

**CITY OF LAURENS
REGULAR COUNCIL MEETING
MUNICIPAL CENTER
250 WEST LAURENS STREET, LAURENS, SC 29360
JUNE 18, 2024
5:30PM**

PRESENT

Mayor Nathan Senn, Councilor Johnnie Bolt, Councilor Cassandra Campbell, Councilor Sara Latimore, Councilor Martin Lowry, Councilor Marian Miller, Councilor Alicia Sullivan, City Administrator Eric Delgado, IT Director Colby Rice, and City Clerk Leslie Mattison

PRESS IN ATTENDANCE

Judith Brown - Advertiser

THE MEDIA WAS NOTIFIED BY AN EMAILED AGENDA.

CALL TO ORDER AND INVOCATION

Mayor Senn called the meeting to order with Councilor Campbell giving the invocation and was followed by the Pledge of Allegiance.

MAYOR'S REMARKS

Mayor Senn began by stating that the city will be closed on June 19th due to Juneteenth being a federal holiday. The city celebrated Juneteenth the prior weekend. Mayor Senn thanked Councilor Campbell, councilors, city staff, and the community for heading up this special celebration. The city is preparing for Freedom Fest on July 3rd. It will be a great celebration with food trucks, vendors, and live music. Bowling for Soup is the headlining band. This event has gained a great reputation.

Due to the lack of attention paid by the legislature to fixing the situation with the liability insurance associated with alcohol and the runaway costs associated with this, Palmetto Brothers and Rootimentary both were forced to close. This is not just happening in Laurens. Long time community institutions all across the state have closed.

Mayor Senn is proud to report that the city will soon have three new restaurants that will be making opening announcements very soon. In addition to this, Big Air is scheduled to open the second week of July, which will also have a restaurant feature to it. This is long anticipated. The investment they have made in the community is enormous.

The city is continuing the reaccreditation process with ISO evaluators. The vote that was taken by city council at the June Special Called Meeting was very helpful in being able to present a package to them by June 4th. Mayor Senn will continue to provide updates to council.

The Fire Department has been spending a lot of time doing inspections on new construction.

There is a spec building at Hunter Industrial Park that is progressing towards its completion. Also, there is Harper Commons on Hwy 221 North which is tentatively scheduled to have a soft opening on July 3rd.

Mayor Senn continued his remarks by stating that during this time of year, city employees are busy with maintenance on city property. Most people don't realize that the city owns around 400 acres that has to be mowed and maintained by city crews. While the city maintains its own property, Mayor Senn reminded everyone that the Cleanup Crackdown amnesty period is nearing an end. People have been given fair warning and a lot of notice to clean up their properties. After June 24th, the city will move forward with enforcement.

PUBLIC PARTICIPATION AND HEARING

Mayor Senn stated that this begins the public hearing portion of the meeting because council is passing the budget. Calvin Whitmire, Director of Bridging the Gap, was present to address council. Mr. Whitmire stated that this is Bridging the Gap's 10th year. Right now, they are doing their summer camp and they have approximately 30 kids enrolled. The kids range between the ages of 4K and 8th grade. They work on reading, writing, and math and also introduce them to foreign language, history, music, and agriculture. Mr. Whitmire apologized for submitting his donation request late. He stated that Bridging the Gap is trying to put a fence around their facility to help keep the kids safe. He hopes that council takes his donation request under strong consideration.

CONSENT AGENDA

Approval of the June 18, 2024 Regular Meeting Agenda, May 28, 2024 Regular Meeting Minutes, and the June 3, 2024 Special Called Meeting Minutes - A motion was made by Councilor Sullivan and seconded by Councilor Bolt to remove both sets of minutes from the Consent Agenda due to corrections that need to be made. The motion was approved unanimously.

A motion was made by Councilor Miller and seconded by Councilor Sullivan to approve the June 18, 2024 agenda. The motion was approved unanimously.

May 28, 2024 Minutes - A motion was made by Councilor Lowry and seconded by Councilor Miller to approve the May 28, 2024 minutes.

Councilor Sullivan stated that Councilor Latimore's question about Bridging the Gap needs to be included in the minutes. Councilor Sullivan explained that in the May 28, 2024 meeting, Councilor Latimore inquired as to why a contribution to Bridging the Gap was not included in the FY 24-25 budget and what is the procedure for requesting donations. Mayor Senn and City Administrator Delgado explained that Calvin Whitmire, director of Bridging the Gap, did not have his request in

before the budget meeting in April. All requests must be turned in before council's yearly budget meetings.

A motion was made by Councilor Sullivan and seconded by Councilor Miller to add Councilor Latimore's comments to the May 28, 2024 meeting minutes. The motion was approved unanimously.

June 3, 2024 Minutes – A motion was made by Councilor Lowry and seconded by Councilor Miller to approve the June 3, 2024 minutes.

Councilor Sullivan stated that she asked two questions about Ordinance 6-24-1 (page two, section two) that need to be addressed in the minutes. She stated that her first question was "who will be providing the legal counsel" and the second question she asked the mayor about the ordinance reading as such. Mayor Senn clarified by stating that it is his understanding that Councilor Sullivan is moving to amend the minutes of the Special Called Meeting under the item of New Business to reflect the fact that she raised a question regarding whether or not Mayor Senn, who happens to be an attorney, would be acting in a dual representation role on behalf of the city. Mayor Senn clarified during the June 3, 2024 meeting that he would not be. Councilor Sullivan agreed that this is an accurate statement of her proposed amendment. She also stated that the other question was who specifically is the legal counsel because it does not say who our legal counsel is in the ordinance. Mayor Senn replied Pope and Flynn.

Councilor Sullivan agreed to handle these amendments as one motion as opposed to individual motions.

A motion was made by Councilor Sullivan and seconded by Councilor Campbell to add Councilor Sullivan's questions and Mayor Senn's responses to the June 3, 2024 meeting minutes. The motion was approved unanimously.

Mayor Senn explained to Councilor Sullivan that the purpose of meeting minutes is to summarize a meeting. It is not necessary to record everything that was said. However, he thanked her for bringing these inquiries to council's attention and keeping the city's records accurate.

OLD BUSINESS

Ordinance 5-24-1: An ordinance to provide for the levy of taxes for the City of Laurens for the fiscal year beginning July 1, 2024, and ending June 30, 2025, imposing certain fees and charges within such budget; to provide for the execution of and to put into effect the consolidated budget; and to provide budgetary control of the city's fiscal affairs and other matters relating thereto – A motion was made by Councilor Sullivan and seconded by Councilor Bolt to approve Ordinance 5-24-1.

Councilor Sullivan stated that she has amendments that need to be addressed in this ordinance. Under the second “Whereas” it states mayor and four council members. It should be mayor and six council members. Mayor Senn agreed that this is a typographical error that needs to be corrected.

A motion was made by Councilor Sullivan and seconded by Councilor Latimore to approve this correction. The motion was approved unanimously.

Councilor Sullivan made a motion that there is a second amendment she would like to make on Ordinance 5-24-1, page one and paragraph three. Councilor Miller seconded the motion.

Councilor Sullivan stated the ordinance just has the dates of the fiscal year, but the year is not reflected. She believes that the year needs to be included (July 1, 2024 - June 30, 2025 instead of July 1 – June 30). Mayor Senn pointed out that the South Carolina code requires city council to adopt a budget for each fiscal year. The city’s fiscal year is defined as July 1st to June 30th. That part does not change from year to year. That paragraph is correct.

The motion failed 3-4 with Mayor Senn, Councilor Campbell, Councilor Bolt, and Councilor Lowry voting no.

Councilor Sullivan stated that she wants to make a motion that council should take into consideration in the budget what Mr. Whitmire has requested for Bridging the Gap. Council needs to remember that the city does not have any other literacy programs for children, specifically in a minority district. She is hoping that council will place what he needs for this fiscal year. Mayor Senn repeated the motion stating that there is motion to amend the budget to grant an unspecified request of funds to Bridging the Gap. The motion was seconded by Councilor Latimore.

Councilor Miller began the discussion by stating that the motion “is for an unspecified amount. There should be a monetary amount requested rather than unspecified. If we are going to amend this, we need an amount.” Mayor Senn stated that Councilor Miller is accurate. He also stated that he “had the opportunity to meet with Mr. Whitmire last week and he explained that the city has to have a standard set of rules that everybody has to play by. At some point if the line is not drawn for what is before city council and how council should allocate the money throughout the year, it makes it very difficult for council to conduct a budget workshop effectively and know how to allocate between all of the obligations that the city has.” Because this request was made late, it wasn’t “baked” into the number that is before council. However, this does not mean that the city can’t, through other means, provide support for an organization. Mayor Senn continued by explaining that if the budget itself is to be amended, the ordinance itself is to be amended, council just can’t tack on more spending without coming up with a source of revenue to match it. By state law, the city’s budget has to be balanced. This means either cutting something from another line item that city council has approved or finding a new source of revenue that has not yet been identified. There was not a specific dollar amount in the written donation request provided by Mr. Whitmire after the budget workshop or in his comments tonight, nor was there a specific dollar

amount in the motion made by Councilor Sullivan before council to add to the budget. There was no reference to where the money would come from and no information about whether it would be new revenue or reallocation from an existing line item. In order to amend the budget, there has to be an amendment with a specific number and council does not have that in the motion that has been presented.

Mayor Senn directed council to page three of the proposed budget ordinance in section six. It states that “the mayor or his designee shall administer the budget and may authorize the transfer of appropriations within the allotments heretofore established and necessary to achieve the goals of the budget, provided, however, that no such transfer shall be used to increase the total appropriation within any fund.” Mayor Senn stated that what he explained to Mr. Whitmire in their meeting last week was within the budget as approved, within the line items as approved by city council, as laid out at the city budget workshop, there are funds that would allow council to support Bridging the Gap at the level that the city has supported it in years past. This can be done within the existing line items and do not require a budget amendment to do it. The only difference between the two things would be if city council is specifically stating they wish to support Bridging the Gap. He continued by stating that the line item that comes to mind is the line item when city council has priorities like sending flowers to someone of significance in the community who’s passed away or to support various causes throughout the year, such as buying tables at banquets and things like that. If it is council’s wish to allocate some of those funds using this line item, they can be directed to Bridging the Gap. This would be in keeping with Section Six on Page Three which allows that to happen.

Mayor Senn stated that council has to be concerned with precedent and he explained this to Mr. Whitmire. If this action is taken for Bridging the Gap, which is an outstanding and beneficial community group, council should be well prepared for what will happen in future years when other organizations don’t come forth in a timely manner and ask for budget appropriations that are not provided for and haven’t been considered by council at a budget workshop.

Councilor Sullivan asked that “isn’t that what the budget meeting is for, for us to do stuff like that?” And “what other literacy program do we have in a minority area for children?” Mayor Senn stated that “as I said, the issue is not whether it is a great organization or whether it brings value to the community or even if we can support them as a city because under Section Six on Page Three under my authority, I can reallocate funds within this budget without being amended, without setting a bad precedent that achieves that goal. The reverse is not true. If the budget is amended we don’t know how much it’s amended by because your motion didn’t state a dollar amount and it also doesn’t change the revenue side to show where that money is coming from.” Councilor Sullivan offered to amend the motion and put a dollar amount.

Councilor Miller stated to Mayor Senn that “in all reality, what you just explained to us, it can be done from what you just said. So, I am in agreement to go with what you just said because we will definitely be setting a precedent if we amend the budget as we are discussing now.”

Councilor Campbell stated that she agrees with what Mayor Senn has proposed. She stated that “it sounds like you have given us a fix for the situation.” She asked “Where is the opportunity to ask the city for funds? Is it posted and is the deadline in that posting?” Mayor Senn stated that the Budget Workshop is a public meeting and it is posted in accordance with FOIA requirements every year. The public and the press are invited to attend. The Budget Workshop in itself becomes the deadline because if it is not before council as a request, how does council work the numbers to make sure that the revenue side equals the expenditure side. City Administrator Delgado stated that he would advise all organizations to be on the spot and get their requests in as soon as the new year comes in because there is a lot of work that goes into getting something together to present to council in the Budget Workshop. But definitely no later than April 1st. Councilor Miller and Councilor Bolt both agreed that the procedure has been like this for years and that nothing has changed.

The motion to amend the budget failed 2-5 with Mayor Senn, Councilor Campbell, Councilor Miller, Councilor Bolt, and Councilor Lowry voting no.

Ordinance 6-24-1: An ordinance authorizing the Mayor to negotiate and enter into an agreement modifying the service territory for the Laurens Fire Department with Laurens County – Mayor Senn reminded council that the City’s Fire Department may provide fire services outside of its municipal boundaries by contract. Expanding the covered territory where the city’s fire protection services are provided to an area down Highway 76 including Templeton Road will assist in maintaining the ISO 1 rating.

A motion was made by Councilor Lowry and seconded by Councilor Latimore to approve Ordinance 6-24-1. The motion was approved unanimously.

NEW BUSINESS

Motion to approve an amended and restated Promissory Note and Assignment and Assumption Agreement for the Octagon House – Mayor Senn and City Administrator Delgado explained that this is related to the approval of documentation concerning the Octagon House (101 Woodrow Street). To the best of the city’s knowledge and research, in 1997, the South Carolina State Housing Finance and Development Authority (SCSHFDA) issued a loan for the purchase of the property. The mortgage for the loan was held by and to be repaid to the City of Laurens. The obligation has a very long lead time, with no payments required for the first 30 years. Any payments beginning in 2027 are only payable from Net Cash Flow, which is assumed not to be positive, and thus no obligation or payment is due. There is a balloon payment for the entire balance due in 2067, but this can be extended upon request, whereupon the principal payments will be broken into monthly installments over 20 years (\$991.66 per month), resulting in a final

payoff in 2087. SCSHFDA has already approved the assumption of its superior lien positions. This action is necessary because the property is being sold to a new buyer by the current owner.

After some discussion about the history of the Octagon House, a motion was made by Councilor Miller and seconded by Councilor Bolt to approve this agreement. The motion was approved unanimously.

ADJOURNMENT

A motion was made by Councilor Bolt and seconded by Councilor Lowry to adjourn the meeting. The motion was approved unanimously.

APPROVED:

NATHAN SENN, MAYOR

ATTEST:

LESLIE MATTISON, CITY CLERK