properties provide additional information of inside plans and what type of businesses they are proposing to put in the building. We are excited to have the façade look good, but the committee would like to know more, and they wanted to express that to Council. If these stipulations are met, their recommendation is that we would approve these businesses receiving Façade Grants."

Councilmember Haire asked, "These building are empty structures?"

Interim City Administrator Singh responded, "Yes, they are empty at this time."

Councilmember Haire asked, "Who gets that information as to what type of business is going to be there? Does this go to the Façade Grant Committee or does it go to request for business licenses?"

Interim City Administrator Singh responded, "We require a property tax receipt and to know if there are any additional liens. In the case of the vacant property here, you would not have a business license, but the interior of the building needs work also. So, we would be relying on them to provide more information on the long-term plans. That information would go back to the Façade Grant Committee. This would help to make sure that it is a good thing for downtown."

Councilmember Haire asked, "If this person was opening this business, they would have to request a business license and from that we determine what is going to be in that building. What is on the business license application? How do we determine what a building is going to be used for? Is it spelled out like that?"

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Interim City Administrator Singh responded. "Yes sir. This particular property was recently purchased by an investment group. They are upfitting the building and we are trying to understand if the business will be one big bay or three spaces of retail. We are just trying to get a little more clarification on what they have in mind. Those are the questions the committee is asking the investment group to supply. Going back to the business license question, let's say they have determined they are making three spaces. Each tenant in those three spaces would then apply for a business license and we would verify that it meets the code and it is something appropriate for that location."

Councilmember Haire stated, "I have a little concern. They are developing the building right now and it would seem the concern of the Façade Grant Committee would not necessarily be involved with what is going in the building. That would be taken care of when someone opens a business and we find out what type of business and whether they are going to be allowed to open it. I have a concern that maybe the Façade Grant folks are overstepping."

Interim City Administrator Singh responded, "That is why the Façade Grant Committee is advisory. I think this was done with good intent in trying to get a little more information. I understand what you are saying Councilmember Haire that is why we have this process of checks and balances of Council approval of the grants."

Mayor Butler added, "We have never had the owner tell what they would have in the building. They have always applied and if they met the criteria, they received the Grant. I agree with Councilmember Haire that the committee may be overstepping. If they meet the criteria, I think they should get the Grant."

Interim City Administrator Singh stated, "If it suits Council, we will change that item to say you're fine with moving forward with what they have proposed to fix the front of the building."

Mayor Butler stated, "That is what we want to see. We want to see them invest and fix up the buildings. We want the downtown looking good. This is certainly a step moving toward that."

Councilmember Keitt asked, "Is there a timeline on the recipients of the grants?"

Interim City Administrator Singh responded, "I can tell you that it is a local partnership that will easily be able to complete it in the timeline. I think why the committee wanted to get more detail is because we have never had a property that is one parcel with a face of three individual business entrances. It is a case where you are not talking about a \$10,000 grant, but this would be a \$30,000 grant to one group. The committee wanted to point out that it is a unique situation. It will certainly improve the look of Broughton Street."

Councilmember Keitt asked, "If the group does not come up with what the committee wants, do we have the right to turn them down?"

Interim City Administrator Singh responded, "Yes, we state they cannot proceed with the work until they meet those requirements. The businesses must front the money for the entire project, meet the requirements, then provide us with canceled checks and then we reimburse them. In the beginning, we make the commitment, but they are funded only after they have met the requirements."

Councilmember Haire asked, "In this large structure, it has been sectioned off to be three different stores, right?"

Interim City Administrator Singh responded, "It is on the tax records already as three addresses, but in terms of the actual parcel, it is one parcel."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt to approve the 2020-21 Façade Grant Awards. The motion was approved by roll call vote 6-0-1, Councilmember Hannah abstained.

**2986**  
Interim City Administrator Singh stated, "We will make the note for the record that we are removing the requirement of what is going on inside. We will move forward with getting the Grants going."

Interim City Administrator Singh addressed Council concerning update on First Citizens Building. He stated, "The First Citizens Bank building meets the criteria in a fit test as architects have drawn our office space and we can fit the entire City Hall complex including Public Works into this one building. This consolidates us all in one space and give us a drive-through, which would make business less difficult during COVID. The drive-through would also make it easier for our disabled customers to do business with us. Also included is a rough cost analysis which would range from \$1.7 - \$2.3 million. That is based on the architects looking at what would commonly be used while adding in some features in terms of the heating and ventilation system because of COVID in our future. We are ready to move forward with the architect doing a rendering of the front of the building and begin the process if Council so desires to move forward with getting this project going, getting the financing put together and then bringing in a presentation. In the interim, we can go ahead and start with the architects and the design of the front of the building. I will be glad to answer any questions."

Mayor Pro Tem Kalu asked, "Where does DPU come in on this sketch?"

Interim City Administrator Singh responded, "That is a question that Mr. Harley and I talked about. We have some areas that future office space on the drawings. We haven't talked in depth about how much space DPU needs. Again, going back to getting into the nuts and bolts, we are at the point now that we know that we can fit certain things we need to home in on exactly what it is we want to do with that. I will tell you that it is not overly tight for City Hall, but it may get a little tight when we start talking about adding DPU. To be upfront, we may or may not be able to do that. The other item that is a little bit of concern is the same problem we have here and that is long-term storage in terms of documents. We have not converted to an electronic document storage process. We may need to look at an alternative storage. We were looking at being able to put a structure up that could be shared by both parties for document storage that is convenient to both groups but also have a large porch on it so that employees would have a covered area to have lunch or we could have an outdoor meeting. Again, with the situation we are in now we have a lot of times that we need open space."

Mayor Pro Tem stated, "I think that is a good idea. I would love for DPU to be part of it and have space in that building. Also, looking at the second level plan, I have a problem where the Mayor's office is located."

Interim City Administrator Singh responded, "We have two different concepts. One shows the Mayor's office towards the front, the second one has the Mayor's office behind the bathrooms walled off. I feel like now we know what can work we need to hone it down. I can get the exact dimensions of space. I envision as we move forward with the main architect that this will change some, but the biggest part was to make sure we were headed down a track that would work and I think that is the case."

Mayor Butler stated, "I have a concern. Is the Parks and Recreation Department going in this building?"

Interim City Administrator Singh responded, "They are not at this point. We do not have the space to get them in there. We can take a future space."

Mayor Butler stated, "Maybe we can sit down with Warren and see how much space he is going to need."

DPU Manager Harley stated, "I think that is an appropriate conversation. My assumption was that Parks and Recreation would go in as we thought. I would defer to bringing all the City under one roof. My portion would not be significant enough to upset that apple cart."

Interim City Administrator Singh stated, "We will look into that more. There is a huge space. The big thing was to determine whether it was feasible. We thought we could fit; it was a matter of getting it on paper."

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Mayor Butler stated, "We will come back to that later to discuss."

Interim City Administrator stated, "It won't be too late. We will work on getting that figured out. I wanted to get a report to Council on where we were. I will move forward."

Councilmember Keitt asked, "What kind of timeline do we have on moving downtown?"

Interim City Administrator responded, "If we started with an architect in the next couple of weeks with some front elevations, I would think maybe in late April or May, you would be close to having plans ready to bid out. Realistically, you would be looking at the first quarter of next year of moving in."

Interim City Administrator Singh stated, "I don't want to give you a pie in the sky answer. That is based on my expertise of my past and everything else that that would be about right that puts in a little bit of a factor for problems that come up. Once we get the architect started that will all kind of come together much faster to get a better date."

Mayor Butler stated, "Mr. Singh wants to do it right. When the school district renovated the bank building, it took them a while. But they got it right, it's beautiful in there."

Interim City Administrator Singh stated, "The next item of business is appointment of Planning Commission unexpired vacancy. We hated to see Commissioner Bill Barrett retire from this Committee. Councilmember Keitt has proposed to nominate Mrs. Jeanna Reynolds."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to approve Mrs. Jeanna Reynolds for the District #5 vacancy on the Planning Commission expiring January, 2022. The motion was unanimously approved by roll call vote.

Interim City Administrator Singh stated, "Councilmember Hannah has expressed an interest in looking at a skateboard park. I have provided a few pictures in your packets of a park in the City of Columbia that has two different sections. It has a beginner area which you can use scooters and other things and then the more serious area with the big concrete area that looks like a big swimming pool. We are planning an interest meeting in Stevenson Auditorium, hopefully in person on Tuesday, January 26th at 5:00 PM. We will have plenty of room. If COVID gets much worse, we may have to do it virtually. We would love to have the individuals in our area that are interested in skateboarding to be involved. Councilmember Hannah, I will turn it over to you."

Councilmember Hannah responded, "Thank you, Mr. Singh, but I have no comments."

Councilmember Haire asked, "Mayor, before we go into Executive Session, I would like to request an item to be placed on the next Agenda as it relates to property taxes for discussion of the combining of the City and County collection of taxes on one bill. Since I didn't request it early, I am asking that it be placed on the Agenda."

Mayor Butler responded, "Okay. We will not be returning to Open Session."


Councilmember Keitt stated, "Just a point of thank you to the Mayor, the Interim City Administrator, Mr. Singh and his staff, all Councilmembers, DPU Manager Mr. Harley and his staff, and especially, to Clayton Bozard for the assistance you have been giving us the last few months. I want to thank all of you for really putting together the City's agenda and the way we are moving this City now. We thank you so very much. Have a blessed new year."

A motion was made Mayor Pro Tem Kalu, seconded by Councilmember Haire to go into Executive Session to discuss a Personnel Matter and Legal Matter, A. Discussion of development of security personnel and legal matter Department of Public Safety- S. C. Code Sec.30-4-70 (a) (2) & (3), and a Personnel Matter, A. Discussion of employment and appointment of City Administrator. S. C. Code Sec. 30-4-70 (a)(1). The motion was unanimously approved by roll call vote.

Council did not return to open session.

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There being no further business, the meeting was adjourned.

Respectfully submitted,



Carrie Johnson  
City Clerk

/lrm

