

MINUTES
WESTMINSTER CITY COUNCIL
Regular Scheduled Meeting
Tuesday, November 14, 2023

The City Council of the City of Westminster met in a regular scheduled meeting on Tuesday, November 14, 2023, at 6:00 pm at the Westminster Fire Department with Mayor Brian Ramey presiding. Those in attendance were:

Brian Ramey
 Jimmy Powell

Audrey Reese
 Adam Dunn

Daby Snipes
 Dale Glymph

Ruth May

City Administrator, Kevin Bronson
 Assistant to the City Administrator, Reagan Osbon
 City Clerk, Rebecca Overton
 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

David Cooper of 200 Walhalla Street spoke to Council and reminded them that he had concerns with the four way stop sign in his neighborhood. He added that since addressing the issue with Council last month that he had seen an increase in police presence and there had been some responses to speeders in the area. Mr. Cooper thanks the officers for the timely responses and asked Council to look for ways to increase the police force and make the department a priority.

November 14, 2023

Frankie Pearson addressed Council with concerns over the lack of American flag decorations for Veterans Day. He added that he was very disappointed, and that cost should not be a concern when it comes to showing appreciation to Veterans.

Comments from the Mayor and Council

Mayor Ramey congratulated the members of Council who were re-elected on election day. He also thanked them for their willingness to serve. Mr. Glymph also offered his congratulations to the members who were re-elected. Mrs. Reese stated that she had received several phone calls thanking the police for their work and services. Mrs. Snipes thanked everyone for their teamwork in making a successful Boo on Main and Veterans Day Parade.

Routine Business

1. Approval of the September 12, 2023, Regular City Council Meeting Minutes

Upon a motion by Mr. Glymph and seconded by Mr. Dunn, the motion to *approve the September 12, 2023, minutes* passed unanimously.

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

2. Approval of the October 10, 2023, Regular Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to *approve the October 10, 2023, minutes* passed unanimously.

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

3. Comments from the Utility Director

- a. Mr. Harbin informed Council that the USDA project was moving along, and the area of Dawn Drive had been completed. He added all homes in that area are connected to the new line.
- b. Mr. Harbin informed Council that crews had begun laying pipes at Dixon Road and DHEC was working on approvals. He added that staff had met with residents to put water tap signs up.
- c. Mr. Harbin informed Council that crews had been working on sewer right of way and clearing limbs from power lines.
- d. Mr. Harbin informed Council that the new leaf truck was fully operational and working great.
- e. Mr. Harbin informed Council that staff had contacted Ingles and they had hired a contractor to clear trees off power lines on their property on highway 123.

4. Comments from City Administrator

- a. Mr. Bronson informed Council that staff are still monitoring the water flow at the Chauga River. He added that the State had recently flew drones over the river to check for any obstructions but did not see any.
- b. Mr. Bronson informed Council that staff are waiting on the final survey of Anderson Park and then the designer will finish designs and resubmit project for bid.
- c. Mr. Bronson informed Council that Mr. Osbon is communicating and meeting with the Planning Commission Board and Zoning Board on a regular basis. He added that both boards will need to have new appointments and reappointments for current members and that would be on the December meeting agenda.
- d. Mr. Bronson reminded Council that Saturday, November 18th would be a clean up day in the S. Piedmont Street area. He added that crews would bring in a dumpster and residents in the area can utilize it to throw away unwanted items.
- e. Mr. Bronson informed Council that Oconee County will soon stop doing building inspections for the city. He added that there is a third party state approved vendor that he will be reaching out to for a contract to do the city building inspections as needed.
- f. Mr. Bronson informed Council that the city did not receive the RIA Grant award for the Unity Church Road water tank. He added he will be reaching out RIA staff to learn why.
- g. Mr. Bronson informed Council that the city had received a SC Emergency Management Division Grant award of \$257,000.00 for four generators. He added that they will placed at City Hall, the Utility Shop, Apple Tower pump station, and the highway 76 pump station.

- h. Mr. Bronson informed Council that the city had received an Energy Grant of \$10,000 to put LED lights downtown. He added this will brighten up downtown and make it more energy efficient.

Old Business

1. Consideration of Second Reading of Ordinance No. 2023-11-14-01; An Ordinance Authorizing the Execution and Delivery of a Non-Exclusive Franchise Agreement with Duke Energy Carolinas, LLC; and Other Matters Relating Thereto.

Mr. Bronson informed Council that the city has a Municipal Services Agreement (MSA) with Duke Energy Carolinas, LLC (Duke) for the electric services Duke provides in the corporate limits. He added that the current agreement was signed in May 2009 with a ten-year initial term with automatic renewal in five-year increments and that the MSA is set to expire/or auto renew on June 30, 2024. The MSA allows Duke a non-exclusive right to serve customers in the city limits and imposes a 4% franchise fee on the revenue generated from the service.

Mr. Bronson further added that Duke has requested an update to the MSA and that edits to the new MSA have been made by city attorneys Lawrence Flynn and Andrew Holliday and approved by Duke. Mr. Bronson added that the change of note is an increase in the franchise fee from 4% to 5% (to align with the city's self-imposed franchise fee).

Upon a motion by Mr. Dunn and seconded by Mrs. Reese, the motion to *approve second reading of Ordinance No. 2023-11-14-01; An Ordinance Authorizing the Execution and Delivery of a Non-Exclusive Franchise Agreement with Duke Energy Carolinas, LLC; and Other Matters Relating Thereto* passed unanimously.

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

2. Consideration Of Municipal Service Agreement for The Provision of Electric Service [with Duke Energy Carolinas, LLC]

Mr. Bronson informed Council that this agreement goes with the Franchise Ordinance between the city and Duke Energy.

Upon a motion by Mr. Dunn and seconded by Mr. Powell, the motion to ***approve the Municipal Service Agreement for the Provision of Electric Service with Duke Energy*** passed unanimously.

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

3. Consideration of Second Reading of Ordinance No. 2023-11-14-02; An Ordinance to Execute Real Property Sale Agreement

Mr. Bronson reminded Council that at the September 12, 2023, City Council Meeting Council considered a written offer by Mr. Mahlon Stoltzfus to purchase 0.2 acres, more or less, with attached personal property, as is located at 308 Fire Tower Rd (TMS 289-00-04-001) for \$3,500. He added that the subject property is adjacent to property owned by Mr. Stoltzfus and that Utilities Director Kevin Harbin has evaluated the site and the tank and reports neither the property nor the tank is used by the City. Mr. Bronson further added that this ordinance authorizes the sale of the property and then a Contract of Sale and Purchase would also require Council action.

Upon a motion by Mrs. Reese and seconded by Ms. May the motion to ***approve second reading of Ordinance No. 2023-11-14-02; An Ordinance to Execute Real Property Sale Agreement*** passed unanimously.

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

4. Consideration of Contract of Sale and Purchase; This Contract of Sale and Purchase by and between The City of Westminster and Mahlon Stoltzfus

Mr. Bronson informed Council that this is the Contract of Sale and Purchase described in the Real Property Sale Agreement Ordinance.

Upon a motion by Mr. Glymph and seconded by Mr. Powell, the motion to ***approve the Contract of Sale and Purchase*** passed unanimously.

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

5. Consideration of Second Reading of Ordinance 2023-11-14-03; An Ordinance to Amend Title XIII Chapter 130 of The Code of Ordinances for the City of Westminster

Mr. Bronson informed Council that this ordinance may be referred to as a “blanket trespass ordinance” and that the ordinance authorizes law enforcement to issue trespass notices to individuals on private property without express permission of the owner. He added that provision for a warning of trespass followed by a trespass notice, with subsequent sanctions, authorizes law enforcement to act. Mr. Bronson further added that private property owners may authorize law enforcement under the “blanket” provision to issue trespass notices to individuals that repeatedly trespass on private property without repeated approval of the property owner.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese the motion to ***approve second reading of Ordinance 2023-11-14-03; An Ordinance to Amend Title XIII Chapter 130 of The Code of Ordinances for the City of Westminster*** passed unanimously.

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

Snipes	Motion	Yes
--------	--------	-----

New Business

1. Consideration of Frist Reading of Ordinance No. 2023-12-12-01; An Ordinance to Repeal and Replace the Westminster Zoning Ordinance

Mr. Bronson reminded Council that at its October meeting, the Westminster Planning Commission approved a motion to recommend that the City repeal and replace its Zoning Code (Westminster Code of Ordinances §150: Building Regulation, §151: Zoning Code, and §152: Sign Regulations, along with accompanying appendixes other included material, collectively). He added that City Council helped create and write this zoning code, in tandem with staff and planning consultants. Mr. Bronson added that the below key items and changes were recommended by the Planning Commission:

Key Items

- Creation of new zoning districts: R-6 (smaller lots of 6,000 Sq ft or more), R-1 (lots of 1 Acre or more), and RR (lots of 6 acres or more, for “light agriculture and horticulture uses).
- Regulations for Short-Term Rentals to only residential districts, with additional regulation considerations.
- Allowances for Recreational Vehicle Parks in RR and Highway Commercial districts.
- New Mobile Home Parks Require Greenspace

Changes Made by Planning Commission

- Require new Mobile Homes to have brick skirting, as opposed to aluminum or fiberglass skirting. Existing parks will
- Allowance for additional parking at Fast-Food restaurants, from 1 space for every 50 Sq ft of floor space to 150 Sq ft.
- Change RR from 5 to 6 Acre Minimum to line up with US Forestry threshold for forestry tax exemptions.

Council discussed several concerns on the Zoning Ordinance and made some recommendations for changes.

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***approve Frist Reading of Ordinance No. 2023-12-12-01, as amended; An***

Ordinance to Repeal and Replace the Westminster Zoning Ordinance
passed unanimously.

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

2. Consideration of First Reading of Ordinance No. 2023-12-12-02; An Ordinance to Amend the Vacant Building Ordinance (No. 09-12-2023-04)

Mr. Bronson informed Council that currently, the vacant building ordinance (Ordinance No. 09-12-2023-04) calls for appeals to be directed to the Construction Board of Appeals. He added that Staff recommends that the ordinance be amended so that appeals are made to City Council (via written notification to the code enforcement officer), removing the need for the Construction Board of Appeals.

Upon a motion by Mrs. Snipes and seconded by Mr. Glymph, the motion to ***approve First Reading of Ordinance No. 2023-12-12-02; An Ordinance to Amend the Vacant Building Ordinance (No. 09-12-2023-04)*** passed unanimously.

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

3. Oconee Joint Regional Sewer Authority (OJRSA) Commissioners Appointments

Mr. Bronson informed Council that Legal Counsel for the Oconee Joint Regional Sewer Authority (OJRSA) recently informed members of the OJRSA Board of the need to re-appoint each Commissioner each year. He added that currently Mayor Brain Ramey and City Administrator Kevin Bronson serve as Westminster's two appointments to the Board. Mr. David Dial serves as the

member representing both Westminster and Walhalla. Mr. Bronson further added that Council would need to consider the reappointment of Mayor Ramey, Mr. Bronson and Mr. Dial.

Upon a motion by Ms. May and seconded by Mrs. Reese the motion to *appoint Brian Ramey and Kevin Bronson as Westminster’s representatives, and David Dial as the representative for both Westminster and Walhalla to the OJRSA Board for the term beginning January 1, 2024*, passed unanimously.

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

Additional Staff Committee Update

1. Special Events Committee Update

Mr. Osbon informed Council that the Special Events Committee met on November 1 for its regularly scheduled meeting. He added that the Veterans Day Parade was on Saturday, November 11 at 4:00pm. Mr. Osbon also stated that the Special Events Committee hosted a volunteer interest meeting on Monday, November 13 at the Depot to coordinate a Christmas decorating day with members of the community, to further involve members of the community into the Christmas Planning and Decorating processes.

Mr. Osbon informed Council that the SC Arbor Day Celebration will be on December 1 at 2:00pm and that the Lazy Daisy Garden Club will be planting Ginko Trees at City Hall.

Mr. Osbon informed Council that decorations for Christmas by staff will begin going up on November 20, 2023, and extending to Monday, November 27 if needed. He added that the Christmas Tree Lighting will be on Friday, November 1 at 6:00pm and will include performances from local choirs. Mr. Osbon also stated that the Christmas Parade will be held on Saturday, December 2 at 11:00am and staff is hosting sign-ups to help city staff and police prepare for the event and organize participants. He added there will be prizes given for 1st, 2nd, and 3rd floats, as well as most creative float. Mr. Osbon stated that the Depot will be decorated as well and will host several open house “Deck the Depot” events

throughout the weekends in the month of December and that Oconee County First Steps is contributing decorations and staffing the events.

2. Recreation Planning Committee Update

Mr. Bronson informed Council that the contract has been signed with the Sports Facility Company (SFC) to conduct a Market Opportunity Analysis and a Financial Feasibility Assessment. Mr. Bronson stated that city staff are working with the SFC staff to complete the Market Opportunity Analysis which is planned to be completed prior to beginning the Financial Feasibility Assessment.

Mr. Bronson also stated that the Committee also supported the city’s effort to apply for a Land & Water Conservation Fund (LWCF) grant to fund a covered picnic shelter which is planned to include restrooms, a concession stand and maintenance storage. He added that depending on funding, playground equipment may be included as well and that the grant is a 50/50 match with a maximum of \$300,000.

Executive Session

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

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

Upon a motion by Mayor Ramey and seconded by Mrs. Reese, the motion to *appoint Caitlyn Pope as Interim Police Chief* passed unanimously.

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

Adjourn

Upon a motion by Mayor Ramey and seconded by Mrs. Reese, the motion *to adjourn the meeting at 9:35 pm* passed unanimously.

(Minutes submitted by Rebecca Overton)

November 14, 2023

Mayor Brian Ramey

Date

November 14, 2023