

**City Council Minutes**  
**March 16, 2021**

Orangeburg City Council held its regularly scheduled meeting on Facebook Live via Zoom on Tuesday, March 16, 2021 at 6:00 PM 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 Knotts to approve the March 2, 2021 City Council minutes. The motion was unanimously approved by roll call vote.

Ms. Phyllis Pelzer, Pecanway Terrace, addressed Council. She stated, "Orangeburg is my home. I grew up here. I went to elementary, middle school and graduated from high school here. I love Orangeburg. I want to see Orangeburg grow and prosper. We are uniquely positioned geographically between Columbia and Charleston. We have two significant institutions of higher education here South Carolina State University and Claflin University. There is no reason why Orangeburg, SC cannot be a city of choice. We need to revitalize the City of Orangeburg and be very intentional about doing that. We have to make it attractive. Over the last few decades, we have experienced the loss of a lot of businesses. Businesses are closing. I live on St. Matthews Road. If you look at St. Matthews Road in its entirety once you cross Chestnut Street going back the other way, you see a lot of businesses and development. When you get on my end, businesses on one side and houses on the other side. I think it is a natural progression for us to be considering commercializing some of this area adjacent to St. Matthews Road. I googled Orangeburg and found the following review that someone wrote. 'Orangeburg, SC is a small town that has the potential to be a great town because of its location between Columbia and Charleston. Orangeburg has not progressed in the last 30 years. So many talented and smart people were born here but left and took talents and skills elsewhere. The town was left with people who lack vision and progression. The downtown area has nothing but old dilapidated buildings. Other small towns such as Aiken, SC have created a thriving, robust downtown with progressive local small businesses. Orangeburg can do the same with the right kind of progressive smart business minded and inclusive leadership. Revitalization needs to happen quickly if this town wants to survive.' I just want us to progress as a city. I feel that moving from residential areas to commercial areas is a natural progression in any city. Many of the homes in the interior of my neighborhood are very old. They are rental properties. I am sure they will be there a long time. To have property that fronts such a busy road, as St. Matthews Road and not be able to have it zoned commercial, it does not make a lot of sense especially since there is commercial in front, to the side and behind us where the office buildings are located. I hope you as a Council will choose progress and revitalization over holding on to the old. It is time for us to step up and become a greater City."

City Administrator Evering addressed Council concerning an update on Property Tax deadline extension. He stated, "This is a follow up from a question that Councilmember Hannah asked at our last Council meeting concerning whether the City could change the deadline of property tax payments. This is governed by a state statute and the state decides on property tax due dates therefore the City cannot extend the deadlines."

City Administrator Evering addressed Council concerning COVID Updates to include Mask Ordinance, employee vaccines and COVID related reimbursements. He stated, "As you know the Governor passed an order this month. We have passed a Resolution in the past in reference to the Governor's Executive Order; however, with this Order he is allowing restaurants to fully reopen."

In talking with the MASC and the City Attorney, we have come to the consensus that the City is still governing the wearing of masks inside the restaurants. I would suggest that you table #5 at this time."

Mayor Pro Tem Kalu asked, "When you stated wearing the masks in the restaurant, what about eating the food?"

City Administrator Evering stated, "You can take off your masks when you are eating."

Councilmember Keitt replied, "From what the Governor stated, I do not think he was in tune with what is going on here and I think we need to follow our guidelines here and keep wearing the masks and keep the numbers going down. We should want them to remain down. I do not go along with what the Governor is saying."

An update on the vaccines were given by City Administrator Evering. He stated, "There were many staff members and agencies involved in getting the vaccines together. Theresa Williams, Roger Brant, Gregg Funderburk, Warren Harley, Cheryl Lunch, the Natural Guard, DPS, the Family Health Center, TRMC and Grove Park Pharmacy Medical Clinic came together to make this happen. TRMC provided 35 vaccines for our officers, the Family Health Center administered 117 vaccinations for City and DPU Employees and Grove Park Pharmacy Medical Clinic provided 81 vaccinations for City and DPU employees. A total of 240 people from the City and DPU have been vaccinated. The numbers continue to increase for vaccinations."

Councilmember Hannah asked, "How many more persons do we have to vaccinate?"

City Administrator Evering replied, "We have made opportunities for the employees to become vaccinated and if they still want to be vaccinated, there are vaccines available. I do not know if we have any more employees that have chosen to get the vaccine."

Councilmember Haire asked, "Do we know the percentage of the employees vaccinated?"

Human Resources Director Williams from the City called and stated that the City is at 50%.

DPU Director Harley stated, "We have 130 employees who have taken the vaccines, 65% participation rate."

Councilmember Haire asked, "Do you think our low employee vaccination numbers is because the persons did not meet the age group to take the vaccine?"

City Administrator Evering stated, "Employees are highly recommended to take the vaccine, but do not have to take it."

DPU Manager Harley stated, "I agree with Mr. Evering. The City employees are included in 1B, so they all have the opportunity to take the vaccine. But I think we may have a small group that may be a little apprehensive about the vaccine. In conversations with our employees, I personally talked about the benefits and encouraged them to take the vaccine and if they have concerns to talk with their health professional. I think a lot of our staff are weighing the options based on all the information that is available."

City Administrator Evering updated Council on COVID related reimbursements. He stated, "The reimbursements that were received were for the SC CARES Act for \$412,824.47; Payroll Credits in the amount of \$118,666.16 and an Airport Grant for COVID for \$69,000. totaling \$600,490.63. The Second Round of Stimulus monies we are trying to get our hands around and hope to get a more concrete number soon."

Councilmember Haire asked, "Are these funds sent directly to the City?"

City Administrator Evering stated, "Yes."

Councilmember Hannah asked, "The funds \$600,000 plus given back to the City, is there any outstanding funds that we would be receiving?"

City Administrator Evering stated, "Only the new stimulus package."

Finance Director Johnson stated, "The payroll credits are ongoing every payroll."

City Attorney Walsh addressed Council concerning Council tabling Item #5 which is a resolution amending Section 4 (3) of City Ordinance No. 2021-02 for the Purpose of Complying with South Carolina Governor Executive Order No. 2021-12. He stated, "In the Governor's last Executive Order requirements of restaurants was relaxed. The word "shall" requiring restaurant employees and customers to wear face masks was changed to "should". This resolution was to mirror the Governor's recommendation. After conversations with the Municipal Association, the City can still maintain this requirement that not only customers in retail establishments are required to wear face masks, but also employees and customers in restaurants are required to wear face masks."

City Administrator Evering addressed Council concerning Railroad Corner UNC/DFI update. He stated, "The UNC/DFI have done an excellent job working on this project. They are now in the process of engaging the public for suggestions and opinions on railroad corner. They had a public forum this past Saturday and some really good ideas came out of that. There is a second public forum this Thursday, March 18<sup>th</sup> at 6:00 PM. I want to stress if you cannot attend via virtually, you can call in. The call-in number is posted on the screen. We ask that all interested parties please take the time to express your ideas or suggestions for Railroad Corner redevelopment. DFI has also sent out a survey and currently have received over 200 responses. We look forward to developing railroad corner and understand there has been a lot of discussion and interest."

Assistant City Administrator Singh addressed Council concerning First Reading of an Ordinance to amend the Future Land Use Plan and City of Orangeburg Plan Compliance Index of the City Comprehensive Plan 2016-2026. He stated, "In your packet, we provided an ordinance for changing the Future Land Use plan from Suburban to Urban Residential for the Pecanway Terrace area. This was the item that we discussed in the past. We also included the recommendation from the Planning Commission. If, at some point, Council decides to move forward with this it will allow that these areas could be rezoned as Business Class B1 or B3. So, this is what starts that process with going from Suburban to Urban. If you decide to make a change, there were strong buffering requirements as requested by Council to protect the additional residential areas from the properties that would be surrounding St. Matthews Road and Chestnut Street. This is something that has to be changed in our zoning that is being worked on with the Attorney Walsh and our planner, John Ford. That will be a separate ordinance that we will presented. If you decide to move forward with this, that will have to be in place if someone applies for that. I will be glad to answer any questions you may have."

Mayor Butler stated, "I talked to a lot of the neighbors myself in their yards. I talked to them about changing the zoning. Most of them were amenable to it with a buffer. I did not know how that worked whether we had to do it as another ordinance."

Assistant City Administrator Singh replied, "Yes sir, I apologize for that. It was brought up last week a little bit. That is going to be a separate item. It is really three phases. Phase one is passing this point. Phase two is getting the specific buffering requirements to tie into what we are doing here. One thing the City Attorney has brought to our attention is when you do a Comprehensive Plan it is always good practice to update your Zoning Ordinances. You must look at them periodically anyway. So, we are going to move forward with that which is what I call Phase three. With what we have going on with this, we feel we need to go ahead and have that area of the Zoning Ordinance taken care of so that if there are applicants it does not cause problems for the entire Zoning Ordinance plus that will keep it from being confusing."

Mayor Butler stated, "We did this years ago when we had neighborhood stores. I lived on Goff right in front of Williams' store. I could walk out of my house and over to Williams' store and get what I needed. This is bringing the stuff into the community for people that maybe do not have cars. I went down Bull Street in Columbia, SC and I saw the same thing across from the old State Hospital. They have neighborhoods behind there, doctor's offices, and CPA offices right there for people. That is the trend now."

Councilmember Haire asked, "Mayor, you mentioned that you went and spoke with some of the neighbors. These neighbors were in the Pecanway area or were they on the front side?"

Mayor Butler replied, "In the heart of Pecanway. I talked to them and told them to listen tonight. They said they are amenable, but they just wanted to know how it would affect them. Would it tear the neighborhood up? I told them no there would be a buffer. The buffer would protect the heart of the neighborhood."

Councilmember Keitt stated, "Ladies and Gentlemen of the Council, Mayor, and Administrators, we have been discussing this since 2005. Several residents have called and asked why we are taking so long to give them what they want. I have right now over fifty residents that have signed petitions to have the zoning in that area changed in their favor. They say they have been pestered not to have this zoning changed, but they want it done. In order for Orangeburg to move forward we have to be about the business of giving the people what they need. In that area, they would love to have more stores. Like Mayor said, some of them could walk to the store and not even have to drive. Orangeburg needs to grow and as Councilmembers we are holding it back. We need to stop and think positive and do what we need to do to get Orangeburg like it should be. It can be a very progressive City if we would stop holding people back. I have told Council for the last twenty or thirty years we are not progressing like we should. It is because half of us do not want good or new things to come. When you do not want things to come, it does not happen. People are moving away, going to other cities, and spending their money because we do not have much here for them. Until we put on some new things in this City we are going to remain backwards because that is where we are now. I am for change and we need to consider that. Thank you so much."

Mayor Pro Tem Kalu stated, "I think a major setback has been this COVID period. When businesses are closed, everywhere looks like a ghost town. I think our intention is to make things right because we cannot fall back to the old system. For us to make any advancement we need to change, you know when I came on board, I spoke mostly about Five Point and Aiken area and all sorts of places that have had growth and I remember the way they used to be because I have been here for 36 years. For us to make an advancement, we need to change, but I think a major setback now is COVID. I believe in advancement. We cannot sit behind the fence and expect something to be done. We need to move forward just like Councilmember Keitt said. We need to move forward if we want Orangeburg to profit. We are starting with the Railroad Corner. This downtown also needs to change to bring businesses in. We are thinking about moving the City offices to the bank building. So, for us to invite people to come here to do some business we need to step up to the plate and do something for Orangeburg."

Councilmember Hannah stated, "Ms. Keitt, it is good to know you have a list of about fifty people. That street, St. Matthews Road, is in the district that I represent. I go on that street and neighborhood on a daily, weekly basis, many times on my golf cart, I talk to people I know, people I do not know, whomever is out. I stay connected with them. I only wish that those fifty persons, if they are validated that they are in that district, would speak to me, bring it to me, and let me help them with their battle. I do not know who those fifty people are, but they are a concern of mine. Fifty people or fifty landowners, it is a difference there, so whomever it is, it is important to me. If that is their wish, then we should assist them with their wish and there is another fifty-one who do not want it then we are in limbo. We must find a way to send letters to each one of those landowners so that we have an accurate way of doing that. Lastly, if there is a wall, a barrier, a mechanism which would buffer the situation then that needs to be spelled out to them so they will know. Sometimes we are talking above people's heads all of them are not on the same level so we need to make it clear to them that this is a buffer; and it will not affect your land or taxes, what all the parameters are so these people can make an educated decision about their land and livelihood. They will not be taken advantage of, but they will be the ones giving advantage. I am all for giving all the advantages there are. I would love if somehow the City could send letters to each landowner and then that would be more accurate and definitive. In that letter include what that buffer is and what it would mean to them."

Mayor Butler replied, "I did not get to all of them Mr. Hannah, but as many as I got to, I explained the buffer to them. I stood in their yards and explained the buffer to make sure because I knew this was coming up tonight. They were very clear after I explained it to them. Some of their neighbors were not at home, but they said they understood it and they were going to tell their neighbors that I explained it."

Councilmember Haire stated, " We have a downtown area with any number of vacant buildings, and we need to be putting forth all the effort to revitalize that area. We talk about people finding

jobs and that sort of thing, I personally do not see that the kind of jobs or business that would be built would keep students here in Orangeburg, but I do not see that in those kinds of businesses that are going to be made. My whole thing is I think that we need to hold onto residential areas until we can get some improvement in the population of this City, so we will not constantly be going down in our numbers as it relates to the census and what others look at as it relates to this City and its growth. I just believe that is the route we need to be taking is that we work to revitalize the empty buildings downtown rather than displace renters at this time. Thank you."

A motion was made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu to approve the first reading of an Ordinance to amend the Future Land Use Plan and City of Orangeburg Plan Compliance Index of the City Comprehensive Plan 2016-2026. The motion was approved 4-3. Councilmembers Hannah, Haire, Knotts opposed.

A motion was made by Councilmember Haire, seconded by Mayor Pro Tem Kalu to reappoint Ms. Mary Jordan to the City election Commission for a six-year term ending March 31, 2027. The motion was unanimously approved by roll call vote.

City Administrator Evering addressed Council concerning South Carolina State University Hillcrest Golf Course Commission appointments of three expired terms. He stated, "I wanted to bring this item to your attention. We reached out to President Clark at SCSU for their appointments to the Hillcrest Golf Course Commission. They submitted the following names Mr. Leon Myers and Mr. Stacy Danley to be reappointed and Mr. Hardeep Judge as a new appointee replacing Mr. Doug Robertson."

City Administrator Evering addressed Council concerning CSX Railroad Crossing Repair Resolution. He stated, "This is an item that I know a lot of you are familiar with as well as residents and visitors to Orangeburg. The railroad crossing at Stonewall Jackson Boulevard has been in disrepair for quite some time. This is a resolution urging the President and CEO of CSX to expedite the immediate repair of the railroad crossing at Stonewall Jackson Boulevard. Also making sure CSX is being a good corporate partner in maintaining all their railroad crossings in the City. If Council passes this tonight, we will send this resolution to the CSX President and ask that the crossing be repaired and commenced within 30 days of receipt of the resolution. If he does not respond, it would authorize the City Attorney and myself to seek other measures."

Councilmember Knotts asked, "I am sure this is not the first attempt that the City has made to contact CSX concerning this crossing, what do you think the reason the crossing has not been repaired?"

City Administrator Evering stated, "It was brought to my attention that the City has been in contact with CSX for over a year concerning the repair of this crossing. I cannot say as to why this particular crossing has not been repaired. I understand it was scheduled and then canceled."

Councilmember Knotts stated, "I know this crossing has been on the list to be repaired. It was scheduled after the Broughton Street crossing but was canceled. I was on Stonewall Jackson Boulevard Saturday. A tanker was stuck on the railroad tracks causing traffic to back up. I am hoping this resolution strengthens the City's position so that CSX will actually do something. We may need to contact our congressional delegation to assist us with this process."

A motion was made by Councilmember Haire, seconded by Councilmember Keitt to approve the CSX Railroad crossing at Stonewall Jackson Boulevard repair resolution. The motion was unanimously approved by roll call vote.

DPU Manager Harley addressed Council in reference to a draft Strategic Plan. He stated, "You have in your packet some information related to the strategic planning process for DPU. We have been assisted with this planning by Mr. Bill Tomes of the College of Charleston Riley Center for Livable Communities. I wanted to take this opportunity to have Mr. Tomes address Council with an update of where we are in the process. Also, give Council an opportunity to give input of how we move DPU forward strategically. If you recall, we had Council involved early on with the process. We gathered your input in the process and reminded you we will update you before we wrapped up the process."

Mr. Bill Tomes with the College of Charleston Riley Center for Livable Communities addressed Council. He stated, "The draft copy in your packet summarizes the work we have done so far. In very simple terms, strategic planning is identifying where you are and then identifying where you want to go and the plan of how to make it happen. We spent some time in the process looking at the organization's current state through surveys from Orangeburg City Council, DPU employees, DPU division directors, large industrial customers, and developers. We also looked at some data from 2019 customers survey that DPU had conducted. Strengths and weaknesses were identified. One of the weaknesses being succession planning is going to be an issue because a significant percentage of your workforce is eligible for retirement in the next couple of years. We also did a facilitated session looking at things externally. We looked at what is happening in the region, the state, the nation that might impact DPU. We looked at the service area population, the economic environment, politically and then environmental factors. Then we asked the questions, are those things threats or opportunities or both which is listed on page three. All of that put together is really the current state of the organization. What is happening internally and what is happening externally. The second part of the strategic plan is identifying where we want to be as an organization and the desired future state. We do that in terms of developing a mission statement as what is our purpose, a vision statement as where we want to be as an organization and then a set of value statements which is how we are going to conduct business. You will see at the bottom of page three the mission statement. The mission of DPU is to provide safe and reliable utility services at competitive prices, while delivering a positive return on investment. The Vision looks at where we want to be in the future. In this statement, we talk about reliability, innovation, continued improvement of infrastructure and fair pricing. That was externally, but we also looked internally that we want to be an employer of choice with professionally highly trained workforce that provides excellent customer service. On page four, we have the six organizational values that we arrived at to include customer service, dedication of excellence, teamwork, safety, innovation and stewardship. A lot of these values came from the surveys that were completed by Council. We have the current state, the desired future state and the last piece is what issues we have to address to make sure we can achieve our mission and vision and are true to our values. We came down to these six issue areas that are listed in the middle of page four. They are Workforce Development, Organizational Sustainability, Communication, Organizational Cohesiveness, Growth and Expansion and Infrastructure and Organizational Improvements. I believe a good strategic plan looks both internally and externally. As you look at these, you will see there is a good balance. On page 5, we begin looking at the issue areas and the goals that are developing around those issues. Then strategies are listed that hopefully will help us achieve those goals. Under Workforce Development the two goals are employ a highly trained, diverse workforce that is staffed to meet the demands and DPU is invested in the professional development of its employees and provides training opportunities for its staff. We have to prepare folks to be able to move up to the next job as people retire and there is a list of strategies listed to accomplish that. Organizational Sustainability addresses two things the financial sustainability and the other is DPU is excellent stewards of its environmental resources. There are two goals in the Communication section of communicating effectively with customers and partners in a direct, timely and transparent manner and the other is internal communication is consistent, dependable, transparent, and effective. The fourth is Organizational Cohesiveness. We found in employee surveys that different divisions may do things a little differently. The three goals are policies and procedures are uniformly applied across all divisions, employees understand and follow policies and procedures and the last is foster a stronger, more positive relationship between human resources and employees. The fifth goal is Growth and Expansion to include DPU seeks to continue to grow its customer base and sales units and DPU seeks to expand its service offerings. The last one is Infrastructure and Operational Improvements to include: The infrastructure of DPU is constructed and maintained to provide safe and reliable service, Assets are strategically managed to support current and future customer demands and Aging infrastructure degradation is proactively addressed. Mr. Harley asked that I include the Appendix on the last page of some summary results of the employee survey. These are the questions that we asked and how strongly agree or disagree with each statement. The last column titled Global is a comparison. A lot of these questions are asked on other employee surveys both private and public businesses. So you get a comparison of how DPU does with the rest of the world. The two items highlighted in green are significantly higher than other organizations. I want to point them out and hopefully you are proud of this. The first statement is, 'I am compensated fairly, relative to my job and the local market.' That is a rare result so you should be proud that employees feel pretty strongly that they are paid well. Also, that they are satisfied with the job-related training my division offers. Items in yellow are items to work on that were lower than the global average. A lot of these have to do with the issue I

already mentioned about consistency in fairness between divisions and with communication. You will see that those items are addressed in the strategic plan. I will be glad to answer any questions.”

Mayor Pro Tem Kalu asked, “In talking about several positions opening up due to employees retiring, are you looking at different avenues of recruitment?”

Mr. Tomes replied, “Under the first issue, Workforce Development, there are some areas. First, they called it a vulnerability assessment. In other words, we are really going to dig into which positions will we be retiring and are there any specializations among those folks. We will have to focus on those areas of specialization first either by recruitment or development of current employees to get them trained in that specialty. There is really a two-fold effect. There are recruitment and training strategies to address that issue.”

DPU Manager Harley stated, “I want to make one correction. One-third of our employees can retire in two to three years. So that is where we did an analysis and recognized that we needed to come up with a strategy on how we deal with that potential. Part of that Dr. Kalu is that we are not having a hard time recruiting, but there are certain positions that we need to pay more attention to and put some focus on. We have signed agreements and partnerships for interns with O-C Tech. We are going to look as well to do similar things with Claflin University and South Carolina State University (SCSU). We have already been in communications with Claflin. We have not yet been able to establish the same connection with SCSU. We will have interns from those Universities and Colleges moving forward to help us build the “bench” of those positions that are hard to fill and those that will be retiring in the near future. We also had a group that did a project free of charge of investigating potential solutions to our problem of one-third of our workforce retiring soon. They came up with some recommendations that we will move forward on as well to address. The other portion that was identified in the employee and Council surveys is the diversity issue. We have taken some steps to address that as well. If we want to make sure we are more cohesive and diverse, we must have a diverse pool of applicants. I think that is the most efficient way of making our workforce more diverse going forward. We have certainly identified some good things to work on and we have already started doing somethings.”

Mayor Pro Tem Kalu stated, “We need to work hard to get recruits from SCSU and Claflin University.”

Councilmember Keitt stated, “My concern was almost the same. Especially with internships. If we setup a great internship position at DPU that would help with those persons retiring. You would be able to move the intern that had been trained on the job to fill those positions then you would not have to do big recruiting. We have enough students at SCSU, Claflin University, OC Tech and even Denmark Tech to really look at a great internship program. These young people will remain in Orangeburg if they have good paying jobs.”

Councilmember Haire stated, “In the study, did Directors present ideas of things they want to do to improve their areas?”

DPU Manager Harley stated, “These ideas are listed as some of the strategies under the various groups of not only Directors but a group of about 25 employees throughout the organization of various levels. So that is how we came up with some of the strategies. Part of that is evaluating opportunities that we have been presented. There are several things that was presented that we will evaluate and bring back to Council as they are ready for consideration. It was a group effect. Again, they are listed in the strategies in this document. If you have any ideas that you would like to add or that is missing, that is why we are here tonight. This document is a start to making things better and being more strategic in our thinking.”

Councilmember Hannah asked, “I am glad that you are focused on all the schools being equal. The internship program is something that I mentioned a little over three years ago that DPU and the City of Orangeburg should engage to cut down on the recruitment. On page 1 of the document, it says between August 20 and January 21, you checked with the stakeholders and the City Councilmembers did surveys. How many surveys were the City Councilmembers asked to complete? “

Mr. Tomes replied, “There was one survey in September, and it was a series of questions about what you saw as the issues with DPU. I believe we asked you to rank as to what you thought was

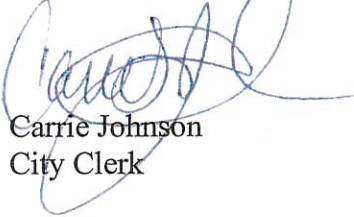
the most important and next most important. I believe we had 100% participation from the Council.”

DPU Manager Harley stated, “If anyone has anything that you think of you want to add or input, please contact me as we are in the process to finalize the plan and document.”

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Knotts to go into Executive Session concerning Contractual Matter A. Discussion of Fire Tax District Contractual Matters S. C. Code 30-4-70 and Economic Development Matter S. C. Code 30-4-70. The motion was unanimously approved by roll call vote.

There being no other business, the meeting was adjourned.

Respectfully submitted,



Carrie Johnson  
City Clerk

/lrm







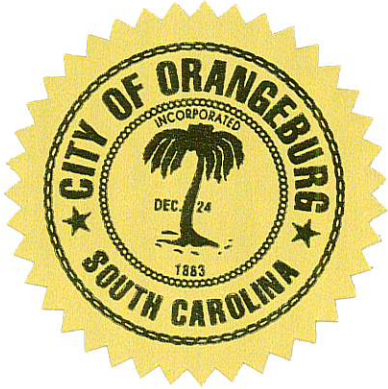
**A RESOLUTION URGING THE PRESIDENT AND CHIEF EXECUTIVE OFFICER OF CSX, MR. JAMES M. FOOTE, TO PURSUE WHATEVER REASONABLE STEPS NECESSARY TO EXPEDITE THE IMMEDIATE REPAIR OF THE RAILROAD CROSSING AT STONEWALL JACKSON BOULEVARD IN ORANGEBURG, SOUTH CAROLINA.**

- WHEREAS,** the Orangeburg City Council desires to ensure and protect the safety, health and well-being of residents and all persons who visit the City of Orangeburg; and
- WHEREAS,** the CSX railroad crossing at Stonewall Jackson Blvd. has fallen into disrepair such that crossing sections have become loose, shifted, and the abutting asphalt has settled creating a hazard for vehicle traffic; and
- WHEREAS,** the City has received numerous complaints from vehicle operators who are concerned about damaging their vehicles and their ability to safely operate their vehicles while traveling across the railroad crossing; and
- WHEREAS,** the City has previously requested CSX repair the crossing at Stonewall Jackson Blvd. and was told by CSX more than a year ago that the crossing: "should be completely replaced and reworked in the coming months;" and
- WHEREAS,** the railroad crossing has yet to be repaired by CSX and its deterioration poses a continued risk to vehicles and the safety and well-being of vehicle operators; and
- WHEREAS,** the City believes CSX has failed to maintain the railroad crossing for purposes of public safety, convenience, and necessity as required by Title 58, Chapter 15, Article 21 of the South Carolina Code of Laws; and
- WHEREAS,** the City of Orangeburg demands that CSX pave, plank, repair, change, or otherwise improve the unrepaired railroad crossing at Stonewall Jackson Blvd. and properly maintain all of its railroad crossings in Orangeburg so that they comply with all federal and state regulations and laws and no longer pose an undue risk to vehicles and the safety of vehicle operators.

**NOW, THEREFORE, BE IT RESOLVED:** That the City Council of Orangeburg hereby directs City Staff to serve a copy of this Resolution upon CSX requiring the repair of the railroad crossing at Stonewall Jackson Blvd.

**BE IT FURTHER RESOLVED:** That in the event CSX fails to commence repair of the railroad crossing at Stonewall Jackson Blvd. within thirty (30) days after service of this Resolution upon CSX, the City Council hereby authorizes the City Attorney and City Administrator to take all necessary steps to petition the Federal Railroad Administration and the South Carolina Department of Transportation for an investigation for the repair of the railroad crossing at Stonewall Jackson Blvd. in Orangeburg, South Carolina.

**PASSED BY** the City Council of the City of Orangeburg, South Carolina, on this 16th day of March 2021.



Michael C. Butler  
Mayor

Neal Auel

Richard A. Stum

Andrea A. Cross

Elizabeth M. Hill

James P. ...

Leanna Harris  
Members of Council

Attest:   
City Clerk