

City Council Minutes
April 2, 2024

Orangeburg City Council held its regularly scheduled meeting on Tuesday, April 2, 2024, at 6:00 PM with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Annette D. Grevious
Jerry Hannah
Dr. Kalu Kalu
L. Zimmerman Keitt, Mayor Pro Tem
Sandra P. Knotts
Richard F. Stroman

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt to approve the March 19, 2024, City Council minutes. The motion was unanimously approved.

Mayor Butler recognized "Selfless" as the April 2024 Orangeburg County Community of Character trait.

Mr. Mike Glenn with Luna Development appeared before Council concerning an update on Railroad Corner. He stated, "I want to introduce my partners Orangeburg University Development Partners (OUDP) Larry Salley, Bob Jenkins, and Don Phoenix. In September of 2022 we were awarded the project. December 2022 Design and Due Diligence started. January 2023 Negotiating Purchase and Development Agreement with City assembling more land for the development. February 2023 Samet Construction Company selected as General Contractor. April 2023 working to secure letter of intent from Claflin University and South Carolina State University (SCSU) and working with potential commercial tenants interested in the project. June 2023 Complete all due diligence matters (survey, environmental, utilities, title, marketing study traffic study). September 2023 working with Museum on development of their facility. November 2023 rezoning of the property, awarded Energy Storage Grant from the Department of Energy for a Battery Storage System at the Development, January 2024 meeting with lenders, City Council, and tour of site. February 2024 50% design plans submitted to City for review, Claflin University LOI executed, March 2024 Design development construction pricing received, and April 2024 applied for Demolition Permit. There are three phases to the project. Phase One has been broken into two One A and One B. Phase One A will be the building along Russell Street for SCSU and Phase One B will be right after that for Claflin University. There will be 10,000 square feet of office space on the second floor and another 10,000 square feet of commercial, retail space on the first floor. To the left and upper is surface parking until a structure parking facility is constructed sometime down the road. Phase One building will be seven stories with 100 beds for student housing. The Cecil Williams Civil Rights Museum will be moving into a new building which we are not a part of this project. They have been able to capture the flavor of the existing façade. The site is about 1.25 acres, and we will have about 125,000 to 145,000 square feet of development on this project. There still allows for plenty of open space for courtyard and patios to sit and dine out at restaurants and have events. One of our goals is to work with the universities and to have a participation in the development, construction, and management of this project. Finally, some milestones to keep in mind is design completed and submitted May 1, 2024, early sitework begins April 22, 2024, Building permit issued May 15, 2024, vertical construction starts June 2024 and construction complete August 15, 2025."

Councilmember Kalu asked, "What is the logo on the top right hand? Is that part of the building?"

Mr. Glenn stated, "Yes, It is the SCSU logo. Claflin's logo will be on their building."

Councilmember Grevious asked, "You provided the student housing milestones. Are we to assume that the commercial part will be a part of this timeline as well?"

Mr. Glenn stated, "Yes, it is all part of the same construction."

Mr. Randy Shuler, Hillcrest Golf Commissioner appeared before Council with an update on Hillcrest Golf Commission. He stated, "I would like to ask the Hillcrest Golf Commissioners to

stand. We work closely with Gregg Funderburk on our monthly meetings, giving him input of our vision of Hillcrest. We want to thank you for your support and ask for more support. Hillcrest is vital for not only the City, but the County as in this area, we have very few places to play golf. Mr. Evering has had meetings with South Carolina State University (SCSU), and at our last Commission meeting, he shared some positive information. The Hillcrest Commission is asking for your support when the time comes to put funding back into Hillcrest to be a premier place for SCSU and for the citizens of Orangeburg City and County."

Mayor Pro Tem Keitt asked, "How is the advertisement?"

Mr. Shuler stated, "All of that is part of the Golf Course. When your golf course is a premier golf course, that people want to come to, all that falls into place. I see advertisements on billboards for Hillcrest and it draws a lot of people from different areas."

Mayor Pro Tem Keitt asked, "What will it take to get it in the position for people wanting to play at Hillcrest?"

City Administrator Evering stated, "I have been in conversations with South Carolina State University (SCSU). We have engaged a consultant to do an assessment of what it will take to get the course up to par. The assessment should be starting in the next week or two. In my conversations with SCSU we want to put together a capital improvement plan for the next five to seven years that we can partner to make investments that will improve the facility. I am excited to share some potential improvements that can be made that we will have for your consideration."

Councilmember Knotts asked, "How often are the Commission meetings held?"

Mr. Shuler stated, "Meetings are held the third Thursday of each month at 5:30pm at Hillcrest to discuss what is going on at Hillcrest, course improvements, what needs to be done, and upcoming tournaments. Hillcrest has a lot of tournaments and that is good. The Mayor's Cup Tournament was started in 1996 between the Men's group at the Country Club and Hillcrest. It was a Ryder Cup type format where we played each other one day there and one day at Hillcrest. In 2019 it stopped as renovations were being made at the Country Club golf course and then COVID came along. We started this tournament back this year and had a big turnout. The Country Club retained the Cup this year. We are hoping this is something we can do and build on as it highlights the golf course. Also, the Rose Festival tournament is coming up May 4, 2024."

Mayor Butler stated, "We had a meeting at Claflin University last Tuesday concerning closing Goff Avenue. We asked Claflin University to give us an update as to what they have proposed for Goff Avenue as it relates to that meeting before we read the third reading."

Claflin University Chief Williams stated, "On behalf of President Warmack and Claflin University, we are here to bring you an update. As requested, we met with the community last Tuesday. They provided us with information about their concerns which included speed bumps, speeding on the street and access. One of the things we were very sensitive to is the concerns not only of the individuals who are directly impacted by this and again for the record, the ones that are directly impacted are two property owners, the Glovers and the Murdaughs. We heard from the neighbors that live on Clark Street, Lewis Dunton, and the neighbors that live outside of where we are proposing the closure. To address the speed bumps, speed bumps will help slow traffic down, but it will not help to control the accumulation of vehicles on the street, they will just come in at a slower pace and we will still have the gatherings that we have been faced with. Director of Facilities, Bill Croft will show examples of gates."

Claflin Director of Facilities, Bill Croft stated, "On the screen are difference examples of gate setups and systems that we could use ranging from this basic swing arm gate where the fence is on both sides, utilizing either a key fob, or barcode scanning where you could put a barcode on the side of a window. There is a machine that will scan and open the gate. A keypad can also be done on that. The upper left shows an example of a rolling type of gate that we have at Claflin University Molecular Science Research Center (MSRC) on Goff Avenue. The bottom right is a sliding gate with similar access whether it is keypad, key fob, or the barcode scan system. Here are a couple of examples of an arm gate with a substation with the same access with either barcode, fob, or keypad. Next are some of the readers that are available with paging systems that would call someone which

is used a lot in apartment complexes. Next are more examples of drive in with a center type station.”

Chief Williams stated, “On the screen is a system with the ability to have two lanes. One that will stop and one with the reader in place. Next is a video showing the vehicle that has access will never have to stop. The reader is on the right side, there is a barcode on the car and the arm is raised and they go through. Here is another example of gates. Folks that are guests will enter on the left side. In the video, the vehicle approaches, reads the barcode and the arm raises. These are all types of technology available and the types of things we will be looking at to make this work for everyone.”

Clafin University, Dr. Cletra Peters stated, “We have a letter on behalf of Clafin University about access that I will read to Council. ‘Honorable Members of City Council, I am writing on behalf of Clafin University to formally express our earnest interest in acquiring ownership of Goff Avenue. A proposal we believe holds significant mutual benefits for our esteemed institution, the local community, and the City at large. Clafin University has long been anchored in pursuit of academic excellence in elevating and transforming our student body and in a deep commitment to our community engagement. As such, the well-being and prosperity of our surrounding neighborhoods indeed remain at the forefront of our priorities. The acquisition of Goff Avenue is seen as crucial to our campus infrastructure aimed at ensuring safety for our students and the surrounding community. We recognize the potential concerns that may stem from such a transition, and it is with this in mind that Clafin University wishes to extend a commitment to City Council and its constituents. We pledge to maintain uninterrupted access to Goff Avenue for all residents. This pledge is unwavering, irrespective of future changes within the City Council’s composition or potential shifts in the University’s leadership. This commitment will be clearly noted in the terms of ownership transfer to ensure that the residents rights to access their properties are preserved under any and all circumstances. It is our firm belief that this commitment exemplifies the principle of good neighborliness, a principle the university holds in high regard. We hope that City Council will view this as an assurance as a testament to our genuine desire for a partnership that benefits all parties involved’.”

Councilmember Kalu asked, “Can we have a copy of that documentation?”

Dr. Peters stated, “Yes.”

Councilmember Kalu asked, “Chief Williams, you have given different scenarios for the gate. Which one do you have in mind?”

Chief Williams stated, “My preference is the last ones that we showed having dual access. We will need to determine if the street is wide enough to accommodate. That is the preference because with it, we can control the individuals who are visiting without impeding those who live there. “

Councilmember Kalu asked, “The students will be given access?”

Chief Williams stated, “Students who have parking permits will be given access. Those who choose not to get the parking permit, will not have access.”

Councilmember Kalu asked, “If I am passing through the gate with my ID card, I may have two, three or four people in my car who are not students. Would that register whoever passes through the gate?”

Chief Williams stated, “No sir, it does not but we do not manage that now. Students are allowed to have visitors. If they have people in the car, it may be mom, grandma, and auntie.”

Councilmember Kalu stated, “The reason I am asking that question is to do away with the gathering because if I have other people in my car who are not students, I can bring them in and then you end up increasing the gathering.”

Chief Williams stated, “Yes, that is a possibility. Individuals walking into the area is also still a possibility because the streets are not closed off for pedestrians.”

Councilmember Kalu asked, "When you see students gathering together, do you send your police officers to see what is going on?"

Chief Williams stated, "Just like any other police department, our response is based on what our calls for service allow us to do. If I have a call and all my officers are tied up, that call response time may be slower. If our officers are just patrolling and we see that the gatherings are starting, we try to send an officer to that area as soon as possible. If for no other reason for high visibility."

Mayor Pro Tem Keitt stated, "Since the meeting held at Claflin University last Tuesday, I have been praying for safety for everyone in this situation not just for the students, but for everyone that is involved with this situation. I would love to see everyone of the same accord. That may not happen. But I wish it would. If it does not, then we have to go with the majority of what people want. I am asking us as dedicated folk, praying folk that love the Lord, let him fight your battle and come to a good conclusion of what should be done. I do not want to see anybody get hurt."

Mayor Butler stated, "Chief please explain to the Murdaughs the easement that they requested."

Mr. Bill Croft stated, "The definition of easement is the right to cross or otherwise use someone else's land for specific purpose. The Claflin University letter that Dr. Peters read gives right of access to anyone within the perimeter of Goff Avenue that will become private. As she stated in the letter that she will provide to you, it supersedes anybody on the Claflin side and what would happen on the City Council side."

Mayor Butler asked, "Does this come from the University or from the City?"

Mr. Croft stated, "This is new to me in South Carolina. I did this in Tennessee, in a similar situation. In that case, the transfer of the road to go private included like what Dr. Peters has read, language that granted access. There is not an actual easement that is shown because the easement would have to be the entire street. It does not coincide with the ownership of the property of the person. Claflin would be granting a right of access and that would be notarized, or I do not know how you would want to record that. The one I did in Tennessee was an official document that went with the process."

Mayor Butler stated, "Our main concern is to always make sure that the Murdaughs and the Glovers can get into their properties whenever they want to."

City Administrator Evering stated, "I have spoken with our City Attorney about this easement, and he may be able to shed more light in terms of what could be done in this situation to meet not just the Murdaughs request but any property owner within the gated area. We can put language in the ordinance to make sure that they have perpetual access to their property."

Mayor Butler stated, "If our attorney can put that in the language, I think that would be helpful."

Councilmember Knotts stated, "It is my position that anything that we put into this document as it relates to the closing of a portion of Goff Avenue, all of which needs to be there before we make any decision. Whatever we come up with, everyone needs to clearly understand, I am not just referring to Council, but I am referring to the residents who live in that area as well. I have a question for Claflin University, have you decided on which mechanism?"

Chief Williams stated, "No we have not made a decision."

Councilmember Knotts stated, "Once you have determined which is in the best interest of not only the University but the residents as well, my suggestion would be at that time, in addition to what Mr. Evering just stated concerning the Ordinance, that all of that is presented to Council so we will have a full view and a full understanding of what we are talking about before we move forward. Because right now it is a piece over here and a piece over there and I will be totally honest, I am confused. The question that I have is if you are not certain of which of the technology pieces that you are going to employ, how are the residents going to get from Point A to Point B? Is everybody going to have access and what kind of access are they going to have?"

Chief Williams stated, "They will have full access. The technology that we use does not change the fact that they will have access. Whether we go with a Radio Frequency Identification (RFID)

reader, a scanner, or a clicker, or with someone standing there unlocking and opening it, they will access.”

Councilmember Hannah asked, “I may have missed something in your letter. I did not hear segment of Goff Avenue. I heard Goff Avenue. Are we giving Claflin University Goff Avenue or are we giving them a segment of Goff Avenue?”

Dr. Peters stated, “It is only a segment from Clark Street to Magnolia Street. I can amend that for you.”

Councilmember Hannah stated, “Going along with my colleague and what has been said, it would be nice if all parties have some part in whatever you choose unless you just choose here it is, take it. Is it anyway possible that even City Council could have a part in that? I know you will make it user friendly for everyone. Give them a chance because 90% of what has been told to us was new, but it did not have to be. It could have been told to us ahead of time or passed along to us. I know you are hardworking and continue to do the hard work because I would love to see the end of this story, and everyone is applauding the end of this story.”

Mayor Butler stated, “We are going to make sure the attorney includes the language for Claflin University in the ordinance and then we will come back and vote. We want this to be as smooth as possible transition. Our attorney and Claflin University need to converse. If we need another meeting with the constitutes, we can do that.”

Councilmember Grevious stated, “I wish to recuse myself from this matter, any discussions or votes related to this matter due to a potential conflict of interest between my job at Claflin University and my elected official position.”

A motion was made by Councilmember Kalu, seconded by Councilmember Hannah to table the third reading of an ordinance accepting a portion of Goff Avenue from Clark Street to Magnolia Street from the South Carolina Department of Transportation (SCDOT); closing Goff Avenue from Clark Street to Magnolia Street, transferring such road to Claflin University based on the discussion tonight and the latest information we received from our City Administrator about the language from our attorney and maybe by then, we will be able to see what the plan is for the gate before we take any action by the City. The motion was approved 6-0-1. Councilmember Grevious recused.

City Administrator Evering addressed Council concerning approval of proposed City of Orangeburg Budget Calendar for Fiscal Year 2024-2025. He stated, “I would like to point out a few days on the proposed budget calendar June 11 planning and goal setting retreat to include our department heads, July 9 budget workshop, first reading August 6, second reading and public hearing scheduled August 20 and third reading scheduled for September 3.”

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Kalu to approve the proposed City of Orangeburg Budget Calendar for Fiscal Year 2024-2025. The motion was unanimously approved.

Public Works Director Singh addressed Council concerning Skatepark update. He stated, “Our team has been working with the Platform Group and Johnson, Laschober & Associates, PC (JLA). We have received almost all drawings and items that need we to have in place on the plans. We are working on one item that needs an encroachment permit with South Carolina Department of Transportation (SCDOT) but it is not delaying us. I want to give you a few bullet dates. We are targeting to have full set of drawings by mid-April. Estimated pricing together in mid-April. In May we will have all documents together for bid. We are aiming to break ground in mid to end of June with the completion in September to October.”

Public Works Singh addressed Council concerning approval and acceptance of Airport Runway Rehabilitation. He stated, “This is a grant that we received primarily from the Federal Aviation Association (FAA). As you know, we have a five to seven-year airport plan that we usually adjust and tweak. One of the primary items in 2027-2028 is the relocation of our terminal building. We are in the planning process. The total cost of the plans is approximately \$295,000. The FAA share is about \$265,000, the state of South Carolina has a share of about \$14,000 and the City or the Airport has a share of \$14,000 which will be coming out of our Capital Penny Sales Tax that we

have in place now. We are asking for authorization for the City Administrator to enter into the agreement with the state of South Carolina for the money they are providing.”

A motion was made Councilmember Stroman, seconded by Councilmember Kalu to approve and accept the Grant for Airport Runway Rehabilitation. The motion was unanimously approved.

Interim Assistant City Administrator Williams addressed Council concerning Fair Housing Resolution. She stated, “April is United. States Department of Housing and Urban Development (HUD) month and this year’s theme is ‘Fair Housing, the Act in Action.’ The Fair Housing Act, started in 1968, prohibits discrimination in housing. Each year, the City recognizes Fair Housing month with a resolution to emphasize fairness and affordability in housing. Also we will post information for the public regarding rent and fair housing on our social media platforms, our website and in City Hall.”

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Knotts to approve the Resolution for Fair Housing Month. The motion was unanimously approved.

Interim Assistant City Administrator Williams addressed Council concerning first reading of an ordinance to consider a zoning map change from A-1, Residential, Single-Unit District to A-2, Residential, Multi-Unit District for property located at 1700 Hillsboro Road, TMP# 074-17-08-003. She stated, “Your packet contains information from the Planning Commission meeting that was held 6:00 pm on March 21 at the City Gym to include property maps, the application from the developer, and the public hearing comments and the Planning Commission recommendation. Approximately 20 members of community attended and some of them are here today. All of those who spoke were not in support of the rezoning of the property. The property owner spoke to his intent for the property. This is the second time this property was requested for a zoning map change by the same owner. The Planning Commission voted unanimously to not recommend the zoning map change.”

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt to deny the first reading of an ordinance to consider a zoning map change from A-1, Residential, Single-Unit District to A-2, Residential, Multi-Unit District for property located at 1700 Hillsboro Road, TMP# 074-17-08-003. The motion was unanimously approved.

DPU Manager Harley addressed Council concerning approval of proposed DPU Budget Calendar for Fiscal Year 2024-25. He stated, “As you may recall before COVID, we held two meetings. During COVID, we consolidated to one meeting. We think it is important at this time to consider going back to a similar format that we did before as it is a lot of information. An option for Council could be two half days on June 27 and 28 9 am-noon or we could do one full day.”

A motion was made by Councilmember Kalu, seconded by Councilmember Hannah to approve the proposed DPU Budget Calendar for Fiscal Year 2024-25 with two half days on June 27 and 28 10 am – 1 pm. The motion was unanimously approved.

A motion was made by Councilmember Stroman, seconded by Mayor Pro Tem Keitt to go into Executive Session concerning 1) discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice or other matters covered by the attorney-client privilege – capital project sales tax SC Code section 30-4-70(a)(2) and 2) discussion of personnel policies, including personnel handbook, and receipt of legal advice and other matters covered by the attorney-client privilege SC Code section 30-4-70(a)(1)-(2) The motion was unanimously approved.

Council did not return to open session. There being no further business the meeting was adjourned.

Respectfully submitted,

Linda McDaniel

Linda McDaniel
City Clerk





RESOLUTION FOR FAIR HOUSING

- WHEREAS,** the City of Orangeburg desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and,
- WHEREAS,** the City of Orangeburg rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental or provision of other housing services; and,
- WHEREAS,** the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and,
- WHEREAS,** April is recognized nationally as Fair Housing Month.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Orangeburg, South Carolina, in Council assembled, do officially recognize April as

“Fair Housing Month”

Passed by the City Council of the City of Orangeburg, State of South Carolina, this 2nd day of April 2024.



Michael C. Butler
MAYOR

L. Zimmerman
Kal...

James...
Douglas P. K...

Richard A. St...
...

MEMBERS OF COUNCIL

ATTEST:

Riida McDaniel
City Clerk