



MINUTES

Regular Council Meeting
November 14, 2023, 6:30PM
South Congaree Town Hall
Council Chambers
119 West Berry Rd.
West Columbia, SC, 29172

Members in Attendance: Mayor Cindy Campbell, Mayor Pro-Tem Mechelle Mabry, Councilmembers: Brian Jackson (6:35 PM), Kitty Spires, and Jim Drennan.

Also in Attendance: Municipal Clerk Kerri Charlton, Town Attorney John Rakowsky, Chief Josh Shumpert, Captain Chris Garner, Sergeant Chad Walker.

The public was duly notified of the date, time, and place of the meeting.

I. Call to Order.

Mayor Campbell called the meeting to order at 6:30 PM. A quorum was present.

Mayor Campbell led in the Pledge of Allegiance and Pastor Charles Hutchinson (Platt Springs Baptist Church) led the Invocation. The Freedom of Information Act was read by Mayor Campbell.

II. Special Presentation: 6:34 PM

(SC Representative R.J. May to preside, however, due to illness he was unable to attend as scheduled) In his place, Mayor Campbell presides over the presentation.

- Special certificate by The Senate of the State of South Carolina of Ms. Margie Valladares in recognition of her 90th Birthday and for all her years of service to the Town of South Congaree community. Mayor Campbell cited many of Ms. Valladares life accomplishments and acts of service.

III. Approval of Minutes 6:40 PM

A. September 19, 2023, Council meeting Minutes:

Motion to approve September 19, 2023, minutes by Councilman Drennan at 6:40 PM, seconded by Councilman Jackson (6:40 PM), Discussion: Mayor Pro-Tem Mabry asked to clarify that these contain the requested revisions. Roll-call vote:

Motion carries at 6:41 PM

- Councilman Drennan- Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

B. October 12, 2023, Work Session Minutes and October 17, 2023, Council meeting Minutes:

Motion to table October 12, 2023, and October 17, 2023 minutes by Councilwoman Spires at 6:41 PM, seconded by Councilman Jackson (6:41 PM), Discussion: Councilman Drennan officially rescinds his vote from October 17, 2023, Council Meeting, he previously stated to rescind his vote during the November 9, 2023, Work Session in reference to the "Yea" vote for funds from Lexington County Recreation and Aging Commission to be allocated for the Town Park (6:42 PM). Councilman Jackson states for the record: He also would like to rescind his vote alongside Councilman Drennan (6:43 PM). Mayor Campbell informs the Council,

per Roberts Rules of Order, this must be stated at the very next meeting, which would have been the Work Session on November 9, 2023, as Councilman Drennan did. **No roll-call vote was taken.**

IV. Departmental Reports - 6:44 PM

- **Chief Shumpert:** 173 citations written in October. December 1 the PD is hosting the "LEN" Law Enforcement Network checkpoint along with the Lexington County Sheriffs Department. This is once a year as part of the Eleventh Circuit of which we are a part of. All agencies in the surrounding areas, to include South Congaree, come together to address concerns and violations jointly, to include seatbelt violations, invalid Driver's License, and possession of drugs, whatever is found during the traffic checkpoint. Mayor Campbell asked Chief Shumpert, "Why would we tell people we are doing this?" Chief Shumpert and Captain Garner informed her they are required by law to publicly give the date. Mayor Campbell stated, "Thank you, we are not Law enforcement, but now we all know."
- Axon body cameras are up and running. Tasers are doing great, but the Police Department is still waiting for the car cameras with an estimated arrival time of three to four months.
- Officer Sharpe will be in training for the next few days. He is receiving his "SMD" Speed Measuring Device training and recertification.
- Chief Shumpert will be at the Chief's Conference from Thursday through Sunday. Major Jonas will be available for any issues on Thursday or Friday. (Councilman Drennan asked Chief Shumpert if the Police Department needed access to the new printers from their Patrol Cars. He is clarifying due to the quotes given for new printers.) Chief Shumpert clarified that this is not necessary because the cars are equipped with printers for tickets.
- Reserve Officers: Chief discussed reasons for the need for Reserve Officers. Reserve Officer Wilson was out with Sergeant Walker when an incident in town turned into a fight. The offender was not a small guy. This fight could have turned very bad because he tried to grab Sergeant Walker's gun. With the assistance of Reserve Officer Wilson, we were able to subdue the individual. Chief Shumpert continued to express his belief that Reserve Officers are highly needed as back-up Officers. Reserve Officers are not paid. They volunteer their time and dedication to the department and Town.
- Reserve Officer Gerald Crawford was sworn in by Chief Shumpert (6:50PM) upon successful completion of the Reserve academy accredited by the South Carolina Criminal Justice Academy. Chief Shumpert discussed Mr. Crawford's accomplishments and recognized his family during the swear-in process.
- Reserve Officer Kevin Miller was sworn in by Chief Shumpert (6:52PM) upon successful completion of the Reserve academy accredited by the South Carolina Criminal Justice Academy. Chief Shumpert discussed Mr. Miller's accomplishments and recognized his family during the swear-in process.
- Chief Shumpert discussed new uniforms. He is looking to changing to the new water repellant uniforms. Councilwoman Spires addressed the cost and necessity for evaluating for budget purposes.

Captain Garner Report 6:57 PM

- Captain Garder discussed Wal-Mart Grant for Stop-sticks being in the final stages. This is a no match Grant.
- Councilman Drennan addressed Captain Garner in reference to his report at the prior meeting for vehicle upgrades. They discussed the 2011 Crown Vic and repairs needed to include new paint and interior carpet repairs.

6:59 PM: Councilman Drennan made a motion to allot \$900.00 for the repairs to include paint and interior carpet for the 2011 Crown Victoria Police Car to bring this vehicle to its best. Seconded by Councilman Jackson (7:00 PM). No Discussion. Roll-call vote:

Motion carries at 7:01 PM

- Councilman Drennan-Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

V. Equipment Upgrades 7:02 PM

The council discussed DPI 60-month lease. The council received new information regarding the lease proposal from DPI for a term of 1 year. This was discussed during Thursday's work session (November 9, 2023). Mayor Campbell asked for a motion. Motion made to approve a 5-year Lease from DPI to upgrade the printers by Mayor Pro-Tem Mabry at 7:02 PM, Seconded by Councilwoman Spires. (7:03 PM). Discussion: Councilman Drennan addressed his concern deciding on a 5-year lease without a comparison document. Roll-Call Vote:

Motion carries at 7:04 PM

- Councilman Drennan-Nay
- Councilman Jackson- Nay
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

VI. Southern First Sweep Account 7:04 PM

- The Council discusses the additional \$35,292 in a separate Southern First Account. The Council discussed moving all Southern First funds to the Local Government Investment Pool at the previous Council meeting. Councilman Drennan made the motion to move the additional \$35,292 and some change to the Local Government Investment Pool(7:05PM), seconded by Councilman Jackson (7:05PM). No Discussion. Roll-call Vote:

Motion carries at 7:05 PM

- Councilman Drennan-Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

VII. Proposed 2024 Meeting and Holidays Dates:

- A. 2024 Council Meeting Dates: Councilman Drennan made a motion to accept the 2024 Council Meeting Dates as published (7:06PM), seconded by Councilman Jackson (7:06PM). No Discussion. Roll-call Vote:

Motion carries at 7:06 PM

- Councilman Drennan-Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

- B. 2024 Holiday Schedule Dates: Councilwoman Spires made a motion to accept the 2024 Holiday Schedule Dates as published (7:06PM), seconded by Councilman Drennan (7:06PM). Discussion Councilman Jackson requested the dates be read aloud. Roll-call Vote:

2024 Holiday Dates as Published:

News Year's Day - Monday, January 1st, Martin Luther King, Jr. Day – Monday January 15th
George Washington's Birthday/President's Day Monday, February 19th
Confederate Memorial Day – Friday, May 10th, National Memorial Day – Monday May 27th
Independence Day – Thursday, July 4th, Labor Day – Monday, September 2nd
Veterans Day – Monday, November 11th, Thanksgiving Day – Thursday, November 28th
Day after Thanksgiving Day– Friday November 29th, Christmas Eve – Tuesday, December 24th
Christmas Day – Wednesday, December 25th Day After Christmas– Thursday, December 26th

Motion carries at 7:08 PM

- Councilman Drennan-Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

- C. 2024 Council Agenda Schedule Dates: This is a schedule to help the Council to get Agenda items into the clerk and then in return, the clerk's timeframe to get the packet and requested items to the Council for review prior to the meeting. Councilwoman Spires made a motion to accept the 2024 Council Agenda Schedule Dates as published (7:08PM), seconded by Mayor Pro-Tem Mabry (7:08PM). Discussion, Mayor Pro-Tem Mabry requests the financial reports be the current month not the previous month for bank statements. Councilman Drennan stated he would rather have a standard of operations that the Council receives all needed documentation two days prior to the work session instead of having a schedule. The council continues to discuss the dates and procedures. Roll-call Vote:

Motion carries at 7:06 PM

- Councilman Drennan-Yea
- Councilman Jackson- Yea
- Councilwoman Spires- Yea
- Mayor Pro-Tem Mabry- Yea
- Mayor Campbell- Yea

VIII. Legislative Items 7:14 PM:

A. Ordinance 2024-03: Second and Final Reading.

AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE OF THE TOWN OF SOUTH CONGAREE TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

- Councilman Drennan (7:14PM) made the Motion to accept the second and final reading of Ordinance 2024-03 amending the Business License ordinance 21-006 of the Town of South Congaree to update the class schedule as required by Act 176 of 2020, seconded by Councilman Jackson (7:15PM). Discussion: Pro-Tem Mabry clarified that a response from MASC verified the Ordinance was correct. Mayor Pro-Tem stated she would like to see the Business License with this amendment to it and then it numbered. Discussion continues. For full details please see the link below time 44:00-50:00

<https://www.facebook.com/TownOfSouthCongaree/videos/1553431915414971/>

Motion carries at 7:19 PM

- **Councilman Drennan-Yea**
- **Councilman Jackson- Yea**
- **Councilwoman Spires- Yea**
- **Mayor Pro-Tem Mabry- Yea**
- **Mayor Campbell- Yea**

IX. Citizen Comments 7:20 PM:

- 7:20 PM Debbie McIver: Good evening, Council and Town Citizens, as part of the committee for the annual tree lighting ceremony and the parade, I would like to make a quick announcement. Sunday, December 3rd, at 5:00PM at the Christmas tree on 302 and Ramblin. We will have our annual Christmas Tree Lighting Ceremony. There will be food trucks and a sip truck to include coffee, hot chocolate, and other beverages. These are for purchase. There will be speakers and entertainment to include Congaree Elementary School Choir. Santa will be making a special appearance. The parade will be on Saturday, December 9th at 10AM. Everyone is invited to come out and enjoy the Christmas Parade this year. There will be a special Grand Marshall, it is going to be "Cocky". (Unspoken: "Cocky" is the costumed mascot of the University of South Carolina). Parade entries are still being accepted. This is great free advertising and a way to support your community. If you would like to participate in the parage email us at southcongarereparage@gmail.com. We will award first, second and third place winners in all categories. It is going to be a great community day. We are looking for this to be the biggest we have had yet in the history of South Congaree. Any questions?

Question/Discussion 7:22PM: Councilman Drennan requested to make a motion that the Town of South Congaree accept liability for that property. That is the requirement Lexington Medical has put on us whenever we sign off that we have liability for it. I think we should have a motion to vote. Councilwoman Spires interjected, "We are covered for this." Councilman Drennan reiterated we are, but we have not voted to have it there. Ms. McIver stated we have always had it there, haven't we? We have per Councilman Drennan, but you have to sign a contract, and all contracts are normally by council. Mayor Campbell, in speaking with the council stated, "she has never signed a contract", and refers to the Town Attorney John Rakowsky for guidance. Mr. Rakowsky responded, "No, we have insurance." Councilman Drennan continued to seek clarification as to liabilities and if a contract is needed. The Christmas Committee nor the Council had previously signed a contract. Per the Town Attorney, "The Town is covered for these events under their liability insurance, and creating a contract would be a duplication of liability acceptance." Councilman Drennan questioned, "So any of us could use this property?" Mr. Rakowsky clarified that the Town could use these and would be covered, not individuals." This is the Town's Christmas Tree Lighting, per Mayor Campbell. Discussion referring to how the town had used this property for numerous years continues. Clarification is rendered to establish a difference between an Individual requesting to use said property versus the Town of South Congaree.

- **7:25 PM Marty Wooten:** I live in front of Columbia Auto Parts. Mr. Wooten is requesting a Junkyard/Scrapyard Ordinance for South Congaree. It's been going on since last July, with tires and now American Scrap has got a business license for towing, but here comes a rollback load of waste oil coming in. Their trash bin truck is bringing in tires, rims, so, I mean what are y'all dong? If it was over in front of Drennan's house we'd be taken care of. If it was over in front of any of y'all's houses, we would be taken care of. So, what are we doing by the Council to help this? We don't see any police up there. We don't see them going up and down the road. I mean, it's just simple, where's that liability? You want to sign a contract? Let's get one. I mean y'all need to do something. Y'all take an oath, do

you serve the citizens or the businesses? What is in that Oath? I just heard it from the Police, I didn't hear business. I heard citizens. I send emails. Do y'all get my emails? Council responds "Yes." Mr. Wooten replied, "I don't get any responses." **Responses have been made by all Council to include the Town clerk is clarified. It is stated a special called meeting will be called to discuss this matter.**

- Mr. Wooten continued to discuss Tim Dickensheets, the property owner, and S. Horton Properties' sale not a lease. Councilman Jackson questioned if the gates have been reopened, or is it being used for storage do you think? Mr. Wooten replied, "I don't know what they are doing." Last he heard was from Sergeant Walker, and that they rode by to check for activity. Per Mr. Wooten, "We don't know what that activity is supposed to be. They are in and out. I could probably give you a count of the cars towed in and out in the last month." Mayor Pro-Tem Mabry replied to Mr. Wooten, "We have discussed it, and you and I have discussed this." Every one of us has discussed this. Mr. Wooten continued to seek out where an Ordinance is. Mayor Campbell stated, "We as a Council have not discussed this." Mayor Pro-Tem Mabry clarified we asked for attorney advice on some things. The Council had an Executive Session in reference to this issue but have not met to discuss it since. Mr. Wooten stated, "The town is dragging their feet and kicking the can down the road, just like was done with the printer. If you get Mr. (Captain) Garner over here to do your printer, you will probably have it in a day, because he does a good job at what he does." Mayor Pro-Tem asked who just got their business license? American Scrap per Mr. Wooten.
- Mr. Wooten continued, "T & S Real Estate does not have a business license and that is who owns the property. Y'all do some research. I am just a common citizen." Mayor Campbell addressed Captain Garner, "Do you have any experience or have anything you would like to add in regard to this?" Captain Garner addressed the Council stating that he would sit down with Sergeant Walker to discuss, then set up a meeting. Mayor Campbell requested to include the Wootens in the meeting. Councilwoman Spires requested that Captain Garner inform the Council as to the outcome of that meeting. Councilwoman Spires asked Mr. Rakowsky (Town Attorney) to please work with them, he states, "I have been." Councilwoman Spires asked Mr. Rakowsky, "Why don't we have a solution?" Mr. Rakowsky replied, "The last meeting I had, I thought it came out good, so I feel like I am blindsided by the complaint because we had a meeting specifically with Columbia Auto Parts and their lawyer to address these concerns. They were advised to get a certain business license to operate." Councilwoman Spires stated she was unaware of this meeting and the results. Captain Garner responded, "Rather than labor the point, let's just get a game plan and go from there." **Clarification: all of the Council has responded and the Town clerk. It is stated a "special called" meeting will be called to discuss this matter.**
- "The council needs to adopt an Ordinance to protect the citizens," stated Mr. Wooten. Discussion in reference to the procedures for an ordinance continued. Mayor Pro-Tem Mabry stated DHEC has been called in, Mr. Wooten replied, yes, and that's our solution there, but there's ordinances that need to be in place. Lexington County has them. Mayor Campbell stated, so what I am hearing from you is, you want the Council to work on an Ordinance that protects the citizens in that area? Mr. Wooten replied, yes. Mayor responded, "we can do that."

X. Executive Session 7:34 PM


- **Motion to enter executive session for the discussion of personnel related matters of the Clerk of Court and Town Clerk, and to discuss the Contractual arrangements with SAFEBuilt by Mayor Campbell at 7:33 PM, seconded by Councilman Jackson. All in favor, Motion carried with unanimous vote of council at 7:34 PM.**

- A. **S.C. Code 30-4-70 (A) (1)** Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body. [Personnel Clerk of Court and Town Clerk]
- B. **Section 30-4-70 (A)(2)** Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of Legal Advice where the Legal Advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
(SAFEBuilt Contract)

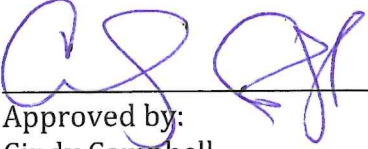
- **Motion to re-enter into Public Forum at 9:01 PM by Mayor Campbell, seconded by Councilman Jackson, All in favor, Motion carried with unanimous vote of council at 9:01 PM.**
- No votes were taken by the Council during the Executive Session. Mayor Pro-Tem Mabry and Councilwoman Spires will be scheduling a meeting with the Town Clerk, Kerri Charlton to release probationary status.

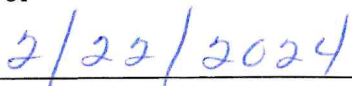
XI. Adjournment of Regular Council Meeting:

The council, on the motion of Mayor Campbell, seconded by Councilman Jackson, voted to adjourn the meeting at 9:02 PM. Motion carried with unanimous vote of council.



Attested by:
Kerri Charlton,
Municipal Clerk



Approved by:
Cindy Campbell,
Mayor


Date Approved