

CITY COUNCIL MINUTES
November 5, 2019

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Orangeburg City Council held its regularly scheduled meeting on Tuesday, November 5, 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

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Kalu to approve the October 15, 2019 minutes as distributed. This motion was unanimously approved.

Mayor Butler asked ACA Singh to address the Planning Commission's earlier recommendation to amend the Comprehensive Plan. He stated, "This pertains to the property on St. Matthews Road next to CPM Federal Credit Union down to Stuart Street, the applicants were requesting B1. No resident of the neighborhood spoke against the request at the Public Hearing. The Planning Commission advised Council to study the Comprehensive Plan to see if changes needed to be addressed. As you may recall, Council decided to leave it as residential."

Councilmember Haire stated, "The item on the Agenda was not concerning the Planning Commission and the Comprehensive Plan, it was on rezoning. The item was concerning a map change from A1 to B1."

Ms. Phyllis Pelzer, 1090 St. Matthews Road, Orangeburg, SC addressed Council and stated, "I am coming before the Council as a resident of the City of Orangeburg and on behalf of my neighbors, the Floyds at 1070 St. Matthews Road, Ms. Zeigler and Mr. Shuler who own 1080 St. Matthews Road. After reviewing the transcripts and performing some due diligence since the last meeting on October 1, 2019, I am here today to request that this Council consider the previous request from the Planning Commission with regards to the rezoning of our properties. Specifically, we are asking you to amend the Comprehensive Plan.

I would like to read from Mr. Singh's September 27 letter to you. In it he states, 'Staff will be working on a full set of minutes, but a summation of the comments made were in full support of rezoning the area to B-1 commercial. Both attorneys spoke and Attorney Walsh gave a very clear and informative summary of the state law and the currently approved Comprehensive Plan. The summary of his explanation is stated basically in the motion passed by the Commission.' Reading from the minutes of the Planning Commission September 26 meeting, it states in paragraph one of the final page. This is Attorney Walsh speaking, 'In summary, what can be done is that you can ask and recommend to the City Council that they review the Land Use Plan, the Comprehensive Plan, and decide if the designation of present property, Suburban Residential, should be changed to some other classification, or change the Compatible Zoning District that is permitted. Presently, it cannot be done and that's the position of the City and the City Staff.' It goes on to say that Vice Chairperson Jenkins made a motion recommending that the Commission send this to the City Council and give them an opportunity to review the Comprehensive Plan to see if it can be changed from Suburban to some other classification. A second was made by Commissioner Payton. The motion was passed.

In layman's terms, what this means is that the Commission under the advice of the City attorney was told that due to the classification of our property as Suburban Residential, they are not able to consider our request to become Commercial. Let me read from Chapter 7, page 48 of the Comprehensive Plan on Land Use. Where the Plan's goals are brought into question, the matter

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should be reassessed by the Planning Commission to determine if they are still representative of the area in question. If they are, any rezoning change at variance should be denied on the grounds of noncompliance. If, however, there is a deficiency in the Plan or conditions or objectives have changed, the Plan itself should be amended. In this way, the Commission together with the Council will continually evaluate the Plan for applicability.

The map classifications and accompanying objective statements on the index establish intent of the various areas. The principal use column identifies the type of development which fulfills the intent. The compatible zoning column establishes criteria for determining plan compliance. The alternative column provides for plan flexibility.

The compatible zoning district column provides a range of acceptable districts, depending on the land use and development objectives of an area. Areas designated single-family residential, for example, should be denied on the basis of noncompliance with the Plan Map.

Where the Plan's goals are brought into question, the matter should be reassessed by the Planning Commission to determine if they are still representative of the area in question. If they are, any rezoning change at variance should be denied on the grounds of noncompliance. If, however, there is a deficiency in the Plan or conditions or objectives have changed, the Plan itself should be amended. In this way, the Commission together with the Council will continually evaluate the Plan for applicability.

Since the Council has the authority to amend the Comprehensive Plan, I am respectfully requesting of Council change the Comprehensive Plan to allow these properties to be rightfully classified as URBAN RESIDENTIAL and zoned as A-2 which allow the Planning Commission to consider our request that is still before them - to allow these properties to be zoned for future commercial development. Similarly, note properties at corner of Sims St. and Columbia Road newly designated for commercial development and properties adjacent to Walgreen's along St. Matthews Road. These were Urban Residential and are now 'Commercial'. Please be both consistent and fair."

City Attorney Walsh stated, "There is a procedure on revising the Comprehensive Plan, you have to follow the State Statute. It first has to go to the Planning Commission, and they would recommend a change to City Council. Before it gets to the Planning Commission, our Zoning Consultant would review the Comprehensive Plan."

Ms. Pelzer asked, "Who is that?"

Assistant City Administrator Singh replied, "John Ford with Robert and Company. I would like to say that it is music to my ears that you have reviewed the Comprehensive Plan in such detail. I want to point out that during the process, we looked at areas moving and changing. We had properties posted, articles in the paper, and had public hearings in the process. Councils in the past stated that the residential areas should be protected."

City Administrator Yow stated, "The work requires action of Council to start the process. If Council does make a motion to study the Comprehensive Plan, it would go to the Planning Commission and they would recommend to Council whether or not to accept the findings and then it would come back to Council for a motion and passing by City Council."

Ms. Pelzer asked, "Since I am involved in this, can I be allowed in this process? A regular citizen has a hard time understanding this."

City Administrator Yow stated, "An action by City Council has to take place to ask the Consultant to come back and work with the Planning Commission and staff to study it and bring the recommendations to Council. There will be advertised Public Hearings that the public will have an opportunity to be involved."

Councilmember Kalu made a motion that the City study the Comprehensive Plan with the Planning Commission and bring back their findings to the City Council, seconded by Mayor Pro Tem Keitt. The motion was approved 5-2, Councilmember Hannah and Councilmember Haire opposed.

Ms. Amanda Webb addressed Council concerning the Forensics Lab Certification update. She stated, "Here is my initial assessment:

- 1.5 years to reach accreditation (standard time from inception is 2 years)
- 4 out of 10 instruments/software validated by external company June 2018
- No prepared validations written for remaining instruments/software
- Manuals incomplete and/or non-existent (mainly copied and pasted from other labs with no customization to our lab)
- LIMS not installed
- Most supplies were expired
- Minimal documentation

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Now, our main goal is accreditation and the projects along with that goal:

- Manual writing/instrument validation/data crunching
- Validating 2 instruments in-house – collective mock case samples
- LIMS (laboratory information management system) training and customization
- Spoke with solicitors about report wording
- Train analyst
- Train officers on DNA collection at crime scenes
- Staff Profile Database for contamination check

Here is a machine I am currently validating. (picture of a machine was shown)

Our future projects are:

- Apply for accreditation audit – 6 months prior to being ready
- Work at least 3 months of cases to show auditors
- Apply for CODIS/statistics program access
- Validate statistics program
- Maintain a local suspect database (need legal support)

Once we are accredited, we can apply for Grant Funding. \$150,000 annually is available from Federal Grants once accreditation is obtained:

- Funding to analyze backlog cases; purchasing instrumentation, consumables, Software; travel for continuing education, overtime
- May not be used for building maintenance, salaries, benefits. And is non-transferrable to other disciplines

Here are our long-range goals once accredited:

- Reduce backlog
- 30 day turn around for violent cases
- Charge outside agencies per sample for casework
- Get involved with Claflin's Forensic Program
- Contract employee from another agency

This is our timeline to accreditation for December 2020:

- December 2019 – 1 instrument validation complete; officers trained in collection
- December 2019 thru April 2020 – LIMS customized
- January 2020 – validation of buccal swabs complete
- April 2020 – competency tests for analysts
- May 2020 – manuals finalized; internal audit
- June 2020 – apply for accreditation and CODIS access; start working cases
- September 2020 – Validation of Proflex instrument completed
- November 2020 – Validation of statistics software
- December 2020 – Accreditation approved and CODIS access granted"

Councilmember Kalu stated, "How much consumables do you use yearly?"

Ms. Webb replied, "Close to \$150,000."

Councilmember Kalu asked, "What is going on with the collaboration between Claflin and the Lab?"

Dr. Dwaun J. Warmack, President of Claflin spoke, "This lab is the only model in the country between an HBCU and a municipality. We want to bring this to other universities as a model. The researchers in the lab are graduates of Claflin and internships make great employees."

Ms. Evelyn Disher, Executive Director of the Community of Character and DPS Chief Mike Adams accepted the November 2019 Character Trait Proclamation, Courtesy.

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City Administrator Yow addressed Council concerning the rescheduling of the December 3, 2019 meeting . He stated, "The Claflin University Choir's performance of the Messiah is scheduled in Stevenson Auditorium that night. They have not requested to use the Council Chambers for a reception prior to the event. I am suggesting a possible meeting time change in case Council would like to attend the concert. It is up to Council to decide on this, I am just bringing this to Council's attention."

A motion was made by Mayor Pro Tem Keitt, seconded by Councilmember Kalu to reschedule the December 3, 2019 Council meeting to 12 noon. The vote was unanimous.

City Administrator Yow addressed Council, he stated, "This was put on the agenda since the appearance of Ms. April Richardson with the US Census Bureau concerning a Complete Count Committee. I just want to bring this to your attention in case Council is ready to appoint the committee members tonight."

Mayor Butler stated, "I would like every Councilmember to nominate two people from their district. These people need to know the neighborhood since they will be knocking on doors, etc."

Councilmember Knotts asked, "Have they indicated how many needs to be on the committee?"

City Administrator Yow replied, "I do not think there is a magic number, it needs to be a manageable one."

Councilmember Haire stated, "This committee will not be going door to door. They have hired people on staff to do this. The committee will work on tasks assigned. I am ready tonight to make a nomination to the committee."

Councilmember Hannah stated, " In speaking with the people, they are unsure what they would be doing."

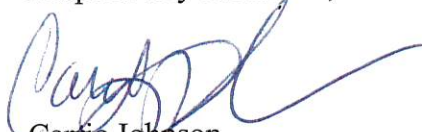
City Administrator Yow stated, "The census representatives will be training the committee."

This item will be brought back at the next meeting for nominations to the committee. Council was asked to provide two (2) nominations each, with phone numbers and email addresses prior to November 15, 2019. Staff will provide a slate of nominees at the November 19, 2019 meeting for Council's consideration to vote on and approve.

A motion was made by Councilmember Haire, seconded by Councilmember Knotts to enter into Executive Session concerning 1) Contractual Matter, Railroad Corner, 2) Economic and Industrial Development Matter, Project Hunter and 3) Legal Matter, Demetrius Jamison vs. City of Orangeburg. This motion was unanimously approved.

There being no further business, the meeting was adjourned.

Respectively submitted,


Carrie Johnson
City Clerk

/lrm

