

City Council Minutes
June 6, 2023

Orangeburg City Council held its regularly scheduled meeting on Tuesday, June 6, 2023, at 6:00 PM with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler, Mayor

Dr. Kalu Kalu, Mayor Pro Tem

Bernard Haire

Jerry Hannah

L. Zimmerman Keitt

Sandra P. Knotts

Richard F. Stroman

A motion was made by Councilmember Stroman, seconded by Councilmember Keitt to approve the May 16, 2023, City Council minutes. The motion was unanimously approved.

Mayor Butler recognized "Determination" as the June 2023 Orangeburg County Community of Character trait.

Mayor Butler and City Administrator Evering presented Mr. Velton J. White with a Retiree Resolution for twenty-five years and eight days of service to the City of Orangeburg with a retirement date of May 19, 2023.

DPS Chief Charles Austin addressed Council concerning Safe Haven. He stated, "The ribbon cutting for the TRIO Community Safe Haven was held June 1, 2023. This is possible through a partnership with Serve and Connect and a collaboration of approximately 13 public and private service providers. There will be a full-time community liaison in the Safe Haven office who will serve as a referral person. We believe that crime is a byproduct of quality of life and social issues that go unaddressed and believe if we can address issues that are brought to our attention before they morph into crime issues, it makes what we do a lot less laborious, and we can get services to our residents in a timely manner."

Mr. William Green, Adden Street addressed Council concerning Orangeburg beautification. He stated, "More crosswalk signs are needed downtown. Currently, there is only one crosswalk sign located at Railroad Corner. For beautification, I suggest adding large planters downtown as there is only greenery on Russell Street. Also, color could be added to the grassy areas in the intersections such as box roses."

Mrs. George Buck (Merle), 1578 Riverbank, addressed Council concerning Traffic on Riverbank Drive. She stated, "We have had major issues with speeding and ignoring the sharp curves by motorists in front of our house on Riverbank Drive as evidence is on our property. Law enforcement has provided us with documentation of 14 wrecks on Riverbank Drive from Hillsboro Road to Pine Hill Road and eight of those have occurred on our property. Since the chevron arrows have been installed, we have not had any wrecks in our yard; however, the speeding on Riverbank Drive continues to be a major issue for us as vehicles are skidding into our yard. I formally requested rumble strips from the State Secretary of Transportation, Christy Hall. If approved, the rumble strips extend as the curve straightens after Gue Street to Rutledge Avenue. Hopefully this will make drivers more aware as they approach these dangerous curves on Riverbank Drive and deter wrecks as well as destruction to our property. South Carolina Department of Transportation (SCDOT) is in the process of making a full study of Riverbank Drive from Lake Edisto Road to Pine Hill Road. A camera is currently located on the corner of Riverbank Drive and Hillsboro Road. It would be helpful if a camera would be installed at the corner of Riverbank Drive and Rutledge Avenue facing the area of around the curve. I am asking DPS for the protection of life and property to consider making this surveillance available at this location."

Councilmember Stroman stated, "I would like to ask the City Administrator, Mr. Evering to contact SCDOT concerning this. I am concerned for Mr. Buck's life when on the lawn mower cutting grass."

Council agreed to go on record for the City Administrator to contact SCDOT concerning this matter.

Mr. Curt Campbell, Tamara Lane addressed Council concerning DORA events. He stated, "Thank you on behalf of the Downtown Orangeburg Revitalization Association (DORA). Over the years the City of Orangeburg has helped support DORA with many events. I have some pictures I would like to share with Council from our recent events starting with the Rose Festival Street Dance and Car Show and the First Friday street dances. Together we are providing a better quality of life for the residents of the Orangeburg area. We would like to commend you and thank Council again for your support over the many years. Remember the Farmers Market on Tuesdays and we hope to see you Thursday night at the Farm to Table event."

Councilmember Haire addressed Council concerning Norfolk Southern Railway Issues discussion. He stated, "I asked this item to be placed on the agenda. When repairs are done, the cleanup does not accompany this. On Zan Street and 601 across from the Claflin University President's home, there are cross ties that have been there over four-five years. Norfolk Southern must do a better job as far as helping us make the City beautiful. I live in this area, and I have noticed with the last work of replacing cross ties and tracks, there are tracks that have been there for some time. Claflin University and South Carolina State University both are doing a great job making their campuses beautiful and more presentable to visitors passing through Orangeburg. but if they look toward the railroad tracks, there are eye sores with all the debris that has been left. There are also two churches located there. I am surprised the universities and churches have not come to Council and complained as it is not getting better. Norfolk Southern had two major derailments in the last four to five months and they are working to make those communities whole. I want Norfolk Southern to make these places whole by beautifying them, by removing the debris they are leaving behind. I understand Norfolk Southern contracted a company to cleanup and it has been said that Norfolk Southern is doing a lot of rail replacement. If you are not going to make these locations whole, then you are not a good corporate citizen. I would like to ask our attorney, what steps can the City take to get this problem resolved."

City Attorney Kozlarek stated, "The City can adopt a resolution and letter expressing the City's displeasure for the way in which cleanup matters were being handled and present it to Norfolk Southern. We could move this item to Executive Session to discuss further as I would not want to give legal advice in open session. The City Administrator may have more information concerning this matter."

Councilmember Haire asked, "The City has sent communication to Norfolk Southern? Have they done anything?"

City Administrator Evering stated, "Attorney Kozlarek was referring to an issue with another railroad company. This was a different matter when Council adopted a resolution, and a letter was sent to encourage them to expedite work. This is an option for Council to consider with Norfolk Southern."

Councilmember Haire asked, "The City has an Ordinance concerning litter and these kinds of things. Are we considering sending out notifications, fines, etc. when they do not clean up their property?"

City Administrator Evering stated, "We have not investigated that. To add some additional context, for at least a year, I have had ongoing conversations with Norfolk Southern concerning that area. They indicated there was a third-party vendor that would be responsible for removing some of the debris and trash. Norfolk Southern is in the process of replacing 22,000 miles of rail lines. Because of Orangeburg's central location, that area is being used as a staging area for the rail line that will be replaced between Columbia and Charleston. They have assured me the rail ties will be removed and some of the discarded material will be cleaned up as soon as possible within two weeks. The rock pile unfortunately must stay there because it is used as a staging area. They will clean this area up and then in the fall, some of that material will again be accrued there while they continue to replace the lines. I was told after that; it will be completely cleaned up and we will not have this situation for years. The City has exercised a great deal of patience. I have received concerns from citizens, and I am completely open to Council's request for a resolution along with a letter."

Councilmember Haire asked, "Can we send pictures of the site to the board chairman? As it seems the persons, we are communicating with are not getting the job done."

City Administrator Evering stated, "We have sent pictures, but I am happy to resend them."

Councilmember Haire stated, "Personally, I do not think the message is getting to those persons in the higher chain of command and I think that is what we need to do."

Mayor Butler stated, "When the City had problems with railroad repairs on Stonewall Jackson Street, Council passed a resolution and Administrator Evering wrote a letter and the repairs were completed. If Council wishes, we could do the same with this issue."

A motion was made by Councilmember Haire, seconded by Councilmember Knotts for a resolution and letter to be sent to Norfolk Southern to clean up the property. The motion was unanimously approved.

City Administrator Evering addressed Council concerning the City of Orangeburg Brownfields Grant Award for \$500,000. He stated, "The City of Orangeburg received \$500,000 EPA Brownfield community wide assessment grant. This will allow the City to do Brownfield assessments or studies in particular areas in the City to see if there is any Brownfield contamination. If there is, then hopefully, this can be a steppingstone for us to receive additional grant funding to mitigate any such site."

Assistant City Administrator Singh addressed Council concerning a resolution amending a resolution adopted May 16, 2023, to approve an updated proposal a lease-purchase arrangement. He stated, "This is the second portion of the Lease Purchase that we are using to purchase our golf carts for Hillcrest. The financing is part of the Lease Purchase through Truist Bank. We are requesting authorization for the City Administrator to execute the lease purchase documents."

A motion made by Councilmember Keitt, seconded by Mayor Pro Tem Kalu, to approve a resolution amending a resolution adopted May 16, 2023, to approve an updated proposal for a lease-purchase arrangement. The motion was unanimously approved.

City Administrator Evering addressed Council concerning appointments to the Building Board of Appeals. He stated, "Three Building Board of Appeals terms expire on 07-01-2023 which are Mr. Stephon Edwards, Sr., Mr. Edgar McGee, and Ms. Tijuana Hudson. Staff have contacted these individuals and they are willing to continue serving."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Keitt to appoint Mr. Stephon Edwards, Sr., Mr. Edgar McGee, and Ms. Tijuana Hudson to the Building Board of Appeals for four-year terms expiring on 07-01-27. The motion was unanimously approved.

City Administrator Evering addressed Council concerning appointments to the Hillcrest Golf Commission. He stated, "For your consideration, we have the following appointments to the Hillcrest Golf Course Commission Mr. Randy Shuler, Mr. Lamont Green, and Reverend Dr. Eddie Williams for 3-year terms ending 07-01-2026 and Mr. Mike Jarvis to fill the unexpired term ending 07-01-2024 held by Mr. Joseph Keitt. This will leave one vacancy, Dr. John Hutto, term ending 07-01-2023 which can be placed on a future agenda."

A motion was made by Mayor Pro Tem Kalu, seconded by Councilmember Stroman to appoint the following to the Hillcrest Golf Course Commission Mr. Randy Shuler, Mr. Lamont Green, and Reverend Dr. Eddie Williams for 3-year terms ending 07-01-2026 and Mr. Mike Jarvis for the unexpired term ending 07-01-2024. The motion was unanimously approved.

DPU Human Resources Director Lynch addressed Council concerning DPU Grievance Committee appointments and changes. She stated, "DPU has the following Grievance Committee appointments and changes for Council's consideration. Add Mr. John Tager and Mrs. Wendy Linder to active member status with terms ending May 2026, Mr. Delvin Davis to active member status with term ending March 2024 and Mrs. Beverly Thomas as an alternate member with term ending May 2026."

A motion was made by Councilmember Haire, seconded by Councilmember Hannah to approve the following to the DPU Grievance Committee Mr. John Tager and Mrs. Wendy Linder to active member status with terms ending May 2026, Mr. Delvin Davis to active member status with term ending March 2024 and Mrs. Beverly Thomas as an alternate member with term ending May 2026. The motion was unanimously approved.

A motion was made by Councilmember Keitt, seconded by Councilmember Stroman to adjourn. The motion was unanimously approved.

Respectfully submitted,



Linda McDaniel
City Clerk





RESOLUTION AMENDING A RESOLUTION ADOPTED MAY 16, 2023, TO APPROVE AN UPDATED PROPOSAL FOR A LEASE-PURCHASE ARRANGEMENT; AND OTHER RELATED MATTERS.

BE IT RESOLVED by the City Council, as the governing body of the City of Orangeburg, South Carolina, that the City Administrator ("Adminsitrator"), on behalf of and for the benefit of the City, is authorized to arrange for and execute a lease or other similar agreement, as appropriate, as provided below.

Section 1. Findings

(a) The City adopted a resolution on May 16, 2023, in which the City authorized a lease purchase or other similar arrangement for certain equipment in an amount not to exceed \$451,000 and selected a bank to provide for the financing.

(b) The City intends to acquire and finance certain additional equipment, including for example golf carts, and related equipment, in an amount not exceeding \$410,000.00, for an aggregate amount not to exceed cost for all equipment of \$861,000.

(c) To accomplish the updated financing, the City requested and received a revised proposal from Truist Bank, a copy of which is attached to this Resolution as Exhibit A ("Proposal"), which the City now intends to accept.

Section 2. Proposal Selection. To accomplish the updated financing, the City accepts the revised proposal from Truist Bank.

Section 3. Savings Clause. Except as specifically amended by this Resolution, the resolution adopted on May 16, 2023, remains in full force and effect.

Section 4. General Repealer. All orders, resolutions, and parts thereof in conflict herewith are to the extent of that conflict hereby repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

ADOPTED BY the City Council on June 6, 2023.

Mayor

Michael C. Burt

Members of Council

George Harris
[Signature]
Sandra P. Quotes
Liz Zimmerman
[Signature]
Richard F. [Signature]



Attest: Linda McDaniel
City Clerk

EXHIBIT A
UPDATED PROPOSAL
[ATTACHED]



Truist Financial Corporation

Governmental Finance
5130 Parkway Plaza Blvd.
Charlotte, North Carolina 28217
Phone (704) 954-1700

May 17, 2023

Mr. John D. Singh,
City of Orangeburg
979 MIDDLETON ST
ORANGEBURG, South Carolina
29115-4790

Dear Mr. Singh:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the City of Orangeburg ("Borrower").

PROJECT: purchase various equipment
AMOUNT 1: Request 1: \$451,000.00
Request 2: \$410,000.00

**TERM OR
MATURITY DATE:** Request 1: September 1, 2026
Request 2: September 1, 2028

INTEREST RATE: Request 1: 4.08000%
Request 2: 4.08000%

TAX STATUS: Tax Exempt-BQ

PAYMENTS: Interest: Annual
Principal: Annual

**INTEREST RATE
CALCULATION:** 30/360

SECURITY: Equipment

**PREPAYMENT
TERMS:** Prepayable in whole at any time without penalty

**RATE
EXPIRATION:** 07/07/23

**DOCUMENTATION/
LEGAL REVIEW
FEE:** N/A

FUNDING: Proceeds will be deposited into an account held at Lender pending disbursement unless equipment is delivered prior to closing.

DOCUMENTATION: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

REPORTING

REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please email me at Ashley.williams@gmail.com with your questions and comments. We look forward to hearing from you.

Sincerely,

Truist Bank



RESOLUTION

WHEREAS, Velton J. White faithfully served the City of Orangeburg for twenty-five years and eight days with a retirement date of May 19, 2023; and,

WHEREAS, he, through his long and faithful service, contributed greatly to the successful operation of the City of Orangeburg; 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. White in recognition of his services.

PASSED BY the City Council of the City of Orangeburg, State of South Carolina, this 6th day of June 2023.

Michael C. Butler
MAYOR

Richard F. Stone

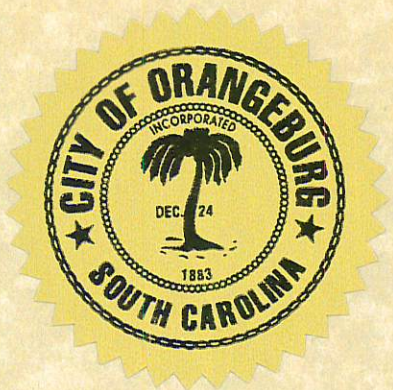
[Signature]

Liz Zimmerman Keitt

Pamela P. Knott

[Signature]

[Signature]
MEMBERS OF COUNCIL



ATTEST:

Luida McDaniel
CITY CLERK