

MINUTES  
WESTMINSTER CITY COUNCIL  
Regular Scheduled Meeting  
Tuesday, December 9, 2021

The City Council of the City of Westminster met in a regular scheduled meeting at the Westminster Fire Department on Tuesday, December 9, 2021 at 6:00 pm with Mayor Brian Ramey presiding. Those in attendance were:

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

City Administrator, Kevin Bronson  
Utility Director, Leigh Baker  
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 Brian Ramey called the meeting to order at 5:00 pm.

Invocation and Pledge of Allegiance

Rev. Audrey Reece led the Council in the invocation and the Pledge of Allegiance.

Certification of Quorum

The City Clerk certified a quorum.

Presentation to the 2021 South Carolina State Champions 12 & under All Star Volleyball team  
Mayor Ramey presented each participant and the coaches with a certificate of congratulations.

Public Comments

There were no public comments.

Comments from the Mayor and Council

Mr. Duncan stated that even though Reid Adams could not be here tonight, he wanted to express his appreciation to him. Reid was always prepared for the meetings and he did a good job. Mr. Adams had served 16 years on Council.

Public Hearing: Adoption of the International Property Maintenance Code

Upon a motion by Mr. Chastain and seconded by Mr. Duncan, the motion *to open the public hearing* passed unanimously.

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Hearing no comments, a motion was made by Mr. Duncan and seconded by Mr. Cater, the motion *to close the public hearing* passed unanimously.

Public Hearing: Annexation of 9300 Long Creek Hwy (tax map #234-01-02-016)

Upon a motion by Mr. Chastain and seconded by Mr. Duncan, the motion *to open the public hearing* passed unanimously.

Hearing no comments, a motion was made by Mr. Cater and seconded by Mr. Duncan, the motion *to close the public hearing* passed unanimously.

Old Business

1. Second Reading of Ordinance #2021-12-09-01; An Ordinance of the City of Westminster, South Carolina enacting the International Property Maintenance Code and thereby amending and restating Title IX, Chapter 93 of the City's Code of Ordinances; enacting certain standard technical codes and thereby amending and restating Title IV, Chapter 150 of the City's Code of Ordinances and amending Title V, Chapter 52 of the Code of Ordinances; adding certain municipal officials and enforcement authorization thereby amending Title II, Chapters 31 and 36 and other matters related thereto

Mr. Bronson introduced this ordinance and was asked for some clarification by Mr. Mefleh. Mayor Ramey also stated that he would like to have a committee to review the code.

Upon a motion by Mr. Duncan and seconded by Mr. Chastain, the motion *to approve the second reading of Ordinance 2021-12-09-01; An Ordinance of the City of Westminster, South Carolina enacting the International Property Maintenance Code and thereby amending and restating Title IX, Chapter 93 of the City's Code of Ordinances; enacting certain standard technical codes and thereby amending and restating Title IV, Chapter 150 of the City's Code of Ordinances and amending Title V, Chapter 52 of the Code of Ordinances; adding certain municipal officials and enforcement authorization thereby amending Title II, Chapters 31 and 36 and other matters related thereto* passed unanimously.

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

2. Second Reading of Ordinance #2021-12-09-02; Annexation of property located at 9300 Long Creek Hwy, tax map number 234-01-02-016, and assigning the zoning classification as R-25

Upon a motion by Mr. Duncan and seconded by Mr. Mefleh, the motion *to conduct the second reading of ordinance 2021-12-09-02; Annexation of 9300 Long Creek Hwy, tax map number 234-01-02-016* passed unanimously.

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

3. Second Reading of Amending Ordinance #2021-12-09-03; To amend Ordinance #2021-08-10-01 enacted on August 10, 2021, which authorized an equipment lease purchase agreement in the amount of not exceeding \$525,000 between City of Westminster, South Carolina, and Truist Bank, a North Carolina Banking Corporation; adding additional equipment for which the lease proceeds may be expended; and other matters relating thereto

*Upon a motion by Mr. Chastain and seconded by Mr. Duncan, the motion to approve the amending ordinance no. 2021-08-10-01 enacted on August 10, 2021, which authorized an equipment lease purchase agreement in the amount of not exceeding \$525,000 between City of Westminster, South Carolina, and Truist Bank, a North Carolina banking corporation; adding additional equipment for which the lease proceeds may be expended; and other matters relating thereto passed unanimously.*

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

4. Second reading of Ordinance 2021-12-09-04; Budget amendment Two to amend the FY2021/20211 Annual Budget by \$25,000

*Upon a motion by Mr. Duncan and seconded by Mr. Mefleh, the motion to conduct the second reading of ordinance 2021-12-09-04; amendment #2 of the FY2021/2022 Annual Budget passed unanimously.*

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

## New Business

1. Approval of the City Council regular meeting schedule for calendar year 2022.

City Council reviewed the 2022 regular meeting calendar and made a few modifications. Those modifications are as followed; Move May 10<sup>th</sup>, 2022 meeting to May 17<sup>th</sup>, July 12<sup>th</sup> meeting will either be canceled or rescheduled if needed, December 13<sup>th</sup> meeting to December 6<sup>th</sup>. All meetings will begin at 6:00pm.

Upon a motion by Mr. Duncan and seconded by Mr. Chastain, the motion *to approve the 2022 regular meeting City Council schedule as amended* passed unanimously.

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

2. Resolution Celebrating the Accomplishments of Senator Thomas Alexander

This topic was postponed until the January meeting.

3. Discussion of the Oconee Joint Regional Sewer Authority Board and Capital Improvement Program

Mr. Bronson stated that the OJRSA adopted a priority list of projects and he presented that list to the Council. Mr. Bronson informed Council that the list consist of 11 projects at a total of fifty million dollars. Funding for the projects will come from grants and loans.

However, the current pending lawsuit will inhibit the Board from obtaining the necessary funding and an increase in sewer rates will likely happen next year. Also pending is the consent order from DHEC that some of the projects on the list will address.

4. First reading of Ordinance 2022-01-11-01; Budget amendment Three to amend the FY2021/2022 Annual Budget

The FY2021/2022 Westminster Utility Budget includes a Meter Fee which is charged to all customers using the Automated Meter Reading System. The fee is \$7.00 for each water meter and each electric meter. In the event a water and electric meter are on the same account, then only one fee is charged. If there are multiple locations then multiple \$7.00 fees are applied. That fee is charged to inside and outside City customers. The budgeted revenue for this fee is \$308,119. The average monthly revenue is \$25,677. In order to remove the fee, the following usage increases are proposed;

Inside City:

- a. Remove the meter fee
- b. No rate increase

Outside City:

- a. Remove the meter fee
- b. 10% increase to the base fee
- c. 24.95% increase to the per/1000 gallons

The fee, if it passes, would not go into effect until the March 2022 billing.

Mr. Cater stated that his job is to look out for the citizens of Westminster, not that he isn't concerned with outside customers. Water outside, even at these rates, is a cheap commodity based on the alternative. The hardest part of this job, in his opinion, is to raise rates or taxes. When you do have to raise them you have to look at it with a common sense point of view. We cannot go without this revenue and we would do our inside customers a disservice if we tried to spread this thing any other way.

Mr. Chastain stated that he was not against the increase but suggested spreading it around, for example, charging 75% on outside customers and 25% on inside customers, using their consumption. He felt this increase was a lot and that Seneca had done the same thing with water to outside customers. We need people, those people, to come into town. They do everything and participate, do we need to annihilate them by charging them this much.

Mr. Mefleh stated that people will like the idea of having the \$7 fee removed. He did not think anyone will see anything except this fee being removed, it's positive. Mr. Mefleh encouraged people to conserve in order to keep their bill down.

Mayor Ramey stated that what everyone needs to do is realize we have to pay for services we get, what we use, and what it takes for someone to provide those services to us. We have had this discussion before, but based on the math, we have 1,117 customers inside the city, that is 31 customers per mile. We have 2,168 customers outside the city, which is only 16 customers per mile. Its common sense, no one can dispute that if you only have 16 customers per mile to maintain, they would pay more.

Mayor Ramey stated that we are looking at a huge water improvement project that will be 90% outside the city limits. He didn't know how we can avoid the increase. We are not picking on outside customers, but they cost more to serve.

Mr. Cater followed up with no one likes increases. But if you gave these numbers to a new customer that was struggling with digging a well, trying to get water to their house, they would welcome these rates with open arms. Whenever existing customers get an increase, people get aggravated and perturbed, himself included. What he doesn't want to do is raise taxes in the city to off-set this.

Mr. Duncan stated that he did not like increases rates either, but that our biggest users are the outside customers.

After the discussion, a motion was made by Mr. Duncan and seconded by Mr. Cater, the motion *to conduct the first reading of Ordinance #2022-01-11-01* passed unanimously.

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

5. Consideration to authorize the City Administrator to execute a Conflict Waiver for Pope Flynn, LLC regarding OJRSA

Pope Flynn, LLC represents the City of Westminster on various legal matters. Pope Flynn, LLC also represents the Oconee Joint Regional Sewer Authority (OJRSA). The OJRSA Board as requested by Pope Flynn, LLC collaborate with Larry Brandt to provide an opinion regarding the Board's representative make-up. Pope Flynn, LLC is requesting the conflict waiver be executed in order to provide an unbiased and fulsome opinion as requested.

Upon a motion by Mr. Duncan and seconded by Mr. Cater, the motion *to authorize the City Administrator to execute the Waiver of Conflict for Pope Flynn, LLC dated December 8, 2021* passed unanimously.

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

#### Routine Business

1. Approval of the October 5, 2021 Called Meeting minutes and the November 9, 2021 Regular Meeting minutes.
  - a. Upon a motion by Mr. Chastain and seconded by Mr. Cater, the motion *to approve the October 5, 2021 Called Meeting Minutes* passed unanimously.
  - b. Upon a motion by Mr. Duncan and seconded by Mayor Ramey, the motion *to approve the November 9, 2021 Regular Meeting Minutes as amended* passed unanimously.

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## 2. Comments from the Utility Director

- a. Mr. Baker stated that the Water Plant is doing well. He is currently looking into taking the apple water tower out of service but more information still needs to be gathered before a recommendation to Council is made.
- b. Public Works is struggling since they are down personnel.
- c. Sewer and Water is still hiring for open positions.
- d. Repair work was completed at the intersection of Gray St. and Abbey. This has fixed a large I & I issue.
- e. Electric crew is still battling squirrels and they have ordered wraps for the polls to help with the issue. They are also working on underground conversion from overhead. They are continuing working on fixing lights throughout town.
- f. A Vegetation Tree Trimmer has been interviewed and should be starting early January.
- g. The electric crew will be receiving their training from Electric Cities going forward.

## 3. Comments from City Administrator

- a. Mr. Bronson reminded Council of the January 24, 2021 workshop from 2:00-4:00 pm. at the Depot. This will be a City Council and Planning Commission Workshop on the Zoning Ordinance
- b. City Council Strategic Workshop for four (4) hours with the MASC Representative Jeff Shaker is set for January 25 and February 15 both from 12-4 at the Depot.
- c. January 4<sup>th</sup>, 2022 will be the swearing in ceremony for Mr. Powell, Mr. Mefleh and Mr. Glymph at 4:00 at the Depot.
- d. Mr. Bronson informed Council that there are two grants that is being worked on for the City. The first is a Recreation Trails Program that is funded by State PRT monies. He will be using the Seamon/Whiteside conceptual drawings of the Hall Street Recreation Complex with the application. This is a \$100,000 grant with a 20% match. The matching portion of the grant can be done with volunteer credit and staff. The second grant is a SC Department of Commerce grant. This grant would help fund a downtown area master plan. Several grants require a master plan be submitted when applying for grants. Having this completed would open up several grants to the City. This grant is a 50/50 match. A quote of \$64,000 was received for a design concept to be done. Mr. Chastain asked that we contact Clemson University to see if by using their students in order to save money.

## Executive Session

1. Upon a motion by Mayor Ramey and seconded by Mr. Cater, the motion *to enter into an Executive Session for the purpose of section 30-4-70(a)(2) to receive legal advice for a potential contractual matter* passed unanimously.
2. Upon a motion by Mr. Duncan and seconded by Mr. Mefleh, the motion *to exit executive session and re-enter regular session* passed unanimously.
3. Upon a motion by Mr. Duncan and seconded by Mr. Mefleh, the motion *to authorize the City Administrator to enter into a contract with Willoughby & Hoefer, P.A. to represent the City in the matter regarding the potential lawsuit regarding the OJRSA* passed unanimously.

## Adjourn

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Upon a motion by Mr. Mefleh and seconded by Mr. Powell, the motion *to adjourn the meeting at 8:24pm* passed unanimously.

(Minutes prepared by Jennifer Adams)

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Mayor Brian Ramey

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Date