

2806

**City Council Minutes
May 7, 2019**

Orangeburg City Council held its regularly scheduled City Council Meeting on Tuesday, May 7, 2019 at 7:00 P.M. in Council Chambers with Mayor Butler presiding.

PRESENT:

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

A motion was made by Mayor Pro Tem Keitt and seconded by Councilmember Stroman to approve the April 16, 2019, City Council minutes as distributed. The motion was unanimously approved.

Mr. Shawn Taylor, City of Orangeburg Parks and Recreation Superintendent, introduced the 10U Division 1 basketball team and coaches and presented them with a Championship banner for winning the Southern District Tournament. Mr. Taylor added the team advanced to the championship game with only one loss. The banner will be displayed at the City Gym.

Ms. Brenda Jamerson, Chairperson of the Board for the Samaritan House, provided an update on the activities that the new Board have been working on since their establishment in January 2019. Those activities include a complete review of the facility that was previously used for the Samaritan House and the development of revenue needs, anticipated revenue receipts, and grant opportunities for both initial startup and on-going yearly operational costs. Packets outlining those items were individually distributed to all Councilmembers during the meeting, and the same information was presented to Orangeburg County Council on May 6, 2019. The Board is requesting \$75,000 to assist with start-up expenses and \$100,000 to fund on-going yearly operational expenses.

Both Mayor Pro Tem Keitt and Mayor Butler thanked the Board for their work thus far, and Mayor Butler indicated that the request will be taken under consideration by Council.

City Parks and Recreation Director Shaniqua Simmons presented the Accommodations Tax Advisory Committee recommendations for the second round of funding for Accommodations Tax Funds for the current fiscal year. Director Simmons explained, "Four applications for funding were received for this round, and three have been recommended for funding as follows: Blue Bird Building Fund \$15,500; Garden City Elite \$4,500; New Perspectives Media \$5,000."

Mayor Pro Tem Keitt asked, "Why was DORA not funded?"

Director Simmons replied, "They were funded in the first round."

Councilmember Jernigan asked, "What is Garden City Elite?"

Director Simmons explained, "They are an Orangeburg based travel basketball team consisting of children in fourth through sixth grades. All of the members of the teams are from the City of Orangeburg and surrounding areas. This year alone they have hosted two tournaments at the City Gym. Their funding request is for advertising materials."

City Administrator Yow commented, "The funding is to promote the tournaments held here in Orangeburg, not the teams specifically." 2807

Councilmember Jernigan asked, "What is New Perspectives Media?"

Director Simmons responded, "This organization is hosting two concerts later this year tentatively planned to be held at Martin Luther King Auditorium at South Carolina State University. Their funding request is for advertising materials, and they received \$5,000 from Orangeburg County."

Councilmember Haire made a motion to approve the recommendations of the Accommodations Tax Committee and was seconded by Mayor Pro Tem Keitt. The motion was approved unanimously.

Assistant City Administrator John Singh presented a resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. He explained, "Orangeburg County is the lead agency of the Consortium and this is a way to ensure that Housing and Urban Development (HUD) funding can come to smaller communities. If your community isn't part of the Consortium, this type of funding is not eligible for the community"

A motion was made by Mayor Pro Keitt and seconded by Councilmember Knotts to approve the Resolution establishing and agreeing to participate in the Lower Savannah Regional Home Consortium. The motion was approved unanimously.

Assistant City Administrator John Singh presented the Resolution authorizing the execution and delivery of a Lease Agreement. He stated "This is an annual item that is completed as part of the normal budget process and is used to fund capital expenditures that had been previously approved in the budget. Those expenditures were bundled, and the amount was put out for bid. The lowest rate received was with South State Bank for 2.35% for the requested \$722,000. The lease term will be for three years."

A motion was made by Councilmember Stroman and seconded by Councilmember Knotts to approve entering into the Lease Agreement. The motion was approved unanimously.

City Public Works Director Dean Felkel requested approval for the purchase of a Sanitation Grapple Loader Unit in the amount of \$144,113 for the City. He explained, "This item was part of the capital expenditures approved during the budget process for this year in the amount of \$170,000. Bids were requested for the item, and the North Carolina Sheriffs' Association which is a third-party purchasing agent came in with the lowest bid. Currently the City has three additional units in use, and this new unit will replace an older unit that was auctioned earlier this year."

A motion was made by Councilmember Knotts and seconded by Mayor Pro Tem Keitt for approval to purchase. The motion was unanimously approved.

Ms. Evelyn Disher, Executive Director of the Community of Character, accepted the May 2019 Character Trait Proclamation, "Honor."

DPU Manager Warren Harley presented the DPU Budget Calendar for Fiscal Year 2019-2020 for approval. He pointed out both the June 13th Budget Workshop and August 13th Special Council Meeting as key dates and indicated that these were the same times used last year for these activities.

A motion was made by Councilmember Haire and seconded by Councilmember Knotts for adoption of the DPU Budget Calendar for Fiscal Year 2019-2020. The motion was unanimously approved.

2808

A motion was made by Mayor Pro Tem Keitt and seconded by Councilmember Stroman to enter into Executive Session concerning a Personnel Matter concerning Municipal Judge. The motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectively submitted,



Tricia Phillips
Assistant City Clerk

/lrm





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 7th day of May 2019, 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 \$722,000.00 at an annual interest rate of 2.350% for three (3) 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 Bank (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 will take the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

RESOLVED, whereas the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law prior to execution of the Agreement by those persons so authorized by the governing body for such purpose.

BE IT RESOLVED, by the governing body of the Lessee that the terms of said Agreement are in the best interests of Lessee for the acquisition of such equipment and the governing body of Lessee designates and confirms the following person(s) to execute and deliver, and to attest, respectively, the Agreement and any related documents necessary to the consummation of the translations contemplated by the Agreement.

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

John H. Yow, City Administrator and Carrie W. Johnson, Finance Director

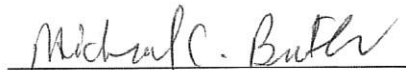
RESOLVED, the Lessee covenants that it will perform all acts within its power which are or may be necessary to ensure that the interest portion of the rental payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United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



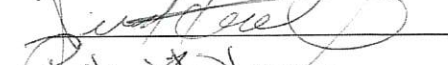

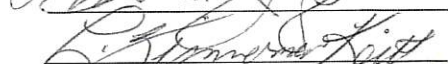
Passed by the City Council of the City of Orangeburg, South Carolina this 7th day of May 2019.



ATTEST:


City Clerk


Michael C. Butler
Mayor






Members of Council



RESOLUTION

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

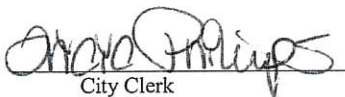
- WHEREAS,** the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990 (hereinafter the "Act") which created the Home Investment Partnerships Program (hereinafter the "Home Program") to provide funds to states and local governments for affordable housing 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.

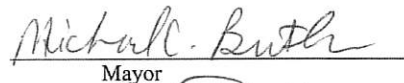
BE IT FURTHER RESOLVED, that the Mayor and City Council, in Council duly assembled, authorize John H. Yow, City Administrator of the City of Orangeburg to sign the "Inter-Governmental Agreement Establishing the Lower Savannah Regional Home Consortium FY 2020-2022" on behalf of the City of Orangeburg, as well as all other documents necessary to form the Consortium and to carry out and fulfill its purposes for FY 2020-2022.

ADOPTED BY the City Council of the City of Orangeburg, State of South Carolina, this 7th day of May 2019.

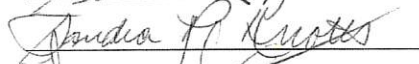


ATTEST:

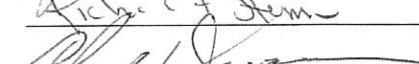

City Clerk

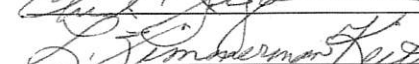

Mayor











Members of Council