MINUTES WESTMINSTER CITY COUNCIL Regular Scheduled Meeting Thursday, February 16, 2023

The City Council of the City of Westminster met in a regular scheduled meeting on Thursday, February 16, 2023 at 6:00 pm at the Westminster Depot with Mayor Brian Ramey presiding. Those in attendance were:

Brian Ramey Jimmy Powell Dale Glymph Audrey Reese Daby Snipes Adam Dunn Ruth May

City Administrator, Kevin Bronson City Clerk, Rebecca Overton Police Chief, Matt Patterson Fire Chief, Michael Smith Utility Director, Kevin Harbin Codes Officer, Bob Jones City Attorney, Andrew Holliday Members of the public and press

Notice of the meeting and the agenda was posted on a window at the Depot and at 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

Mrs. Audrey Reese led the Council in the invocation and the Pledge of Allegiance.

Certification of Quorum

Rebecca Overton certified a quorum.

Public Comments

Tammy Allen addressed Council with a suggestion from the West-Oak Athletic Booster Program to secure and install a sign for recognition of the Wrestling Team State Championship years. She said the Booster Program was suggesting a 4x4 sign that would be printed and designed by Upstate Print & Tint. Mrs. Allen asked Council to consider using City funds to purchase the sign and the location would be determined by City Council.

Les McCall of West Hope ComeUnity (WHC) addressed Council about a desire to help meet the needs of the homeless and displaced in the Westminster area. He added that helping in this area had been a dream of church members of Westminster Presbyterian *February 16, 2023* Church for quite some time. Mr. McCall asked Council to consider deeding the Riley Street property to Westminster Hope ComeUnity so that three small homes could be built on the property that would help individuals and/or families who work with WHC. He added that WHC would be consisted of volunteer agents that would assist with the intake process and regulations as well as the guidance of the families placed.

Mayor Ramey advised Mr. McCall that Council would take it into consideration once some questions and concerns have been resolved.

Comments from the Mayor and Council

Mayor Ramey stated that he would like Council to eventually consider increasing the pay for Council Members and Mayor. He added that it had been many years since an increase was made.

Routine Business

1. Approval of the December 28, 2022 Called City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to *approve the December 28, 2022 Regular Meeting Minutes* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese	Motion	Yes
May		Yes
Dunn		Yes
Snipes		Yes

2. Approval of the January 10, 2023 Regular City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to *approve the January 10, 2023 Regular Meeting Minutes* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Motion	Yes
May	Second	Yes
Dunn		Yes
Snipes		Yes

3. Approval of the January 12, 2023 Priority Workshop Minutes *February 16, 2023*

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
Reese		Yes
May		Yes
Dunn		Yes
Snipes	Motion	Yes

Upon a motion by Mrs. Snipes and seconded by Mr. Glymph, the motion to *approve the January 12, 2023 Priority Workshop Minutes* passed unanimously.

- 4. Comments from the Utility Director
 - a. Mr. Harbin informed Council that the welcome sign at Walgreens was repaired.
 - b. Mr. Harbin informed Council that the recent standing water issue in the Library parking lot had been identified and repaired.
 - c. Mr. Harbin informed Council that due to several sewer issues, a sewer right of way clearing project had been implemented.
- 5. Comments from City Administrator
 - a. Mr. Bronson had no comments for Council.

Old Business

None

New Business

1. Appointment of a Mayor Pro Tempore for 2023

Upon a motion by Mr. Glymph and seconded by Mrs. Reese, the motion to *appoint Jimmy Powell as Mayor Pro Tempore* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Motion	Yes
Powell		Yes
May		Yes
Reese	Second	Yes
Dunn		Yes
Snipes		Yes

2. Appointment of a new board member for the Fire Department 1% Local Board of Trustees

Upon a motion by Mr. Dunn and seconded by Mr. Glymph, the motion to **appoint** *Jimmy Powell as Board Member for the Fire Department 1% Local Board of Trustees* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Second	Yes
Powell		Yes
May		Yes
Reese		Yes
Dunn	Motion	Yes
Snipes		Yes

 Consideration of Ordinance No. 2023-03-07-01; An Ordinance Amending the City of Westminster's Budget Ordinance, An Ordinance Making Appropriations For Certain Expenses, Capital Improvements and Indebtedness of The City of Westminster, South Carolina for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023

Upon a motion by Mr. Glymph and seconded by Mrs. Reese, the motion to *approve Ordinance NO. 2023-03-0-01; An Ordinance Amending the City of Westminster's Budget Ordinance, An Ordinance Making Appropriations For Certain Expenses, Capital Improvements and Indebtedness of The City of Westminster, South Carolina for the Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph	Motion	Yes
Powell		Yes
May		Yes
Reese	Second	Yes
Dunn		Yes
Snipes		Yes

4. Consideration of Resolution No. 02-16-2023-01; A Resolution Affirming the City Council Priorities of the City Council Established on January 12, 2023

Mr. Bronson reminded Council that on January 12, 2023, City Council met at the Westminster Train Depot to identify and set its priorities for the calendar year 2023 and to provide direction for the development of the FY2023-24 Operating

Budget. He added that the priorities are categorized under four headings: Must Do, Should Do, Could Do and Others and are detailed in the Resolution.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to *approve Resolution No. 02-16-2023-01; A Resolution Affirming the City Council Priorities of the City Council Established on January 12, 2023* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
May		Yes
Reese	Second	Yes
Dunn		Yes
Snipes	Motion	Yes

4. Consideration to award bid for demolition of old fire bays at City Hall

Mr. Bronson informed Council that there was currently a bank account with money in it that was designated many years ago for the demolition of the fire bays. He added that Mr. Harbin had secured four bids. Those bids were: Southern Scapes of Oconee \$53,790.00

Golden Corner Trucking & Grading\$61,250.00Allen Farms\$74,500.00Sammy Butts Grading\$81,250.00Mr. Harbin added that in addition to the demolition cost, there would be
approximately \$5,200.00 in asbestos abatement costs.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *award the bid for demolition of the old fire bays at City Hall to Southern Scapes of Oconee in the amount of \$53,790.00* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
May		Yes
Reese	Motion	Yes
Dunn		Yes
Snipes	Second	Yes

5. Discussion of Events Committee

Mrs. Reese expressed her sincere gratitude to former members of the Events Committee. She added that there had been a lack of guidance from Council and she expressed her apologies for that. Mrs. Reese further added that the Task Force that had been created that consisted of herself and fellow Council Members Mrs. Snipes and Ms. May had recently met and established new guidelines for going forward with any events. She added that with these new guidelines, the former Events Committee/Public Relations Committee as previously formed would be dissolved. Mrs. Reese stated that going forward, all requests for any assistance or use of City funding for events would come through City Staff and the Council Task Force Committee. She added that any events wishing to be held would follow the Special Events Application process and that would be processed through City Staff. Council was in agreement with the new process and attached to these minutes are the recommendations for Special Events as presented by the Council directed Task Force.

6. Code Enforcement Presentation by Chief Patterson

Chief Patterson addressed Council with a presentation in reference to property location 340 Hall Road and some serious property violations that have been deemed unsafe and unfit for human habitation. Attached to these minutes is the presented as presented by Chief Patterson.

Executive Session

- Executive Session for the purpose of 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 a claim pursuant to S.C. Code Ann. 34-4-70 (2).
 - (a) Contractual agreements between the City of Westminster and Oconee County regarding Fire Service
 - (b) Possible contractual agreement(s) with a Blue Ridge Electric Coop
 - (c) Contractual matter(s) related to the possible sale of Westminster's share of PMPA

Upon motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *enter into executive session* passed unanimously.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *exit executive session* passed unanimously.

There was no action following executive session.

<u>Adjourn</u>

Upon a motion by Mayor Ramey and seconded by Mr. Powell, the motion *to adjourn the meeting at 8:44 pm* passed unanimously.

(Minutes submitted by Rebecca Overton)

Mayor Brian Ramey

Date

Recommendation to Council regarding the former "Public Relations" Committee by Council Members Audrey H. Reese, Daby Snipes, and Ruth May, with counsel from Lacey Watkins and Audrey Parker:

We recommend that the Westminster Public Relations Committee as it was formed in 2017, as an ad-hoc committee, be dissolved and the following be put in place:

Composition and Direction:

The Events Committee will be a council-directed committee until such a time as an additional administrative staff position is filled. 1-3 Council members will work alongside a team of volunteers and City staff to coordinate organizations' community events and assist in coordinating events in the city of Westminster at certain times of the year.

Council members currently serving on the Events Committee are Audrey H. Reese, Daby Snipes, and Ruth May.

Point of Contact for Special Events:

Community organizations wishing to have a community event should contact City Staff to schedule events no less than 3 months prior to the anticipated event date.

Members of the Press seeking information for events and other information as permitted by the Freedom of Information Act should contact City Administrator or the City Clerk for information and comment.

Scheduling of Community Events:

All citizens/organizations who wish for assistance, advertising, or use of city streets/spaces for events should contact staff and complete a *Special Events Application* in order to schedule events. The goal is to streamline events around holidays and other special dates so that concurrent events that may conflict with one another do not take place at the same time.

City-Sponsored Events:

The city will explore sponsoring special events for the following:

- -Special Event in March to commemorate the city's birthday
- —Fourth of July Event
- -Veteran's Day parade and event
- -5K fundraiser and BBQ/food truck event downtown for Hall Rd. Project
- -Christmas parade and downtown event (We recommend having the Christmas
- parade on a Saturday morning with an all day holiday event to follow)
- -other events as the Council-led committee may choose

Community-Sponsored Events:

The events committee will assist the community with special events, as they are informed of them. These include but are not limited to:

—A Spring Blue Grass Jam Event

—Easter Egg Hunt (Betty Johnson)

- -First Friday Outdoor Music Events
- -Music on Main Events
- —Apple Festival
- -Bigfoot Festival
- -Charitable organizations' events as needed

Assistance can include advertising and promotion, HTAX funds as approved by Council, and volunteers as requested by those hosting the event.

City Decorations:

The city will decorate for Christmas and other seasons each year. "Big" decorations like lighting, Christmas trees, etc. will be done by city staff. Other decorations by volunteers are encouraged and can be coordinated through the events committee. City spaces such as the gazebo, Depot, City Hall, street poles, etc. will be decorated by staff and volunteers gifted with these talents.

Discontinuance:

The gmail account for the former PR Committee will be discontinued. The former PR Committee Facebook page will be deactivated and all promotion for events should be made from the City's official Facebook page.



CITY OF WESTMINSTER

CODE ENFORCEMENT WESTMINSTER POLICE DEPT

340 Hall Rd

Hall Rd

- Apartment Complex located on Hall Rd across from Recreation Fields
- Owner: Jeffrey Vistad
- Owner Address: 201 May Sam Dr Seneca, South Carolina 29678
- Owner Address: 201 May Sam Dr Seneca, South Carolina 29678

- April 4, 2022: Informal letter sent to owner of the property reference violation of IPMC 151.101-Care of Premises
- May 5, 2022: Formal letter sent to the owner of the property reference above violation
- August 2, 2022: Letter sent to the owner of the property reference an abandoned vehicle on the property that has been there for several years along with another warning about the Care of Premises
- January 5, 2023: Abandoned vehicle was towed by Jim Smith's Garage at the direction of City Officials
- January 9, 2023: Formal letter was sent to the owner of the property notifying him of the removal of the vehicle and, due to his non-compliance, the exterior property would be cleaned and maintained to bring in to compliance and any costs incurred by the City will become statutory liens against the real property
- January 25, 2023: Owner of the property was hand served by OCSO Civil Division with Formal letter

Division with Formal letter

• January 25, 2023: Owner of the property was hand served by OCSO Civil

Jim Smith's Garage will invoice the City who will then, in turn, request reimbursement from the owner of the property. If no reimbursement obtained, a lien will be placed on the property

Southern Scapes of Oconee has been asked to clean the exterior of the property. The City will pay Southern Scapes and then request reimbursement from the owner of the property. If no reimbursement obtained, a lien will be placed on the property

obtained, a lien will be placed on the property

- ✤ IPMC § 106 Violations
 - § 106.1 Unlawful Acts: It shall be unlawful for a person or other legal entity to do any act or maintain any structure or keep any premises which is in conflict with or in violation of any of the provisions of this code.
- ✤ IPMC § 107 Notices
 - > §107.1.1 Preliminary Notice
 - ➢ §107.1.2 Formal Notice
 - ➢ §107.3.3 Posting
- ✤ IPMC § 108 Unsafe Structures and Equipment
 - ➢ §108.1.1 Unsafe Structures
 - §108.1.3 Structure Unfit For Human Habitation
 - §108.1.5 Dangerous Structure of Premises
 - §108.2 Vacant Structures

§110.1 General

IPMC § 110 Demolition
 §110.1 General

§ 108.1.1 UNSAFE STRUCTURE

An "unsafe structure" is one that is found to be dangerous to the life, health, property or safety of the public of the occupants of the structure by <u>not providing minimum safeguards to protect or warn</u> <u>occupants in the event of fire</u>, or because such structure contains unsafe equipment or is <u>so damaged</u>, <u>decayed</u>, <u>dilapidated</u>, <u>structurally unsafe</u> or of such faulty construction or unstable foundation, that partial or complete collapse is imminently foreseeable unless repairs are immediately undertaken.

§ 108.1.3 STRUCTURE UNFIT FOR HUMAN HABITATION

A "structure unfit for human habitation" is found whenever the code official finds that such structure is unsafe, unlawful or, because of <u>the</u> <u>degree to which the structure is in disrepair or lacks maintenance, is</u> <u>insanitary, vermin infested, contains filth and contamination</u>, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

§ 108.1.5 DANGEROUS STRUCTURE OR PREMISES

A "dangerous structure" or "dangerous premises" is any structure or premises that has any or all of the conditions or defects described below: (there are eleven)

#6- The building or structure, or any portion thereof, is <u>clearly unsafe</u> for its use and occupancy

#7- <u>The building or structure is neglected, damaged, dilapidated,</u> <u>unsecured or abandoned</u> so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act

#9- A building or structure, used or intended to be used for <u>dwelling</u> <u>purposes</u>, because of <u>inadequate maintenance</u>, <u>dilapidation</u>, <u>decay</u>, <u>damage</u>, <u>faulty construction or arrangement</u>, inadequate light, ventilation, mechanical or <u>plumbing system</u>, or otherwise, is determined by the code official to be <u>unsanitary</u>, <u>unfit for human</u> <u>habitation or in such a condition that is likely to cause sickness or</u> <u>disease</u>.

CONT.

§ 108.1.5 DANGEROUS STRUCTURE OR PREMISES

#10- Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, <u>fire protection systems</u>, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

§ 108.2 VACANT STRUCTURES

If the structure is vacant and unfit for human habitation, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance....

§ 108.2.3 OWNER RESPONSIBILITIES

No person shall allow a structure to stand vacant for <u>more than thirty</u> (30) days unless the owner establishes by substantial evidence, to the reasonable satisfaction of the code official.....

VACANT APARTMENTS

#1- Vacant since August, 2021
#2- Vacant since October, 2022
#3- Vacant since 2018
#4- Occupied
#5- Vacant since January, 2020
#6- Occupied
#7- Vacant since September, 2021
#8- Vacant since 2018

#8- Vacant since 2018

VIOLATIONS

INTERIOR

Toilet

503.4 Floor surface

In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

PLYWOOD FLOORS IN BATHROOMS AND PLYWOOD IN FLOOR OF KITCHEN

Plumbing

504.1 General

Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

WATER FAUCET IN BATHROOM WILL NOT SHUT OFF

VIOLATIONS

INTERIOR

504.3 Plumbing system hazards

Where it is found that a plumbing system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

THE SHOWER HAS ONE WALL WITH LARGE CUTOUT WITH EXPOSED DRYWALL

Water System

505.3 Supply

The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

WATER LEAK IN ONE UNIT HAS BEEN RUNNING FOR OVER A MONTH NOW

VIOLATIONS

INTERIOR

Heating

602.2 Residential occupancies

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in <u>Appendix D</u> of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating. The installation of one or more portable space heaters shall not be used to achieve compliance with this sect

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

ACCORDING TO OCCUPANTS, THE HEAT ONLY WORKS INTERMITTENTLY

VIOLATIONS

INTERIOR

Smoke Alarm

704.6.1.1 Group R-1

Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.

2. In every room in the path of the means of egress from the sleeping area to the door leading from the *sleeping unit*.

3. In each story within the *sleeping unit*, including *basements*. For *sleeping units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

INSPECTION OF OCCUPIED APARTMENTS REVEALED THERE ARE NO SMOKE ALARMS

VIOLATIONS

EXTERIOR

Stairs and Handrails

305.4 Stairs and walking surfaces

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

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Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

MISSING AND UNSECURED HANDRAILS

VIOLATIONS

EXTERIOR

Grass and Weeds

302.4 Weeds

Premises and *exterior property* shall be maintained free from weeds or plant growth in excess of <u>12 inches in height</u>. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

THE EXTERIOR OF THE PROPERTY HAS NOT BEEN MAINTAINED FOR APPROXIMATELY SIX (6) TO TWELVE (12) MONTHS

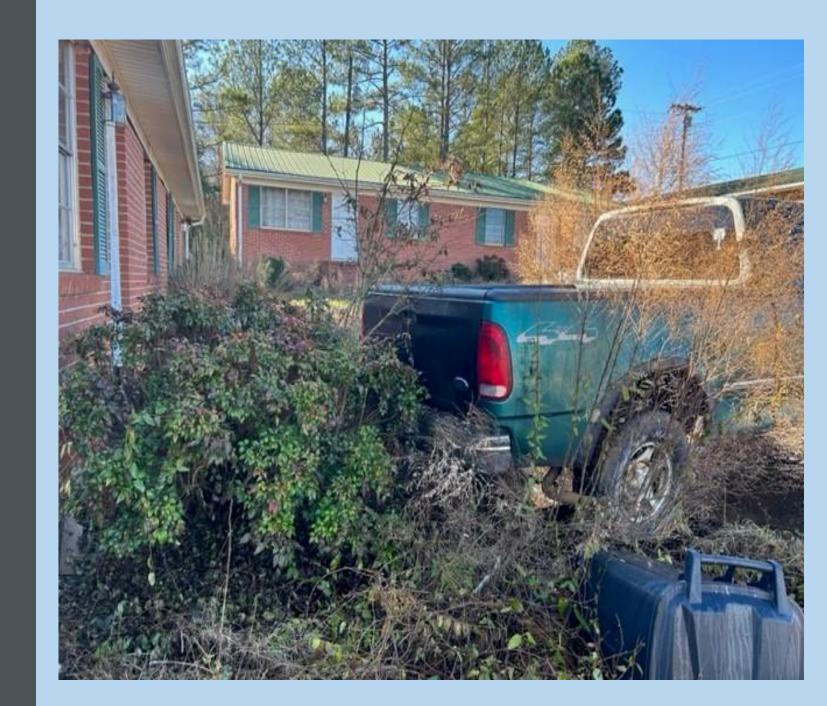






CURRENT WATER LEAK AT ROADSIDE APARTMENTS







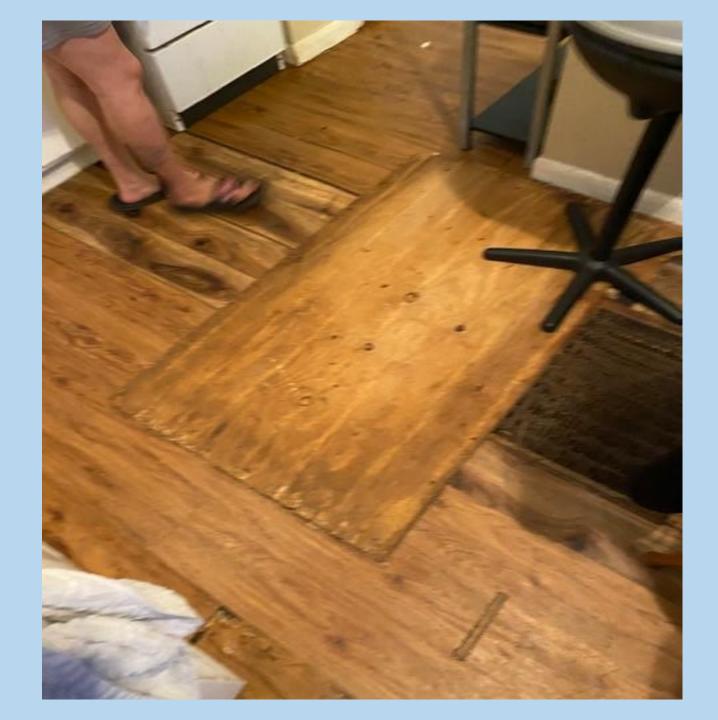






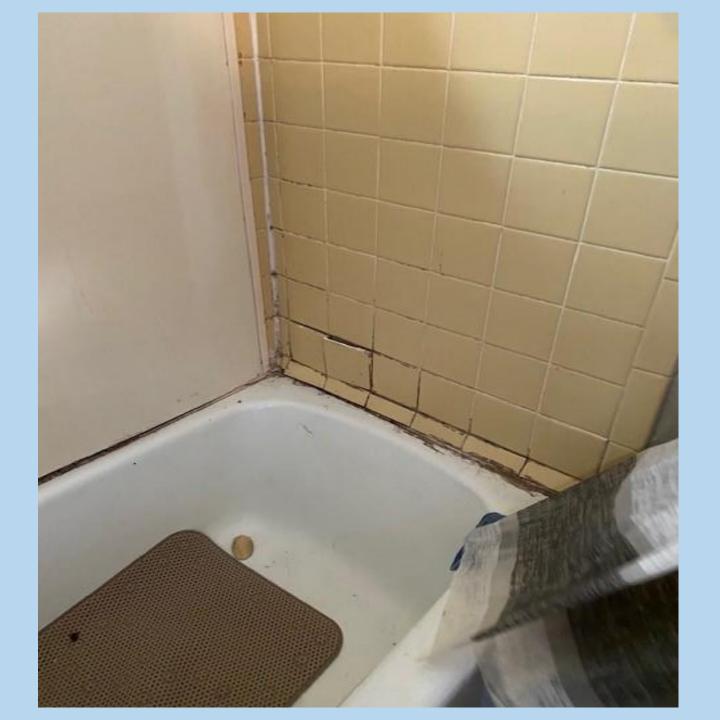




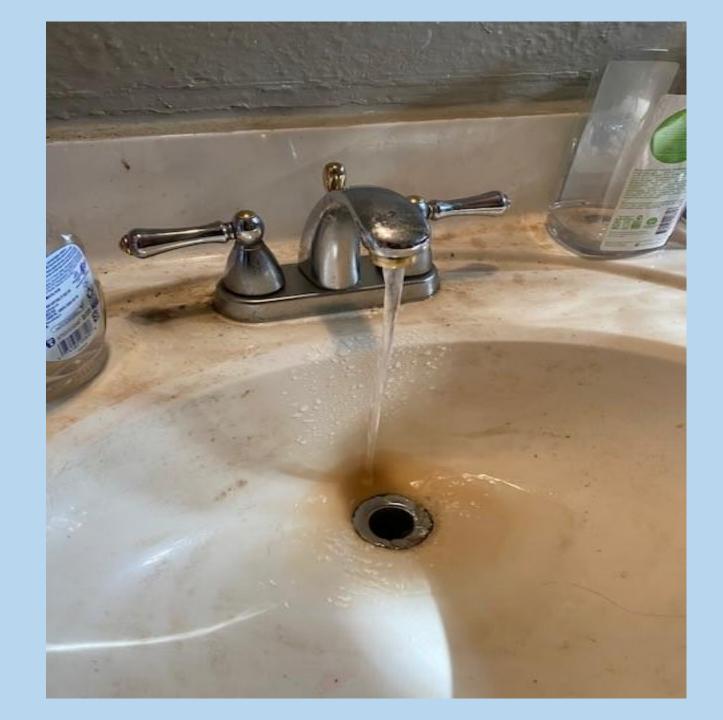












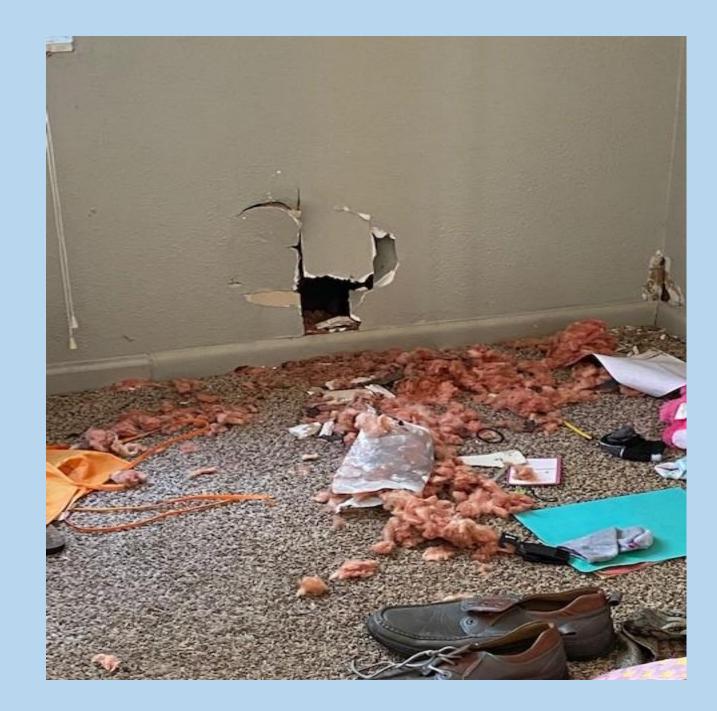




















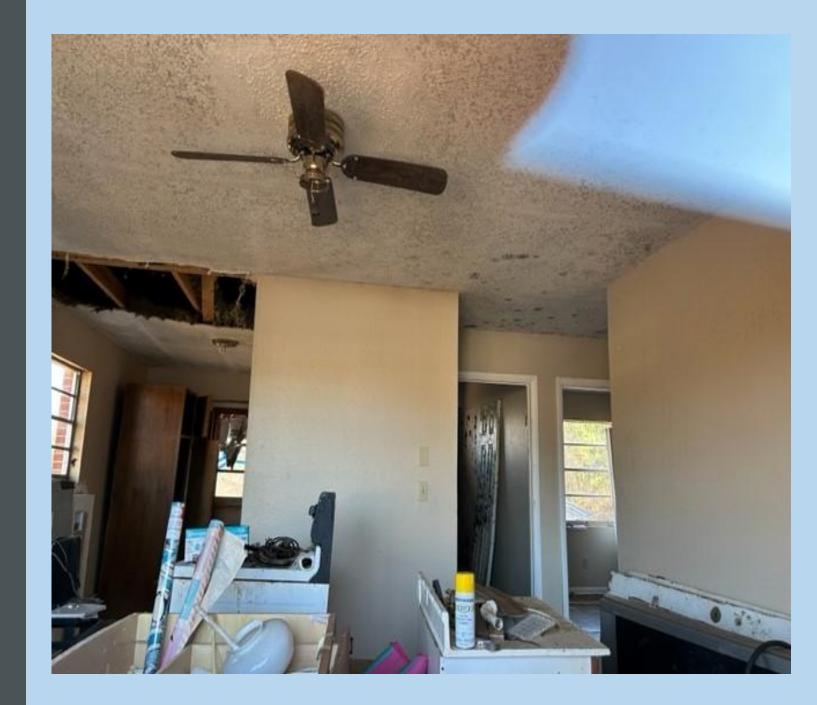












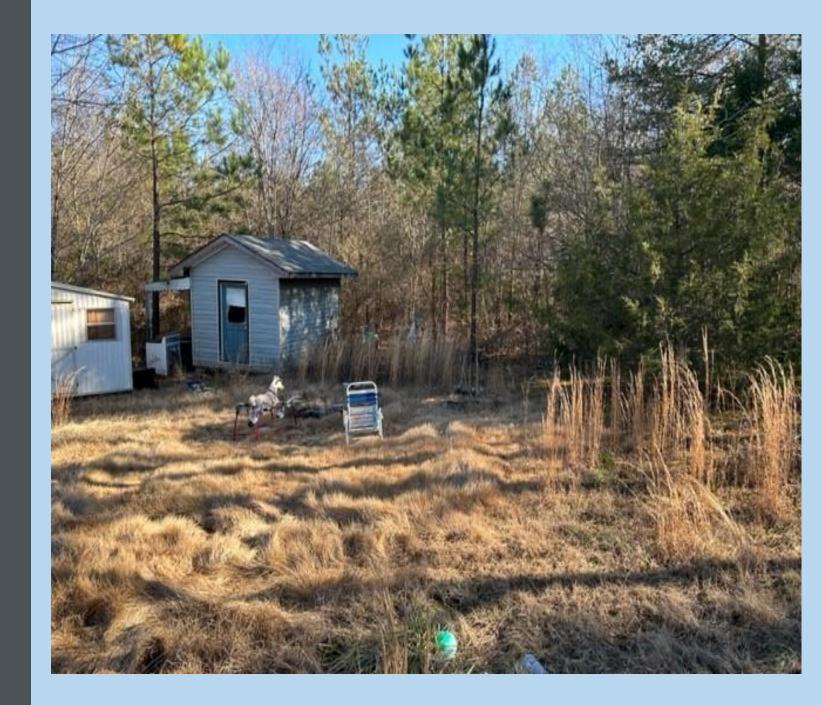




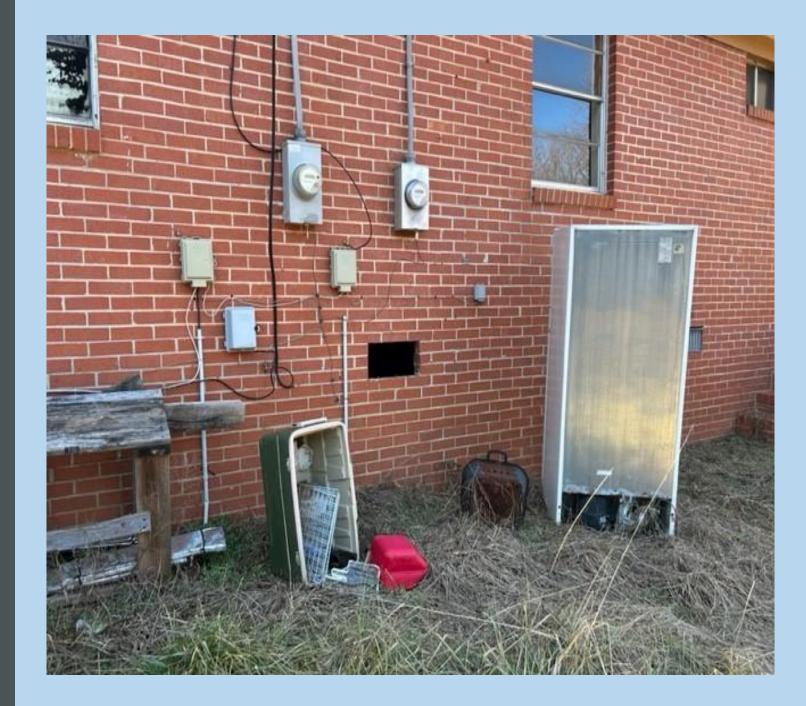




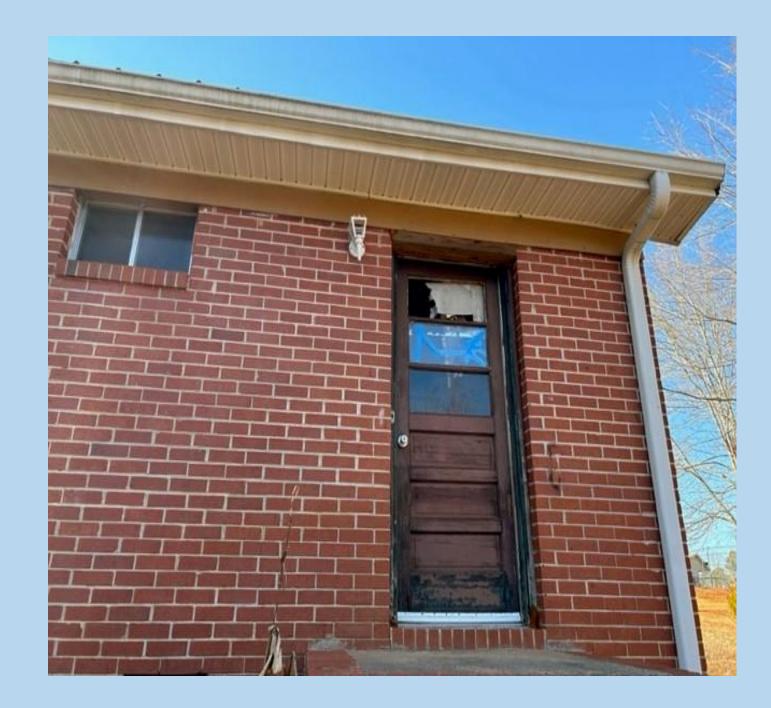












ACTION(S) THAT CAN BE TAKEN

IPMC § 107.3.3 POSTING

• The City can post or door-tag a copy of the notice in a conspicuous place and the owner shall be deemed to have been duly notified on the 30th day after the posting

IPMC § 108.2 VACANT STRUCTURES

• If the structure is vacant and unfit for human habitation, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance.....

IPMC § 108.2.5 REHABILITATION OF BOARDED STRUCTURE

 Vacant apartments can be condemned and boarded up by the City and the owner will have six (6) months to bring the property in to compliance

IMPC § 108.6 ABATEMENT METHODS

• Shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action

IPMC § 110.1 DEMOLITION (GENERAL)

 ...any structure...which is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure

CODE ENFORCEMENT RECOMMENDATION

- Sending of another certified mail letter (formal notice) to the owner to bring the property in to compliance
- Posting of said notice on the property under IPMC §108 Unsafe Structures
- Thirty (30) days after posting of notice, current occupants asked to vacate the premises and all apartments condemned and boarded up.
- The owner will have six (6) months to take corrective action to remedy all issues set forth
- If no action taken, the City may seek remedies as provided by this code (IPMC), local ordinances or state law including, but not limited to, demolition and removal of the structure

QUESTIONS YOU MAY HAVE...

- 1. Why this property? What about the other properties in town that need attention?
 - A. There are other actions being taken on the other properties in town (Old College St School, Riley St mobile homes etc) however, we prioritized this property for the health and safety of its current occupants.
- 2. What are we, as the City, going to do to help the current occupants?
 - A. I talked with them in January about this and the possibility of condemning the property. Once the property is posted, they will have an additional thirty (30) days to vacate. I have already spoken with South Carolina Regional Housing Authority and obtained paperwork for them to apply for housing.

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ANY OTHER QUESTIONS?

