

CITY COUNCIL MINUTES
October 1, 2019

2852

Orangeburg City Council held its regularly scheduled meeting on Tuesday, October 1, 2019, at 7:00 P.M., in Council Chambers with Mayor Michael C. Butler presiding.

PRESENT:

Michael C. Butler, Mayor
Bernard Haire
Jerry Hannah
Dr. Kalu Kalu
L. Zimmerman Keitt
Sandra P. Knotts
Richard F. Stroman

ABSENT:

None

Mr. Bernard Haire accepted the Oath of Office administered by Judge Pandora J. Glover as Councilmember for the City of Orangeburg, SC, for District #4. His term of office will be 10-1-19 – 9-30-23.

Ms. Sandra P. Knotts accepted the Oath of Office administered by Judge Pandora J. Glover as Councilmember for the City of Orangeburg, SC for District #6. Her term of office will be 10-1-19 – 9-30-23.

Dr. Kalu Kalu accepted the Oath of Office administered by Judge Pandora J. Glover as Councilmember for the City of Orangeburg, SC, for District #2. His term of office will be 10-1-19 – 9-30-23.

A Motion was made by Councilmember Haire, seconded by Mayor Pro Tem Keitt to carry over the election of Mayor Pro Tempore to the City Council Meeting on January 7, 2020. This motion was unanimously approved.

Public Hearing – To consider a Zoning District Map change from A-1 Residential, Single-Unit District to B-1 General Business District for 1090 St Matthews Road, TMP# 0173-05-05-001.000, 1070 St Matthews Road, TMP# 0173-05-05-015.000 and 1080 St Matthews Road, TMP #0173-05-06-016.000

Mr. Abe Salama of the Sheridan School area addressed Council. He stated, “I have been here 35 years and if you looked at a picture of St. Matthews Road even five years ago, it is different. Businesses are a sign of progress in the City and it is not spot zoning. I am near CPM Federal Credit Union and can walk there. I feel from Boulevard to Highway 601 should be commercial and it is a sign of progress and we need to move forward.”

Attorney Allen Neumeister of St. Matthews addressed Council. He stated, “I am an attorney from St. Matthews and have previously been a resident of Orangeburg for about thirty years. I have seen dramatic changes in the area.” A map was shown where the properties that were up for rezoning were in comparison to the Comprehensive Plan. He stated, “As you can see the areas in red already touch area businesses, the nature of the properties has changed. You will see an increase in taxes and in jobs in Orangeburg if these parcels were rezoned.”

Mayor Butler asked Mr. Neumeister, “What is your stake in this? Do you own property there?”

Mr. Neumeister responded, “I am an attorney and represent the landowners.”

Ms. Phyllis Pelzer addressed Council. She stated, “I live at 1090 St. Matthews Road and I would like to ask Council to consider the request for rezoning of the three properties located directly in front of GrandSouth Bank. These houses are in a very busy area and it lends itself to more of a commercial area. This area is similar to the Walgreen’s area down the street where the new strip

mall is now. The area is rapidly changing, and this area deserves to be commercial. In the Comprehensive Plan, this area is showing as an urban residential area." Ms. Pelzer showed a map where those three houses touch the commercial areas already. She stated, "These houses are near a drive thru at CPM Federal Credit Union. These homes from Stuart Street to CPM Federal Credit Union could be commercial. You should look into amending the Comprehensive Plan for that block since commercial is all around it." 2853

Mayor Butler asked, "Do you have commercial plans for your property?"

Ms. Pelzer replied, "Not at this time, but I would like the option."

Mr. Randy Shuler addressed Council. He stated, "My wife owns property next to Ms. Pelzer, this whole area could be commercial from Stuart Street to CPM. I feel the Comprehensive Plan needs to be amended for that block. Three pieces could be a strip mall. Everything is in line. Eventually, all commercial will be around it."

Mr. H Kenneth Floyd addressed Council. He stated, "I live in this area at 1070 St. Matthews Road and have since 1953 and there was nothing there, I was 4 years old. At that time, it was a suburban residential area. In 1972, Block A on the map was rezoned, 48% Commercial and 52% Residential on the covenants and restrictions. It required a 2/3 vote for the covenants of the Pecanway Terrace Association. In 1972, the roads were widened and the area next to me was rezoned and a bank and office park was built. It is a busy area and it is not a suburban residential area any more. There is high traffic in the area and 50% of the homes are rentals. It is urban and the character has changed. There are 155 lots in Pecanway Terrace and 50% of them are rentals. We compiled a lot of data. I have spent 2.5 to 3 years working on this and have been door to door. We would like you to help us do something."

Mayor Butler asked, "Do you live there?"

Mr. Floyd replied, "Yes"

Councilmember Hannah asked, "You use the number 50% , what does that mean? Half of 25, 50?"

Mr. Floyd responded, "There are 155 lots and 50% of that is rental property."

Councilmember Hannah stated, "I live in District 3 which that is in my district, what do the homeowners think of the rezoning?"

Mr. Floyd stated, "Do you mean the rental properties or the residents? I walked the neighborhood and it was no secret that we were trying to get the covenants changed so that we can apply for rezoning because of the state law passed in 2007, you could not apply for rezoning if you had covenants. It was 2 to 3 years of hard work."

Councilmember Hannah stated, "I know when you asked me about the property, you told me you talked to the people in the neighborhood, maybe two years ago. I have asked people and they did not want rezoning, from the ones you mentioned to me."

Mr. Floyd stated, "The ones on the inside may not want it, but the ones on the outside do."

Councilmember Hannah asked, "Why did the Planning Commission vote not in favor?"

Mr. Floyd stated, "There is an Ordinance with your Comprehensive Plan, you have Pecanway Terrace as Suburban Residential and everyone else is Urban Residential just like the map."

Ms. Pelzer brought up the map and showed Council what properties were Suburban Residential and what was Urban Residential. She explained the differences in the colors.

Councilmember Hannah asked, "In 1972, why wasn't the argument presented then?"

Mr. Floyd responded, "That got slid in quick and there was a lawsuit which I have a copy of."

Councilmember Hannah stated, "I have one other question and I said I would help you and now

you know why I am not helping you because you were not forthright and truthful. The people I contacted said you never contacted them.”

Mr. Flood stated, “Forthright and Truthful? I am sorry about that”

Mayor Butler stated, “We will need to take this under advisement, and we will get back to you. We need to study the Plan and get back to you.”

Mr. Abe Salama stated, “There were restrictions on the Prince of Orange Mall that included trees. Guess what you have now? Applebee’s and the Tire Company. This was part of the covenant restrictions then, so I want to remind you that it was changed by City Council then. The trees are gone and that was a vote for business progress.”

Mayor Butler stated, “We need to review the Comprehensive Plan. We try to uphold the Planning Commission’s decision, but not always. We could miss something. Let us look at it.”

Kevin Jackson, a business owner at 1180 Boulevard Street addressed Council. He stated, “Being forthright and truthful, Ken has had fifty petitions out and I was at the Planning Commission meeting and there was no opposition. There was no one opposing. Why is it so difficult to get this done and receiving opposition? It should not be this difficult. If anyone is opposed to this, I would like to hear from them now because there was no opposition at the meeting last week. No one has spoken against this.”

Mayor Butler, “We have an unrest and we have to look at the Plan.”

Councilmember Haire stated, “The gentlemen spoke of no opposition, I have for quite some time been opposed of the encouraging of businesses in the residential areas. We need to grow our city and I am opposed to this and it is going to be a domino effect once these three are done and I am not in favor of it, but I am opposed to it.”

Mayor Butler stated, “We have to study this and get back to everyone.”

Mayor Butler asked, “Is there anyone else opposed to this?”

Thomas Salley of 1179 Dantzler Street addressed Council. He stated, “I have been there three years and have been a resident of Orangeburg all my life. This property used to be a farm many years ago and progress has moved on. No one asked me about this, but I am definitely in agreement that this should be commercial.”

The Public Hearing was closed. Council moved into regular meeting.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts to approve the September 17, 2019 minutes as distributed. This motion was unanimously approved.

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Kalu to approve the September 25, 2019 Special Meeting minutes as distributed. This motion was unanimously approved.

Ms. Evelyn Disher, Executive Director of the Community of Character accepted the October 2019 Character Trait Proclamation, Sportsmanship.

Assistant City Administrator Singh addressed Council regarding the Façade Grant Program application update. He stated, “There are two updates; one is a recommendation of three bids and that the bids be itemized and on letterhead or bid sheet. The other is the clarification of repeat recipients and the time period of a second application. There are two properties that were already awarded and completed which were Sulit and 1361 Event Studio owned by Jennifer Chapman.”

Councilmember Haire made a motion, seconded by Councilmember Hannah to accept the Façade Grant Program Application update. The motion was unanimously approved.

Assistant City Administrator addressed Council regarding a consideration of a Zoning District Map change from A-1 Residential, Single-Unit District to B-1 General Business District for 1090

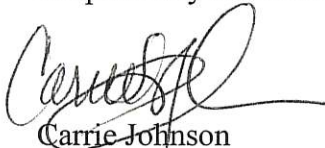
St Matthews Road, TMP# 0173-05-05-001.000, 1070 St Matthews Road, TMP# 0173-05-05-015.000 and 1080 St Matthews Road, TMP #0173-05-06-016.000.

Councilmember Haire made a motion, seconded by Councilmember Hannah that the request for the Zoning District Map change from A-1 Residential, Single-Unit District to ~~B-1~~ ²⁸⁵⁵ General Business District for the three properties located at 1090, 1070 and 1080 St Matthews Road be denied. The vote was 4-3. Councilmembers Haire, Hannah, Stroman and Knotts voted to deny the request. Mayor Butler, Mayor Pro Tem Keitt and Councilmember Kalu opposed the motion to deny the request.

A motion was made by Councilmember Kalu, seconded by Mayor Pro Tem Keitt to enter into Executive Session concerning a contractual matter, DPU Gas Division-SCANNA Energy Marketing Inc. Asset Management Agreement Contract and a legal matter – Opioid Litigation Update. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectively submitted,



Carrie Johnson
City Clerk

/lrm



2856

VOID]

VOID]

VOID]



OATH

As Councilmember of the municipality of the City of Orangeburg, South Carolina, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me and I will use my best endeavors to preserve the peace and carry into effect according to the law, the purposes for which I have been elected. So help me God.

I do solemnly swear or affirm that I am duly qualified, according to the Constitution of the State, to exercise the duties of the office, to which I have been elected, and that I will to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of the State of South Carolina and of the United States of America. So help me God.



Gemma Haire
Councilmember
October 1, 2019
Date

Sworn before me this 1st day
of October 2019

Pandora Jones-Glover
Pandora Jones-Glover
Notary Public

My Commission expires 06-13-27

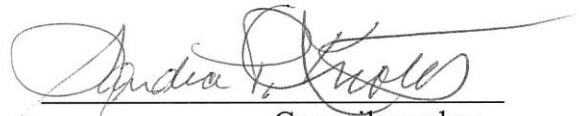


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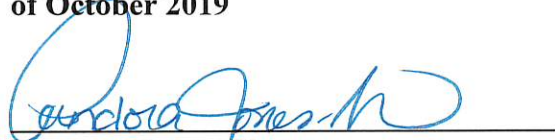


Councilmember

10-1-19

Date

Sworn before me this 1st day
of October 2019



Pandora Jones-Glover
Notary Public

My Commission expires 06-13-27

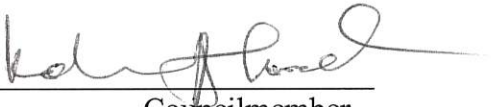


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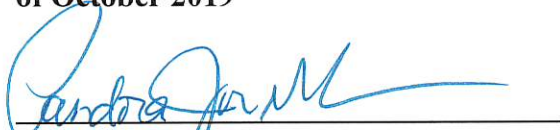


Councilmember

10-01-2019

Date

Sworn before me this 1st day
of October 2019


Pandora Jones-Glover
Notary Public

My Commission expires 06-13-27