MINUTES
WESTMINSTER CITY COUNCIL
Regular Scheduled Meeting
Via ZOOM
Tuesday, January 19, 2021

The City Council of the City of Westminster met in a regular scheduled meeting via Zoom on Tuesday, January 19, 2021 at 6:00 pm with Mayor Brian Ramey presiding. Those in attendance were:

Brian Ramey	Reid Adams	Rusty Cater
Jimmy Powell	Danny Duncan	Yousef Mefleh
Brad Chastain		

Interim City Administrator, Kevin Bronson
Rebecca Overton
Utility Director, Leigh Baker
Fire Chief, Michael Smith
City Attorney, Andrew Holliday
Members of the public and press

Notice of the meeting and the agenda was posted on westminstersc.org twenty-four hours prior to the meeting and all persons, organizations and local media requesting notification and the agenda were notified by email.

Call to Order

Mayor Ramey called the meeting to order at 6:00 pm.

Invocation and Pledge of Allegiance

Mr. Cater led the Council in the invocation.

Certification of Quorum

The City Clerk certified a quorum.

Public Comments

There were no public comments.

Old Business

1. Second Reading of Ordinance 2021-01-19-01: Property Lease with Oconee County (Chau Ram)

   Upon a motion by Mr. Cater and seconded by Mr. Adams, the motion ***to conduct the 2nd reading of ordinance 2021-01-19-01*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Cater	Motion	Yes
Adams	Second	Yes
Chastain		Yes
Duncan		Yes
Mefleh		Yes
Powell		Yes

2. Recommendation from the Westminster Planning Commission to rezone tax map #530-16-13-020, 215 Lucky Street from R20 (One Family Residential) to MFR (Multi Family Residential)

   Mr. Bronson informed Council that on December 29, 2020 the Westminster Planning Commission conducted a public hearing for the consideration of a rezoning request for 215 Lucky St. The request was submitted by Holly and Nathaniel Douglas to rezone the property (tax map #530-16-13-020) from R20 (One-Family District) to MFR (Multi Family Residential). This property is the former dentist office.

   There were no public comments at the hearing. Mr. Adams asked staff to verify the number of letters that were mailed to nearby property owners.

   Mrs. Douglas stated that she is planning to have two apartments in the building, a three bedroom upstairs and a one bedroom downstairs. She stated that in the future they may want to convert the detached garage into a studio apartment.

   Staff was directed to determine if there was enough land to qualify for what she has planned.

   Upon a motion by Mr. Mefleh and seconded by Mr. Cater, the motion ***to conduct the first reading of the request to rezone tax map #530-16-13-020 in name only*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Cater	Second	Yes
Adams		Yes
Chastain		Yes
Duncan		Yes
Mefleh	Motion	Yes
Powell		Yes

New Business

1. Consider Proposed AT&T Joint Use Agreement

Mr. Bronson stated that Mr. Fender with Local Government Services has negotiated the attached General Agreement for Joint Use Poles. The agreement contains the same language and provisions as the draft agreement presented to the City Council at the December 10, 2020 City Council Meeting.

The current agreement with AT&T was adopted in 1935 and the City and AT&T each charge $1.00 for each pole they are attached to.

Current information reveals AT&T is attached to 517 City owned poles and the City is attached to 131 AT&T owned poles. The City has been paid $386.00 annually for the use of its poles by AT&T. The new rental rate we have negotiated is for AT&T to pay the City $21.00 per pole they are attached to and the City pay AT&T $25.00 for the poles the City is attached too or a net to the City of $7,582.00 annually. The reason the City would pay a higher rate is the City uses 10' of space on an AT&T owned pole compared to AT&T using 2' of space on a city owned pole.

Since pole attachment rent with this agreement is billed in arrears the City will realize the increase in rental fees in 2022.

The next step will be to conduct a pole count. It is unclear when the last pole count was conducted. It is expected that a pole count will increase the reliability of the City's understanding of its utility assets and will, likely, yield additional revenue from the pole attaching entities.

The other pole agreement in place is with Vyve (formerly Northland Cable). The current agreement is in place until 2024.

Staff was ask Mr. Fender if the City will be billed for the full amount since Northland Cable's agreement has already renewed and cannot be renegotiated until 2024.

Upon a motion by Mr. Adams and seconded by Mr. Mefleh, the motion ***to approve the General Agreement for Joint Use Poles with AT&T and authorize the City Administrator to execute the agreement*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Cater		Yes
Adams	Motion	Yes
Chastain		Yes
Duncan		Yes
Mefleh	Second	Yes
Powell		Yes

2. Consideration of the FY2021-2022 Budget Calendar

   Upon a motion by Mr. Duncan and seconded by Mr. Mefleh, the motion ***to adopt the FY2021-2022 Budget Calendar*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Cater		Yes
Adams		Yes
Chastain		Yes
Duncan	Motion	Yes
Mefleh	Second	Yes
Powell		Yes

3. Water/Sewer Line Extension Policy Discussion

   Mr. Bronson stated that a previously adopted and rescinded utility extension policy is presented for City Council discussion. Staff is seeking input from the City Council concerning its willingness to consider adoption of a policy similar to this one. A policy such as this can be written to allow the City to annex properties in which the property owners sign an annexation covenant alongside their water and/or sewer service agreement(s).

   Since this type of policy did not yield the desired result the last time it was adopted, which led to its being removed from the utility portion of the City Ordinance's, it is presented here for discussion purposes only.

   If the City Council views a policy of this type as useful to expand the City boundaries, staff will work with the City Attorney to draft a policy for future City Council discussion and consideration. If the City Council does not view a policy of this type as useful, staff will not proceed further.

   A customer friendly policy that can serve as an annexation tool is the goal.

Council had no objections to proceeding with developing a policy.

Routine Business

1. Upon a motion by Mr. Adams and seconded by Mr. Duncan, the motion ***to approve the December 10th, 2020 meeting minutes*** passed unanimously.
2. Election of Mayor Pro Tem

   Upon a motion by Mr. Chastain and seconded by Mr. Adams, the motion ***to nominate Danny Duncan as the 2021 Mayor Pro Tem*** passed unanimously.

3. Comments from the Utility Director
   a. Mr. Baker updated Council on the Electric, Water, Sewer and Water Plant Departments. Mr. Baker stated that the sewer project at Beacon began on January 11. Also, that 80% of the tree trimming is complete which has reduced the outages. The new tanks at the water plant have been installed and are working.
   b. Mr. Baker stated that there is a meeting with DHEC concerning the Sanitary Survey on March 24. Mr. Baker stated that we are much better off where we were with documenting water issues. They have been working on getting a lot of requested documentation to DHEC.
4. Comments from the City Administrator
   a. Mr. Bronson informed Council that he and Leigh have been working on the proposed use of an employee doing tree trimming instead of a contractor. They will come back during budget time with a proposal for Council.
   b. Mr. Bronson stated that he has been in contact with JDavis Construction concerning Retreat Street Park. Unfortunately, the mobilization cost for JDavis Construction is high and therefore the price tag for the project exceeds the budgeted amount that Council set forth. Therefore, he has contacted another local contractor to get a bid and he also proposed to Council the use of current staff to do the work. He proposed using 4 to 5 employees and paying them overtime. Mr. Duncan asked Mr. Bronson to reach out to Swing O Things on Long Creek Hwy to see what they would charge for building the stage area.
   c. Mr. Bronson reminded Council that Walhalla cancelled the contract with us concerning the shared use of a Codes Enforcement Officer. Mr. Bronson will be meeting with the Walhalla City Administrator, Mr. Taylor and will update Council at the next meeting.
5. Comments from Mayor and Council
   a. Mayor Ramey stated that he had a nomination for the vacancy on the Planning Commission Board, Mr. Drew Holbrooks. Mr. Adams stated that he had been told that Truman Holbrooks has also agreed to serve.

      Upon a motion by Mayor Ramey and seconded by Mr. Mefleh, the motion ***to nominate Drew Holbrooks to the Planning Commission Board*** failed with a 3 to 4 vote with Mr. Adams, Mr. Chastain, Mr. Cater and Mr. Duncan all voting no.

Member	Motion	Vote
Ramey	Motion	Yes
Cater		No
Adams		No
Chastain		No
Duncan		No
Mefleh	Second	Yes
Powell		Yes

Upon a motion by Mr. Duncan and seconded by Mr. Cater, the motion ***to nominate Truman Holbrooks to the Planning Commission Board*** passed with a 5 to 2 vote with Mayor Ramey and Mr. Powell both voting no.

Member	Motion	Vote
Ramey		No
Cater	Second	Yes
Adams		Yes
Chastain		Yes
Duncan	Motion	Yes
Mefleh		Yes
Powell		No

b. Mayor Ramey asked for an update on the handrails on Main Street. Mr. Bronson stated that he is working with Mr. Sammy Dickson on obtaining CFunds for the project.
c. Mayor Ramey stated that there is a shortage of blood and he has spoken with Mr. Poole about having a blood drive at the gym. Council had no issues with proceeding as long as COVID protocols are followed.
d. Mr. Duncan stated that the Hubbard family is interested in the property the city owns behind Owens field. The old practice field backs up to their property and they would like to purchase it if the City is willing to sell. Mr. Duncan and staff will walk the property and report back to Council.

Executive Session

Upon a motion by Mayor Ramey and seconded by Mr. Duncan, the motion ***to enter into executive session***

1. For the purpose of section 30-4-70 (a) (2) "a discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of Legal Advice where the Legal Advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of claim." (1) PMPA Contractual Matters (2) SC DHEC Draft Consent Order (3) Potential Contract with the State of South Carolina

2. For the purpose of section 30-4-70 (a) (1) a discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body. (1) Personnel Policy Modification, FMLA Policy Component (2) City Administrator Employment Contract

Passed unanimously.

Member	Motion	Vote
Ramey	Motion	Yes
Cater		Yes
Adams		Yes
Chastain		Yes
Duncan	Second	Yes
Mefleh		Yes
Powell		Yes

Adjourn

Upon a motion by Mr. Cater and seconded by Mr. Chastain, the motion ***to exit executive*** passed unanimously.

Upon a motion by Mr. Cater and seconded by Mr. Chastain, the motion ***to adjourn the meeting with no further action being taken*** passed unanimously.

(Minutes prepared by Jennifer Adams)

_____ _____

Mayor Brian Ramey Date