

MINUTES
WESTMINSTER CITY COUNCIL
Regular Scheduled Meeting
Tuesday, August 8, 2023

The City Council of the City of Westminster met in a regular scheduled meeting on Tuesday, August 8, 2023, at 6:00 pm at the Westminster Fire Department 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
 Assistant to the City Administrator, Reagan Osbon
 City Clerk, Rebecca Overton
 Police Chief, Matt Patterson
 Fire Chief, Michael Smith
 Utility Director, Kevin Harbin
 City Attorney, Andrew Holliday
 Members of the public and press

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

Brandy Monds of Upstate SC Get Snacked informed Council that her group would like to hold two events at the Depot: a Jeep Fest Event in November and a Santa Shop in December. She stated that more details would be forth coming along with Event Applications.

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Comments from the Mayor and Council

Mr. Glymph reminded everyone of the Veteran Freedom Festival scheduled for August 12 on Main Street. Mrs. Snipes thanked Herb Poole for recent efforts with securing lunch meals for area children after the School District lunch stopped. She added that she was very proud of everyone's efforts to come together to be able to continue the meals and thanks several groups and private citizens who helped with the cause. Mayor Ramey mentioned that the West-Oak Booster Club was requesting a Homecoming Parade for September 17 with a pep rally to follow. There was no opposition from Council. Mayor Ramey also stated that there had been several complaints about the homeless situation around town. Other Council Members agreed that there were some issues and that maybe addressing it now would prevent larger problems in the future. Mr. Bronson suggested that Council could possibly work together with sister cities and the County to bring attention to the homelessness issue and looks for solutions together.

Routine Business

1. Approval of the June 13, 2023, Regular City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to *approve the June 13, 2023, 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. Comments from the Utility Director

- a. Mr. Harbin informed Council that the downtown sidewalks had been pressure washed and cleaned. He also stated that the parking spaces would be restriped.
- b. Mr. Harbin informed Council that the roof at the Depot had recently been cleaned.

3. Comments from City Administrator

- a. Mr. Bronson informed Council that a pre-construction meeting was held for the USDA Capital Water Project and that the notice to proceed construction had been issued.

- b. Mr. Bronson informed Council that staff would be holding a non-mandatory pre-bid meeting at the Anderson Park site on August 11 at 11:00 and that a notice to proceed construction notice could be potentially issued around mid-September.
- c. Mr. Bronson informed Council that staff is still working on finalizing the new city website and that completion is expected within the next few months.
- d. Mr. Bronson informed Council that the Recreation Planning Committee met to discuss grant options for restrooms, playground equipment, and other components of the Recreation Comple Plan. He added that hopefully an award for the Phase I Field Project would be issued by October.
- e. Mr. Bronson informed Council that the Special Events Committee would be meeting on August 16 at 2:00 to discuss upcoming events and ideas.

Old Business

1. Consideration of Second Reading of Ordinance #2023-08-08-01 City of Westminster; An Ordinance Amending Section 50.01 of the City of Westminster Code of Ordinances Regarding the Annexation of Properties Located Outside of the City as a Condition to for the City to Provide Certain Utility Services, and Other Matters Related Thereto.

Mr. Bronson reminded Council that in May of 2021, Council passed Ordinance No. 2021-05-11-01 stipulating the use of annexation covenants when approving electric, water or sewer service(s) of properties located out of the City. He added that staff was presenting consideration of changes at the suggestion of legal counsel for two reasons:

- A. Electric service is removed from the language. This will simplify future considerations of potential operations and/or maintenance agreements with a third party (i.e., removal of electric service simplifies future contractual agreements).
- B. Insertion of language to clarify the intent and practice of collecting annexation covenants for “New Services.”

Mr. Bronson clarified that the three documents offered for this item are: the first is the Ordinance which amends the City Code (edits are noted to the right side of the page); the second is a revised Declaration of Annexation Covenants which is used when a service agreement is accepted; and the third is an edited version of Section 50.01 of the City’s Code (edits are noted on the right side of the page).

Upon a motion by Mr. Dunn and seconded by Mr. Powell, the motion to *approve Second Reading of Ordinance #2023-08-08-01 City of Westminster; An Ordinance Amending Section 50.01 of the City of Westminster Code of Ordinances Regarding the Annexation of Properties Located Outside of the*

City as a Condition to for the City to Provide Certain Utility Services, and Other Matters Related Thereto passed unanimously.

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

New Business

1. Consideration of First Reading of Ordinance # 09-12-2023-01; An Ordinance to Rezone a Certain Parcel in the City of Westminster from R-25 (One-Family Residential) to MFR (Multi-Family Residential).

Mr. Bronson informed Council that the Westminster Planning Commission met on Monday, July 17, 2023, to consider Zoning Amendment Application 2023-001 by Jonathan Terry for 104 Highlands Ave from R-25 to MFR. Mr. Bronson added that the applicant presented site plans to the commission and stated that he planned to develop duplexes and small, high density single-family units on the 11.5 Acre property.

Mr. Bronson added that the Commission asked questions about greenspace, density of units, and continuity of adjacent properties. Applicant said that he intended to incorporate greenspace into the final design plan, likely around the currently abandoned home on the property at the end of Dickson Street.

Mr. Bronson informed Council that the Commission recommended approval of the Application, by a vote of 5-0 (unanimous).

Upon a motion by Ms. May and seconded by Mrs. Reese, the motion to ***approve First Reading of Ordinance # 09-12-2023-01; An Ordinance to Rezone a Certain Parcel in the City of Westminster from R-25 (One-Family Residential) to MFR (Multi-Family Residential)*** passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes
Reese	Second	Yes

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May	Motion	Yes
Dunn		Yes
Snipes		Yes

2. Consideration of First Reading of Ordinance No. 09-12-2023-02; An Ordinance to Rezone a Certain Parcel in the City of Westminster from R-15 (One-Family Residential) to MFR (Multi-Family Residential).

At this time Mrs. Reese left the room to recuse herself from the vote and discussion since her Church, Westminster Presbyterian Church, is involved with the Westminster Hope ComeUnity.

Mr. Bronson informed Council that the Westminster Planning Commission met on Monday, July 17, 2023 to consider Zoning Amendment Application 2023-002 by the City of Westminster for 115 Riley Ave from R-15 to MFR. He added that the City, applicant and owner, has agreed to convey the property to Westminster Hope ComeUnity, a local nonprofit group, contingent upon rezoning to MFR. Westminster Hope ComeUnity seeks to use the vacant lot, formerly the City Recycling Center, to build three small single-family homes for individuals and families who are without a home for several months while they prepare for and find a permanent residence.

Mr. Bronson informed Council that the Commission did not recommend approval of the application to council, and members cited concerns about location (proximity of a vulnerable population to the HUD supported housing) and ability of the organization to properly manage the project (citing inexperience, not intention as a basis). Mr. Bronson added that the Commission vote was 2-2 (1 abstention).

Upon a motion by Mr. Dunn and seconded by Mr. Powell, the motion to ***approve First Reading of Ordinance No. 09-12-2023-02; An Ordinance to Rezone a Certain Parcel in the City of Westminster from R-15 (One-Family Residential) to MFR (Multi-Family Residential)*** failed 4-2.

Member	Motion	Vote
Ramey		No
Glymph		No
Powell	Second	Yes
Reese		Recusal
May		No
Dunn	Motion	Yes
Snipes		No

3. Consideration of First Reading of Ordinance # 09-12-2023-03; Authorizing an Equipment Lease Purchase Agreement in the Amount of not Exceeding \$540,000 Between the City Of Westminster, South Carolina, And First Citizens Bank & Trust Company, to Defray the Cost of Acquiring Certain Equipment; and Other Matters Relating Thereto.

Mr. Bronson reminded Council that the FY2023-2024 Annual Budget includes the equipment listed below to be purchased using lease-purchase financing. He added that First Citizens Bank offers a competitive lease-purchase financing product that meets the requirements of South Carolina law for municipal financing.

Equipment Estimated Cost

Two (2) Police Vehicles	\$ 90,000
One (1) Public Works Vehicle	\$ 44,045
One (1) Water Pickup	\$ 46,000
One (1) Sewer Tractor	\$ 55,000
One (1) Leaf Truck	\$277,000

TOTAL ESTIMATED COST \$512,045

Mr. Bronson added that the not-to-exceed lease-purchase financing of \$540,000 includes closing costs and that the final amount will be determined at closing.

Upon a motion by Mrs. Snipes and seconded by Mr. Glymph, the motion to ***approve First Reading of Ordinance # 09-12-2023-03; Authorizing an Equipment Lease Purchase Agreement in the Amount of not Exceeding \$540,000 Between the City Of Westminster, South Carolina, And First Citizens Bank & Trust Company, to Defray the Cost of Acquiring Certain Equipment; and Other Matters Relating Thereto*** passed unanimously.

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

4. Consideration of First Reading of Ordinance #09-12-2023-04; An Ordinance to Establish a Registration for Vacant and Abandoned Buildings, to Amend the City's Code of Ordinances in Connection Therewith, and Other Matters Related Thereto

Mr. Bronson informed stressed to Council that vacant properties have a greater potential than occupied properties to cause significant and costly problems for the City. He added that these properties often require greater levels of service from law enforcement, codes enforcement, and other City services and, thereby create a financial burden for the City and detract from the quality of life of the surrounding neighborhoods and the City as a whole. Mr. Bronson also stressed to Council that vacant properties have a greater likelihood of becoming unsightly, structurally unsound, and otherwise dangerous.

Mr. Bronson informed Council that the mechanism for addressing these types of properties is a registry system that compels property owners to register their properties with the City and includes a fee schedule.

Upon a motion by Mrs. Reese and seconded by Mr. Dunn, the motion to ***approve First Reading of Ordinance #09-12-2023-04; An Ordinance to Establish a Registration for Vacant and Abandoned Buildings, to Amend the City's Code of Ordinances in Connection Therewith, and Other Matters Related Thereto*** passed unanimously.

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

5. Consideration of Resolution #08-08-2023-01; A Resolution Adopting the Emergency Operations Plan and Emergency Preparedness Guidelines; and Other Matters Related Thereto

Mr. Bronson reminded Council that on November 15, 2022, City Council adopted the City of Westminster Emergency Operations Plan and Emergency Preparedness Guidelines (EOP). He added that in March 2023 the Multi-Jurisdictional Hazard Mitigation Plan, Anderson and Oconee County was adopted.

Mr. Bronson also informed Council that this Resolution strengthens the City’s EOP by incorporating the Multi-Jurisdictional Hazard Mitigation Plan Anderson and Oconee County as part of the City’s emergency preparedness plans and that these collective plans would establish procedures for any man-made disaster or natural disaster.

6. Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to ***approve Resolution #08-08-2023-01; A Resolution Adopting the Emergency Operations Plan and Emergency Preparedness Guidelines; and Other Matters Related Thereto*** passed unanimously.

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

7. Consideration of Resolution #08-08-2023-02; A Resolution Approving the Execution and Delivery of a Membership Agreement Between the City of Westminster and the South Carolina Association of Municipal Power Systems (“Scamps”); Approving the Execution and Delivery of a Services Agreement Between Scamps and the Municipal Association of South Carolina; and Other Matters Related Thereto

Mr. Bronson reminded Council that the city is a member of the South Carolina Association of Municipal Power Systems (SCAMPS). He also added that at the SCAMPS Annual Meeting on June 6, 2023, 16 of the 20 SCAMPS members approved in concept the SCAMPS Membership and Services Agreements, subject to the approval of their elected board or council. Of note is SCAMPS plans to hire a full-time staff member, which will be managed by the Municipal Association of South Carolina (MASC).

Mr. Bronson informed Council that Westminster’s previous dues were \$451.50 per year and under the new agreement Westminster’s dues will increase to \$2,370.76 for the first of a three-year agreement. Dues will then increase to \$2,430.03 for FY2025 and \$2,490.78 for FY2026.

Upon a motion by Mr. Dunn and seconded by Mrs. Reese, the motion to ***approve Resolution #08-08-2023-02; A Resolution Approving the Execution and Delivery of a Membership Agreement Between the City of Westminster and the***

South Carolina Association of Municipal Power Systems (“Scamps”); Approving the Execution and Delivery of a Services Agreement Between Scamps and the Municipal Association of South Carolina; and Other Matters Related Thereto passed unanimously.

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

- 8. Consideration of an action to designate the proceeds of \$71,500 payment from Pioneer Rural Water District of Oconee and Anderson Counties for 3.7 mile water line.

Mr. Bronson reminded Council that at the September 13, 2022, City Council Meeting, the Council approved an Agreement for the Transfer of Water Line to Pioneer Rural Water District of Oconee and Anderson Counties for \$71,500 for a “water line running 3.7 miles from the intersection of Hwy 24 and S. Hampton St. (34.64830 – 83.07407) to the intersection of Fire Tower Rd. and Hwy 24. (34.61092 – 83.03943) in Westminster.” He added that on June 22, 2023, City staff received the payment for the transaction and that the funds from this transaction are not budgeted for revenue in the FY2023-2024 Annual Budget.

Mr. Bronson asked Council to consider:

- 1) Receive the funds with no additional action thereby allowing the fund balance of water system fund (the Combined Utility Fund) to increase.
- 2) Designate the funds for a particular project or other endeavor.
- 3) Another action as Council may direct.

Upon a motion by Mrs. Snipes and seconded by Ms. May, the motion to *designate the received payment of \$71,500.00 from Pioneer Rural Water to be used for the Hall Road Recreation Complex water lines and related materials* passed unanimously.

Member	Motion	Vote
Ramey		Yes
Glymph		Yes
Powell		Yes

Reese	Second	Yes
May	Second	Yes
Dunn		Yes
Snipes	Motion	Yes

9. Consideration of proposal from Seamon Whiteside (SW+) for Westminster Downtown Streetscape Improvements | Phase I

Mr. Bronson reminded Council that the 2023 downtown master plan was accepted by City Council on April 18, 2023, and that the plan includes a renovated streetscape for Main Street and the side streets in between Main Street and Windsor Street for the length of the downtown. He added that staff is currently working on grant applications for Community Development Block Grant (CDBG) funds and Appalachian Regional Commission (ARC) funds to pay for the construction of the anticipated Phase I which this proposal contemplates.

Mr. Bronson informed Council that in order to be prepared to execute the construction of the streetscape renovations after funding is secured, the streetscape must be designed and engineered and that the attached proposal fees from SW+ are:

Division 1: Schematic Design (30% Design)	\$19,500
Division 2: Design Development (60% Design)	\$23,000
Division 3: Construction Documents	\$49,000
Division 4A: Permitting Coordination	\$17,500
Division 4B: Railroad Permitting Coordination	\$ 7,500
Division 5: Bidding and Negotiation	\$ 6,000
Division 6: Construction Phase Services	Hourly
Division 7: Coordination Meetings/Conference Call	Hourly

One other professional design and engineering service firm was asked to prepare a price proposal, it did not submit one.

Upon a motion by Mr. Dunn and seconded by Mr. Glymph, the motion to *approve the proposal from Seamon Whiteside for Westminster Downtown Streetscape Improvements | Phase I* passed unanimously.

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

Dunn	Motion	Yes
Snipes		Yes

10. Mobile Stage for Cross Hill Fellowship

Mr. Bronson informed Council that Cross Hill Fellowship had requested to use the mobile stage on October 1, 2023. He added the stage was available that day but reminded Council that they must approve outside city limit usage.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve use of the mobile stage to Cross Hill Fellowship and waive all fees associated with the use* passed unanimously.

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

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).

- (1) Contractual agreements between the City of Westminster and Oconee County regarding Fire Service

Upon a motion by Mr. Glymph and seconded by Mrs. Reese, the motion to *enter executive session* passed unanimously.

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

Adjourn

Upon a motion by Mayor Ramey and seconded by Mrs. Reese, the motion *to adjourn the meeting at 8:00 pm* passed unanimously.

(Minutes submitted by Rebecca Overton)

Mayor Brian Ramey

Date

August 8, 2023