

MINUTES
WESTMINSTER CITY COUNCIL
Regular Scheduled Meeting
Tuesday, May 14, 2024

The City Council of the City of Westminster met in a regularly scheduled meeting on Tuesday, May 14, 2024, 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
 City Attorney, Andrew Holliday
 Police Chief, Fred Miller
 Utility Director, Kevin Harbin
 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.

Certification of Quorum

Rebecca Overton certified a quorum.

Invocation and Pledge of Allegiance

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

At this time Mayor Ramey made a motion which was seconded by Mr. Glymph, to move item #11 on the agenda to the first order of business after routine business. This motion passed unanimously.

Proclamations and Recognitions

May 14, 2024

Mayor Ramey read a proclamation honoring and thanking Caitlin Pope for her service as Interim Police Chief. All Council Members thanked Ms. Pope as well and members in the audience responded with a large round of applause and standing ovation.

Public Comments

Mr. Franklin Jones expressed to Council that he would like to get a copy of a transcript from a Jury Trial that was held in Municipal Court regarding a meter tampering charge.

Mrs. Judy Caywood announced that it was National Police Officer Week and that the Senior Outreach Program would be offering donuts, coffee, and brownies for the blue in the upcoming days. She thanked all the officers for their dedication and service.

Comments from the Mayor and Council

Mrs. Snipes thanked the community and the local Pastors for their participation in the recent National Day of Prayer ceremony. She added that it was a great event.

Mr. Dunn welcomed new Police Chief Fred Miller and offered his apologies for missing the swearing-in ceremony.

Mrs. Reese thanked staff for the recent placement of the new lights down on Main Street.

Mayor Ramey reminded everyone of the MASC annual meeting coming up in July and encouraged members to attend. He also announced that Donnie and Angie Richards have leased the Beef-n-Rb building and will be offering a similar menu.

Public Hearing

Upon a motion by Mrs. Reese and seconded by Mr. Glymph, the motion to *open the public hearing for Ordinance 2024-06-11-01: An Ordinance making appropriations for certain expenses, capital improvements and indebtedness of the City of Westminster, South Carolina for the year beginning July 1, 2024, and ending June 30, 2025*, passed unanimously.

There were no public comments or discussion.

Upon a motion by Mrs. Reese and seconded by Ms. May, the motion to *close the public hearing* passed unanimously.

Routine Business

1. Approval of the April 9, 2024, Regular City Council Meeting Minutes

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve the April 9, 2024, minutes*, passed unanimously.

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

2. Approval of the April 9, 2024, Budget Workshop Minutes

Upon a motion by Mr. Glymph and seconded by Mr. Powell, the motion to *approve the April 9, 2024, Budget Workshop minutes*, passed unanimously.

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

3. Approval of the April 30, 2024, Special Called Meeting & Budget Workshop Minutes

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to *approve the April 30, 2024, special called meeting & Budget Workshop minutes* passed unanimously.

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

4. Comments from City Administrator
 - a. Mr. Bronson reminded Council that the City remains under an SCDHEC consent order. He added that Troy Rosier had submitted a plan to DHEC that would allow the City to be released from the consent order. Mr. Bronson further informed Council that later discussions would need to occur to determine if the City would like to proceed with plans to do all things necessary to release the consent order. He added that a benefit of being under the consent order is the increased availability of grant funds.
 - b. Mr. Bronson informed Council that 402 Highland Avenue property has been demoed. He added that staff are currently seeking to demo other properties that are not compliant with codes.
 - c. Mr. Bronson informed Council that staff had secured fencing for Anderson Park and that staff would install the fencing. He added that site preparation would begin soon for the new park area.
 - d. Mr. Bronson informed Council that PMPA would soon be conducting a customer satisfaction survey via telephone calls to utility customers. He added this survey is typically done every two years by PMPA.
 - e. Mr. Bronson informed Council that a movie crew had been on scene at the Relax Inn filming a movie called Money by Sundown.

Agenda Item # 11

Consideration of bids to purchase and develop 115 Riley Street and of Ordinance 2024-06-11-04: An Ordinance to Execute Real Property Sale Agreement.

Mr. Bronson reminded Council that staff was directed to solicit sealed bids for the purchase and development of city owned property located at 115 Riley Street (TMS 530-21-06-015). He added that the City received 3 bids for the property. They are:

| Proposer | Offer Price | Proposed Timeline | Expected New Value |
|---|--------------------|--|---------------------------|
| Rory Jones (Jonnor Investments) | \$25,000 | 24 months (pending market conditions) | \$600,000 |
| Josh Thomas and Amber Crain (Thomas and Crain Real Estate) | \$10,000 | Not Provided | \$600,000 |
| Jonathan Terry | \$7,000 | Not Provided | Not Provided |

Mrs. Reese questioned previous concerns about a lot of growth in the area of Riley Street and Highland Avenue and the concern over lack of greenspace for such growth. Mr. Jones stated that he intended to build smaller homes on the lot which would allow for the greenspace.

Upon a motion by Mrs. Snipes and seconded by Mr. Dunn, the motion to ***award the bid to purchase and develop 115 Riley Street to Rory Jones/Jonnor Investments in the amount of \$25,000*** passed unanimously.

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

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve first reading of Ordinance #2024-06-11-04 as amended to reflect the buyer as Rory Jones/Jonnor Investments*** passed unanimously.

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

Old Business

1. Consideration of second reading of Ordinance 2024-05-14-01; An Ordinance Authorizing the City of Westminster, South Carolina To Enter Into An Agreement For Design, Development, And Pre-Construction Services; Authorizing The Execution And Delivery Of Various Documents Relating To Such Transaction; Delegating Authority To The City Administrator To Effect Such Transaction; And Other Matters Relating Thereto.

Mr. Bronson reminded Council that in October 2023 at the recommendation of the Recreation Planning Committee and approval of the City Council the City hired the Sports Facilities Companies (SFC) to conduct (1) a Market Opportunity Analysis and (2) a Financial Feasibility Analysis. He added that the Recreation

Planning Committee met April 10, 2024, and accepted the two reports. Mr. Bronson further added that at the meeting the SFC presented an opportunity for the city to hire Mammoth Sports Construction, LLC (Mammoth) out of Meriden, Kansas to design and construct the Westminster Recreation Complex and that Mammoth was recommended by SFC due to Mammoth's expertise in designing and constructing recreation facilities. He also added that additionally, SFC and Mammoth partner with recreation product suppliers to provide discounts for their (SFC and Mammoth) clients.

Mr. Bronson informed Council that the proposed ordinance enables the City to hire Mammoth to complete the activities described above with one caveat - the pre-construction and construction activities need to be contracted in individual parts - one for design and pre-construction services and the second for construction services. He also added that the Recreation Committee recommends the City contract with Mammoth for the project.

Upon a motion by Mr. Dunn and seconded by Mr. Glymph, the motion to *approve first reading of Ordinance 2024-05-14-01; An Ordinance Authorizing the City of Westminster, South Carolina To Enter Into An Agreement For Design, Development, And Pre-Construction Services; Authorizing The Execution And Delivery Of Various Documents Relating To Such Transaction; Delegating Authority To The City Administrator To Effect Such Transaction; And Other Matters Relating Thereto* passed unanimously.

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

New Business

1. First Reading of Ordinance 2024-06-11-01; Budget Ordinance, An Ordinance Making Appropriations for Certain Expenses, Capital Improvements and Indebtedness of The City of Westminster, South Carolina For The Year Beginning July 1, 2024 And Ending June 30, 2025

Summary of the FY2024-2025 Annual Operating Budget for all funds is:

| Appropriation | FY 2024 Budget | FY 2025 Proposed Budget | Difference |
|---------------------------|----------------------|-------------------------|----------------------|
| General | \$ 2,914,572 | \$ 2,699,287 | \$ (215,285) |
| Utility | \$ 8,301,415 | \$ 8,727,420 | \$ 426,005 |
| Solid Waste | \$ 915,046 | \$ 588,791 | \$ (326,255) |
| ATAX | \$ 8,300 | \$ 12,500 | \$ 4,200 |
| HTAX | \$ 484,314 | \$ 202,000 | \$ (282,314) |
| Fire Department 1% | \$ 13,609 | \$ 86,150 | \$ 72,541 |
| Local Development Corp | \$ 47,031 | \$ 53,780 | \$ 6,749 |
| Youth Recreation Fund | \$ 579,319 | \$ 554,900 | \$ (24,419) |
| Capital Projects Fund | \$ 14,530,684 | \$ 28,453,480 | \$ 13,922,796 |
| County ARP | \$ 682,324 | \$ - | \$ (682,324) |
| | | | \$ - |
| Grand Total | \$ 28,476,614 | \$ 41,378,308 | \$ 12,901,694 |
| Less Interfund Transfer | \$ 1,405,869 | \$ 717,946 | \$ (687,923) |
| | | | \$ - |
| Net Appropriations | \$ 27,070,745 | \$ 40,660,362 | \$ 13,589,617 |

The Clerk's Record is incorporated.

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion *to approve First Reading of Ordinance 2024-06-11-01; Budget Ordinance, An Ordinance Making Appropriations for Certain Expenses, Capital Improvements And Indebtedness Of The City Of Westminster, South Carolina For The Year Beginning July 1, 2024 And Ending June 30, 2025* passed unanimously.

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

2. Consideration of Ordinance 2024-06-11-02: An Ordinance to rezone a certain parcel in the City of Westminster from R-15 (one-family residential) to GR (general residential)

Mr. Osbon informed Council that the City of Westminster received a zoning amendment request to rezone 101 John St (TMS# 510-22-10-010) from R-15 (Residential-15) to GR (General Residential). He added that the Planning Commission held a public hearing on the property at its April 15, 2024, meeting,

where two owners of a nearby property spoke in favor of the rezoning application, and the Commission voted to recommend rezoning.

Mr. Osbon stated that the applicant expressed that they would like to place a new mobile home on the property and that the applicant had previously owned the property and recently rebought it.

Upon a motion by Mr. Dunn and seconded by Mrs. Snipes, the motion to *approve first reading of Ordinance 2024-06-11-02: An Ordinance to rezone a certain parcel in the City of Westminster from R-15 (one-family residential) to GR (general residential)* passed unanimously.

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

3. Consideration of Ordinance No. 2024-06-11-03: An Ordinance Authorizing an Equipment Lease Purchase Agreement In The Amount Of Not Exceeding \$360,000 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 informed Council that the Proposed City’s FY2024-2025 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 and that the City’s bond Counsel, Mike Burns and Brandon Norris with the Burr Foreman law firm have reviewed and approved of the financing documents and they also wrote the ordinance.

| <u>Equipment Estimated Cost</u> | |
|---------------------------------|-----------|
| Two (2) Police Vehicles | \$104,000 |
| One (1) Fire Admin Vehicle | \$ 57,000 |
| One (1) Water Pickup | \$ 75,000 |
| One (1) Valve Maintenance Skid | \$ 92,000 |
| TOTAL ESTIMATED COST | \$328,000 |

Mr. Bronson further added that the not-to-exceed lease-purchase financing of \$360,000 includes closing costs and that the final amount will be determined at closing. He added that the interest rate is estimated to be fixed and is bank-qualified at 4.48% for 5 years.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to *approve first reading of Ordinance 2024-06-11-03: An Ordinance Authorizing an Equipment Lease Purchase Agreement In The Amount Of Not Exceeding \$360,000 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 | | Yes |
| Powell | | Yes |
| Reese | Motion | Yes |
| May | | Yes |
| Dunn | | Yes |
| Snipes | Second | Yes |

4. Consideration of allowing members of the Westminster City Council to opt into PEBA insurance benefits.

Mr. Bronson informed Council that on March 6, 2024, The SC Public Employee Benefits Authority (PEBA) Board of Directors voted to amend the definition of “Employee” for the purposes of eligibility to participate in state insurance benefits program. He added that the change requires City Councils of participating cities (like Westminster) to exercise a one-time, **irrevocable** option to exclude councilmembers from employee insurance benefits.

Mr. Bronson further stated for Westminster, City Council should decide whether city council members should be eligible for insurance benefits at the city. He added that there are several nuances to be mindful of:

- This decision cannot be changed by a future Council.

- PEBA does not allow spouses to be a part of the same plan if both are eligible employees. This means that allowing Councilmembers to participate in PEBA insurance would preclude them from being included on spouse’s PEBA insurance if applicable, meaning the councilmember would have to participate in the city plan if their primary insurance provider is from their spouse via PEBA.
- Cost considerations (FY 2025):

Annual City Cost of Insurance per Insured City Council Member (FY 2025)

| | Self | Self and Spouse | Self and Children | Full Family |
|--------------------------------|------------|-----------------|-------------------|---------------------|
| <i>Per Member Maximum (x7)</i> | \$6,278.77 | \$12,969.28 | \$10,315.85 | \$16,373.24 |
| | | | | \$114,612.68 |

Upon a motion by Mrs. Snipes and seconded by Mrs. Reese, the motion to ***table consideration of allowing members of the Westminster City Council to opt into PEBA insurance benefits*** passed unanimously.

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

5. Consideration of Proposals for Audit Services for Fiscal Years 2024-2027.

Mr. Bronson informed Council that the City of Westminster received two proposals for FY 2024-2027 audit services. He added that because the city expects to receive federal funding exceeding \$750,000.00 in the coming years, the city will be required to complete an annual audit and a single audit (an additional audit that reviews federal funding requirements). Mr. Bronson also added that the city may not require a single audit each year and as such, the bids show the cost for each annual and single audits for each fiscal year. The bids were:

| Fiscal Year | Proposer: Love-Bailey | | Proposer: Mauldin & Jenkins | |
|--------------|-----------------------|-----------------------|-----------------------------|--------------|
| | Annual Audit | Single Audit | Annual Audit | Single Audit |
| FY 2024 | \$20,500 | \$2,500 (per item) | \$36,500 | |
| FY 2025 | \$21,000 | \$2,500 (per item) | \$38,500 | |
| FY 2026 | \$21,500 | \$2,500 (per item) | \$40,500 | |
| FY 2027 | \$22,000 | \$2,500 (per item) | \$42,500 | |
| TOTAL | \$85,000 | \$10,000 | \$158,000 | (Included) |
| | \$95,000 | | \$158,000 | |

Upon a motion by Mr. Dunn and seconded by Ms. May, the motion to *award City of Westminster Audit Services to Love-Bailey Firm* passed unanimously.

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

6. North Avenue clear well

Mr. Bronson informed Council that the North Avenue Clearwell is estimated to be 100 years old or older. He added that staff will begin decommissioning the clear well. Council agreed with his process.

7. Consideration of Resolution 2024-05-14-01: A Resolution Adopting the Westminster Fats, Oils, And Grease (Fog) Control Program

Mr. Bronson informed Council that last month, City Council approved a resolution to adopt the city’s own fats, oil, and grease (FOG) program. He added that the policy was intended to be a replica of OJRSA’s policy but that by staff error, the policy that was adopted was not the most recent OJRSA policy (updated in October 2023). Mr. Bronson further stated that approval of this resolution with the updated attachment was necessary to be compliant.

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion to ***approve Resolution 2024-05-14-01: A Resolution Adopting the Westminster Fats, Oils, And Grease (Fog) Control Program*** passed unanimously.

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

Executive Session

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

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

Adjourn

Upon a motion by Mrs. Reese and seconded by Mrs. Snipes, the motion ***to adjourn the meeting at 8:19 pm*** passed unanimously.

(Minutes submitted by Rebecca Overton)

Mayor Brian Ramey

Date