

MINUTES
WESTMINSTER CITY COUNCIL
Regular Scheduled Meeting
Tuesday, December 12, 2023

The City Council of the City of Westminster met in a regular scheduled meeting on Tuesday, December 12, 2023, at 5:00 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
 Interim Police Chief, Caitlin Pope
 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 5:00 pm.

Certification of Quorum

Rebecca Overton certified a quorum.

Executive Session

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

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

Invocation and Pledge of Allegiance

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

December 12, 2023

Public Comments

Judy Caywood thanked the community and Council Members for their recent support to her in the aftermath of losing her husband, AT Caywood. She expressed a special thank you to Mr. Jimmy Powell who had recently helped her with some yardwork and Mrs. Daby Snipes who had recently showed support by visiting with her. Mrs. Caywood also stated that the Senior building renovations were progressing well and that everything was coming together nicely. She expressed gratitude to Kevin Harbin and crews for recent assistance with waterline issues and to Mayor Ramey and Mr. Bronson for offering a lending ear for her frustrations.

At this time, Mr. Bronson requested that items # 4 and # 7 on the agenda be moved to the beginning of the agenda.

Upon a motion by Mr. Glymph and seconded by Mrs. Reese, the motion to *move items #4 and #7 to the beginning of the agenda* passed unanimously.

- #4 Consideration of a motion to authorize the City Administrator, Westminster's PMPA Board Director, to execute a *Settlement Agreement and Mutual Release* as discussed in executive session.

Mr. Bronson informed Council that a settlement agreement has been negotiated by the PMPA General Manager Joel Ledbetter to resolve ongoing litigation between PMPA's Participants. He further explained that the City of Rock Hill and the Greer Commission of Public Works have asserted that PMPA has improperly charged Rock Hill and Greer and that PMPA is in default of its responsibilities and obligations under PMPA's respective Agreements with Rock Hill and Greer. Mr. Bronson added that PMPA asserts that all charges to Rock Hill and Greer were calculated correctly pursuant to the All-Requirements Rate Schedules of PMPA that were duly adopted by PMPA's Board of Directors in accordance with the Bylaws and the terms of PMPA's respective Agreements with Rock Hill and Greer. The assertion by Rock Hill and Greer is the subject of the lawsuit captioned City of Newberry et al. v. Rock Hill et al., Civil Action Number 2021-CP-23-00941 (Court of Common Pleas for Greenville County).

Mr. Bronson informed Council that Legal counsels have requested the settlement terms remain confidential until all parties have had the ability to consider such terms and that once all parties accept the settlement agreement, the terms will be made public. He also added that this settlement would cause a 2% rate increase to pay off the loan but the potential risks of a trial and much larger award amount could cause a higher rate increase.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to *authorize the City Administrator, Westminster's PMPA Board Director, to execute a Settlement Agreement and Mutual Release as discussed in executive session* passed unanimously.

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

- #7 Consideration of Request to Waive Water Tap fee of \$2,200 for the Rosa Clark Medical Clinic, Westminster location.

Mr. Bronson informed Council that the Rosa Clark Medical Center is expanding its facilities into the City of Westminster using federal grant funds to renovate a building into a medical center. He added that Oconee County granted Rosa Clark a lease for the building at 1608 East Main Street (behind the new Magistrate Court office) and that the renovations require a new water tap for the building. Mr. Bronson informed Council that the fee for the water tap is \$2,200 and requested them to consider waiving the fee.

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to *waive the water tap fee of \$2,200.00 for the Rosa Clark Medical Clinic* passed unanimously.

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

Comments from the Mayor and Council

Mrs. Reese announced an upcoming event with pop up vendors and pictures with Santa in the Retreat Street Park area. Mayor Ramey thanked everyone for their efforts in trying to

get the Christmas parade rescheduled and mentioned the College Street building had recently been purchased with hopes of constructing an athletic training center. Mayor Ramey also asked Council opinion on whether they would like to consider changing the Council meeting time to 5:00. Mrs. Reese responded that she liked giving the working public time to arrive to meetings by 6:00 if they worked until 5:00. Mr. Dunn added that he did like the idea of possibly having executive session items begin at 5:00, then the regular meeting at 6:00.

Routine Business

1. Approval of the November 14, 2023, Regular City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve the November 14, 2023, minutes* passed unanimously.

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

2. Comments from the Utility Director

- a. Mr. Harbin informed Council that the USDA project was still moving along, and the area of Dawn Drive and Greenfield Road had been completed. He added that the Dixon Road line is active but there is a delay on water taps due to acquiring materials. Mr. Harbin also added that work is underway on the 8-inch line near Phillip Lear Road. He also added that work had begun in the Welcome Church Road area.
- b. Mr. Harbin informed Council that the Coopers Mill subdivision was complete and crews were waiting on DHEC approval for final hook ups.
- c. Mr. Harbin informed Council that staff had been researching the possibility of placing speed bumps on Main Street in an effort to slow down traffic in that area. Mr. Bronson added that the city has applied for a grant for the downtown area and that the idea of speed bumps would be a short-term solution until renovations of Main Street could be completed.
- d. Mr. Harbin informed Council that the Utility crews are currently fully staffed.
- e. Mr. Harbin informed Council that the recent boil water advisory was due to a SCADA technology error that monitors tank levels which failed to notify staff

that the Unity Church Road water tank was empty. He added that staff had contacted contractors for SCADA maintenance and possible upgrades.

3. Comments from City Administrator
 - a. Mr. Bronson informed Council that the current Auditors had some staffing changes, and the audit would hopefully be ready in January.
 - b. Mr. Bronson informed Council that the Anderson Park design is ready for review and will be submitted for the bid process soon.
 - c. Mr. Bronson informed Council that the Unity water tank issues actually go beyond SCADA technology issues and that Troy Rosier has suggested the tank be placed as a priority for the next project. He added that staff will be seeking to reapply for a RIA Grant for the project.
 - d. Mr. Bronson informed Council that IPADS had been recently ordered.
 - e. Mr. Bronson informed Council that the new website is active.
 - f. Mr. Bronson informed Council that staff is still working to secure a contract for building permits.

Old Business

1. Consideration of Second 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.

Upon a motion by Mr. Dunn and seconded by Mr. Glymph, the motion to ***approve Second 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	Second	Yes
Powell		Yes
Reese		Yes
May		Yes
Dunn	Motion	Yes
Snipes		Yes

2. Consideration of Second 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. Reese and seconded by Mr. Glymph, the motion to ***approve Second 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	Motion	Yes
May		Yes

Dunn		Yes
Snipes		Yes

New Business

1. Consideration Of Ordinance NO. 2024-01-09-01; An Ordinance To Amend Certain Sections of the Westminster Code of Ordinances Related to the City Administrator, the City Attorney, Police Chief, the City Clerk, the Utilities Director and Other Matters Related Thereto.

Mr. Bronson reminded Council that at the October City Council Meeting, the Council discussed sections of the City Ordinance concerning the Police Chief. He added that the Police Chief and the City Clerk are currently appointed by the City Council while all of the department heads and city staff are hired by the City Administrator. Mr. Bronson added that the considerations are amendments to the City Code to have the Police Chief and the City Clerk hired by the City Administrator and that other sections of the Code that are out-of-date are presented for Council's consideration.

Mr. Holliday informed Council that some of the changes presented could possibly trigger a change in the form of Government the City currently operates under.

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to ***table First 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 to Appoint members to the Planning Commission and the Board of Zoning Appeals: Board of Zoning Appeals (5 appointments); and Planning Commission (1 appointment)

Commission	Name	Term Expires	Willingness to Serve Again
Planning	Jarrold Brucke	2020	Yes
	Sandra Powell	2021	Yes
	Ben Lewis	2022	Yes
	Larry Dellinger	2023	No
	Truman Holdbrooks	2024	
BZA	Theron Brown	2019	
	<i>Vacant</i>	2020	
	Jim Spearman	2021	
	Eddie Turner	2022	
	Chester Lee	2023	No

Upon a motion by Mr. Glymph and seconded by Mr. Dunn, the motion to *nominate Lacey Watkins to the Planning Commission* passed.

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

Upon a motion by Mrs. Snipes and seconded by Mr. Glymph, the motion to *reappoint Planning Commission Members Jarrod Brucke, Sandra Powell and Ben Lewis* passed unanimously.

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

Upon a motion by Mayor Ramey and seconded by Mr. Dunn, the motion to *appoint Boyce Snipes and David Cooper to the Board of Zoning Appeals* passed unanimously.

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

Upon a motion by Mr. Glymph and seconded by Mr. Dunn, the motion to *reappoint Therron Brown, Jim Spearman, and Eddie Turner to the Board of Zoning Appeals* passed unanimously.

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

Upon a motion by Mr. Dunn and seconded by Mr. Glymph the motion to *set the appointment term of service of 2025 for David Cooper and 2028 for Boyce Snipes on the Board of Zoning Appeals* passed unanimously.

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

3. Consideration of Resolution in support of the Land & Water Conservation Fund Grant Application

Mr. Bronson informed Council that the LWCF State Assistance Program was established in 1965 to stimulate a nationwide action program to assist in preserving, developing, and assuring to all citizens of the United States of present and future generations such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation.

He added that the LWCF provides matching funds to States and local units of government for acquisition and development of public outdoor recreation sites and facilities and that the city’s grant writer has prepared a grant application requesting approximately \$1 million for the construction and installation of a pavilion at the future Hall Street Recreation Complex. The grant is a 50/50 split, the LWCF will fund \$500,000 (if a waiver from the cap of \$300,000 is approved) and the city will provide \$500,000. The city may use funds received this fiscal year from its \$5 million state budget appropriation. The 40’x68’ pavilion is a covered picnic shelter with bathrooms, a concession area, storage space, lighting, landscaping, seating, and trash receptacles.

Upon a motion by Mrs. Reese and seconded by Mr. Glymph the motion to ***approve a Resolution in support of the Land & Water Conservation Fund Grant Application***, passed unanimously.

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

4. Consideration of Financial Services Agreement with First Tryon Advisors including Work Order Number 1 to develop a comprehensive capital planning model “to assist in the prioritization and phasing” of future capital projects and annual financial planning.

Mr. Bronson informed Council that the fee range for Work Order Number 1 is \$15,000 - \$20,000 with an option for additional work for an hourly rate of \$350 per hour for 2024 and that this is an advanced financial planning tool that will assist the city in planning, evaluating and developing funding options for future budgets, rates, capital projects and the like.

Upon a motion by Mr. Dunn and seconded by Mrs. Snipes, the motion to ***approve a Financial Services Agreement with First Tryon Advisors including Work Order Number 1 to develop a comprehensive capital planning model “to assist in the prioritization and phasing” of future capital projects and annual financial planning***, passed unanimously.

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

Adjourn

Upon a motion by Mayor Ramey and seconded by Mrs. Reese, the motion *to adjourn the meeting at 7:55 pm* passed unanimously.

(Minutes submitted by Rebecca Overton)

Mayor Brian Ramey

Date