

**City Council Minutes**  
**February 2, 2021**

Orangeburg City Council held its regularly scheduled meeting on Facebook Live via ~~2020~~<sup>2095</sup> on Tuesday, February 2, 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 Haire to approve the January 19, 2021 City Council minutes. The motion was unanimously approved by roll call vote.

Mayor Butler recognized "Trustworthiness" as the February 2021 Orangeburg County Community of Character trait. Trustworthiness is deserving of trust or confidence; the ability to be relied on as honest or fruitful; dependable.

Mr. Bernie L Wright and Dr. Barbara Williams Jenkins addressed Council regarding the South Carolina African America Heritage Commission. Mr. Bernie L Wright stated, "In 1993, the General Assembly created the African American Heritage Counsel. It was then established as a Commission. There are fifteen members where each member represents an area of the State. In 1993, there were thirty African American Monuments or Historical Markers, now we have over five hundred. As a Commissioner, you bring a uniqueness to the table. I worked at the Penn Center and established an easement of over 190 acres. In Calhoun County, the West End Library was preserved and in Orangeburg County we have done some great things as well."

Dr. Barbara W. Jenkins stated, "I worked with South Carolina State University (SCSU) for over forty years and assisted with putting many places in Orangeburg and the State on the National Register. There is so much that can be done and can be made from History." She further detailed the railroad corner properties and when Trinity United Methodist Church was moved to Boulevard Street. She indicated that Trinity had to purchase property from SCSU to move the church there. Businesses have been on railroad corner for over hundred years. She further detailed older buildings on the Horseshow in Columbia and what the Department of Archives and History assisted them with. She stated, "Money can be made from History."

Mayor Butler stated, "We will put you in touch with our consultants on the Railroad Corner which is DFI and if you can continue to collaborate with them."

Interim City Administrator Singh addressed Council concerning third reading of a permanent Ordinance and an Emergency Ordinance extending and consolidating mayoral proclamation, Emergency Ordinances numbers 2020-04 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, "This will place our emergency ordinances in a permanent position since the pandemic has continued and will make it a little easier for us procedurally in terms of making things work. Mr. Walsh or I will be glad to answer any additional questions."

Councilmember Haire stated, "I am constantly observing people in stores without a mask and this is not being enforced. Other cities have penalties for those that are not observing the mask ordinance. It seems people think the pandemic is over. I would think that we would have the right to issue a citation."

Interim City Administrator Singh stated, "We do have a fine in place and we can discuss this with DPS. We can enforce that Ordinance. It is something that most cities are dealing with."

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Councilmember Haire stated, "I recall that being the case, but I don't think we are doing anything about it. I should not have to police this and I think DPS should be doing something about it."

Mayor Butler stated, "We have asked businesses to call us if they are having problems with masks or social distancing."

Councilmember Haire stated, "I have had people call me and complain about it. What can be done to get the cooperation of the business owners as far as enforcing a penalty?"

City Attorney Walsh stated, "As the way the Ordinance is written now, there is a \$100 fine for businesses or managers. If there is a repeat violator, it could result in the business license being revoked. I think the problem is not the Ordinance but the enforcement of it."

Councilmember Keitt stated, "I was in a store tonight and the manger told me that they are having a hard time keeping people inside with their masks on and social distancing. They are having people say rude things to them. I told them to please call us, please call Public Safety. It is a problem and we need to do something about it."

Councilmember Hannah stated, "It is true we care about our citizens. I know that DPS cannot be everywhere at one time, but we can spot check."

Councilmember Stroman stated, "I agree with Councilmember Haire and Councilmember Keitt, we need to tighten up on this."

Councilmember Knotts stated, "Management needs to tighten up on this. I have had several employees of a business state that the management appears as if they care, but do not care because DPS has not said anything about it. If management cannot step up, then the employees should call DPS because they are at risk. I agree that this must be enforced."

A motion was made by Councilmember Keitt and seconded by Councilmember Knotts to approve the third reading of a permanent Ordinance and an Emergency Ordinance extending and consolidating mayoral proclamation, Emergency Ordinances numbers 2020-04 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 unanimously approved by roll call vote.

Attorney Steve Savitz addressed Council. He stated, "When Council voted to accept the resignation of John Yow, a vote was not made to accept the agreement. This is just to ratify the agreement and put it on record that it was accepted."

A motion was made by Mayor Pro Tem Kalu and seconded by Councilmember Haire to ratify the Mayor's signatory authority and the retirement agreement with former City Administrator, John Yow, as of his August 31, 2020 announcement and Council's unanimous acceptance of his retirement. The motion was unanimously approved by roll call vote.

Interim City Administrator Singh stated "A request has been received for consideration of changing the municipal election date to fall under Tuesday's General Election. This request has been made in the past. This is up for discussion or just for information at this point."

Councilmember Keitt stated, "My suggestion would be the same as the County Election Commission to move it to November. The September election is poorly attended, and it is much better to have it in November at the same time and it would save money and time and we would come out much better."

Mayor Pro Tem Kalu asked, "How many times has this come up before?"

Councilmember Haire stated, "This has come up at least three other times. The reasoning behind this is that the Council did not want to have a non-partisan election with a partisan election. Those

that have said it would save time and money, but then we are going to have another issue tonight on saving money, so I am going to see how we are going to vote on that. It does not make sense to have it together. I am definitely against changing it."

Mayor Pro Tem Kalu asked, "I do not have a problem with this. What is the reasoning for moving it to November?"

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Interim City Administrator Singh replied, "It is for logistical purposes and for everything being on one accord. In terms of staffing for the City, having poll workers, etc. It would be a much smoother operation. It would save time, money and having one election where everyone would know when it would be. It is truly a decision of Council."

Councilmember Stroman stated, "I do not see where it would save any money."

Mayor Butler replied, "Do you want to give it some more thought?"

A motion was made by Councilmember Haire, seconded by Councilmember Stroman to deny the request to change the City of Orangeburg Municipal Election date from second Tuesday in September to general elections date of first Tuesday in November. The motion was approved by 6-1 by roll call vote, Councilmember Keitt opposed.

DPU Manager Harley and Water Director Eric Odom addressed Council concerning the acceptance of a Water Grant Agreement between DHEC and DPU. Director Odom stated, "We applied for and were recently award a grant from South Carolina Department of Environmental Control (SCDHEC) in the amount of \$50,000 to assist DPU with producing a water shed based plan for the lower Caw Caw Swamp water shed. Included in your packet two figures that show the location and area of the water shed that the Grant will encompass. As you can see the lower Caw Caw Swamp water shed empties into the North Fork Edisto River just upstream of the City's drinking water intakes which was the primary reason we chose this water shed. The purpose of a water shed base plan is essentially to produce a road map to define and address water quality problems that may exist within a specific water shed. The funds from this Grant will assist DPU with identifying pollutant sources and the causes and will in turn help us draft measures and best management practices to improve and maintain water quality in the North Fork Edisto River upstream of our drinking water intake. We feel that DPU being a regional water provider in our area that it is important that we do our part to try to protect the source of the City's drinking water and feel this water shed base plan is an important first step in doing just that."

Councilmember Hannah asked, "What are the two major things that the City would benefit from this?"

Director Odom stated, "First, stepping in the direction of protecting the City's primary source of drinking water. Second, allowing the City to apply for additional funding through DHEC Section 319 Grant. If we were to find a pollutant sources within this water shed, it allows us to seek additional funding through DHEC to hopefully remedy the issue."

Councilmember Keitt asked, "Will any funds be required by DPU?"

Director Odom stated, "There are no matching funds required but we will put forth a small portion of funds mainly in water quality monitoring supplies such as sample bottles but is will be minuscule. There were 5 or 6 applicants for \$100,000 funding and DPU were able to get half of that funding for the City."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt to approve DPU Manager Harley to sign the Water Grant Agreement between DHEC and DPU. The motion was unanimously approved by roll call vote.

A motion was made by Mayor Pro Tem Kalu and seconded by Councilmember Haire to enter Executive Session concern Legal Matter A. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to S.C. Code 30-4-70(a)(2) New City Administrator and Employment and Contractual Matter A. Discussion of negotiations incident to proposed contractual arrangements pursuant to S.C. Code 30-4-70(a)(1) and (2) New City Administrator The motion was unanimously approved by roll call vote.

A motion was made by Mayor Pro Tem Kalu and seconded by Councilmember Knotts to return to open session. The motion was unanimously approved by roll call vote.

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A motion was made by Councilmember Keitt and seconded by Councilmember Knotts to employ Mr. Sidney Evering II as the City of Orangeburg City Administrator. The motion was approved 6-1 by roll call vote, Councilmember Stroman opposed.

A motion was made by Councilmember Haire and seconded by Mayor Pro Tem Kalu to adjourn. The motion was unanimously approved by roll call vote.

Respectfully submitted,



Carrie Johnson  
City Clerk

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