

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 11, 2019
6:30 P.M.**

{Summary minutes of City Council meeting. 8uAudio tapes of the meeting are on file and are included by reference as part of this meeting. An agenda of this meeting has been either mailed or made available to persons, organizations and local news media as per their request. The agenda gives the date, time and place of the meeting as well as the order of business. This disclosure is in compliance with the South Carolina Code of Laws of 1976, Section 30-4-80

The regular meeting of City Council was held on Tuesday, February 11, 2019 at 6:30 P.M. in the City Municipal Building with the following present:

COUNCIL: Mayor Harold Thompson, Mayor Pro Tem Robert Garner, Councilmembers Tommy Anthony, Vicki Morgan, Pamela Sloss, Ricky Harris and Sonja Craig.

CITY ATTORNEY: Larry Flynn

DEPARTMENTAL STAFF: Gloria Rogers, Municipal Clerk/Personnel Director; Laura Hembree – Finance Director; Joe Nichols – Utility Director; Assistant Utility Director – Adam Harris; Sam White – Public Safety Director; Leroy Edwards– Maintenance Shop Director; Kenny Thomas – Public Service Director; Rebecca Lance – Accounting Supervisor and Melissa Youngblood – IT Media Director

NEWS MEDIA: Graham Williams – Union County News and Mike Stevens – WBCU Radio

OTHERS: Randy Ivey, Dave Lance, Jamie Trammell, Marsha Jordan, Harriett Bruce, Margie Ruff, Kathy Teague, Jim Stepp, Kathy Stepp, Jack Kelly, Linda Kelly, Toccoa Switzer, Elise Ashby, Barbara Medford, Billy Medford, Raymond Smith, Stanley Jeter, Marsha Jordon, Jimmy Burk and others

1. CALL TO ORDER

Mayor Thompson called the meeting to order. He gave the invocation. The Pledge of Allegiance to the flag was given by all present. The roll was called by Municipal Clerk Gloria Rogers.

2. MINUTES

A. January 15, 2019 Regular City Council Meeting

MOTION by Councilmember Harris to approve minutes
SECOND by Councilmember Craig
CARRIED UNANIMOUSLY

3. COMMUNICATIONS

A. Monthly Reports

MOTION by Councilmember Sloss to accept monthly reports as information
SECOND by Councilmember Craig
CARRIED UNANIMOUSLY

- B. Retirement Awards – Barbara Medford was presented with a retirement award for 30 years of service; Raymond Smith for 31 years of service and Stanley Jeter for 21 years of service. Also Van Ham retired as a retiree with 22 years of service with the City of Union but he was not in attendance.

- C. Dog Park Presentation - Jimmy Burk
Cunningham Recreation

Jimmy Burk with Cunningham Recreation addressed council regarding a Dog Park. He states that the company is based out of Charlotte. They represent a number of recreational type goods and services including Dog Park equipment from a company called “Bark Park”. Mr. Burk presented council with literature and gave an overview of what a Dog Park may consist of based on space. This would include fenced in area for small dogs and large dogs with separate entrances. Mr. Burk states that most Dog Parks are designed strictly for a dog’s recreational exercise. There was a question and answer period between Mr. Burke and council. Mayor Thompson thanked Mr. Burk for his presentation and informed council that he will discuss the Dog Park at the budget worksession.

- D. Blue Sky Muriel Update Mayor Harold Thompson

Mayor Thompson gave an update on the Blue Sky Muriel. He states that he has gotten a couple of phone calls from people that have noticed another little crack coming in on the Muriel. The Mayor states that the City will need to have someone look at this soon. He tried to make contact with Blue Sky but has not heard anything back from him; however, he did find a muralist that is supposed to be calling him back hopefully one day this next week that could make repairs. Councilmember Morgan asked if staff has looked at the Blue Sky contract to see if anyone other than Blue Sky can make repairs. City Attorney Larry Flynn states that he does not see anything in the contract that would prevent anyone other than Blue Sky make repairs to the Muriel.

4. **BUSINESS**

- A. **ORDINANCE – 1ST READING – ORDINANCE TO AMEND CHAPTER 14 – MOTION VEHICLES AND TRAFFIC**

Chief Sam White states that he and City Attorney Larry Flynn have been looking at this ordinance after a meeting a few months ago. They met to discuss concerns that were addressed during the meeting. The Chief and City Attorney reviewed the ordinance and made several changes to Section 14-47 that deals with handicap parking places. Currently the City ordinance mandates that the fine is \$25 for a handicap parking violation; however, state law has a different requirement which is a \$1,000 fine and it cannot be suspended less than \$500. Therefore; the state law actually takes precedence over City ordinance. The ordinance has been changed to be in compliance with the state law. Attorney Flynn added that they just basically replaced the entire existing ordinance with the State statute. Chief White states that in Section 14-50, the ordinance as it was referred to, that downtown parking gave out the area which is zoned with a two hour limited zone. There was a lot of confusion with the public about this. A lot of people felt like they could park in front of Something Special for two hours and then move two spaces down and park another two hours, just keep moving their cars. The law states that this was a zone for two hours for the day. Chief White states Section 14-57 deals with an amendment for the issuance of parking citations and Section 14-58 amendment of consequences of failure to comply with parking citation. Also Section 14-68 was added dealing with the authority and power of certain of officials, the City Administrator or Public Services Director to make changes to

ordinance. Council briefly discussed the amendments. Staff recommendation is to pass 1st reading of the ordinance.

MOTION by Mayor Pro Tem Garner to table ordinance dealing with Main Street Parking
SECOND by Councilmember Harris
CARRIED UNANIMOUSLY

B. **ORDINANCE – 1ST READING – TO AMEND CHAPTER 16.2 – 2.1 PARKS AND RECREATION**

Chief Whites states that several issues have arisen relating to activities conducted at city parks. The Chief states that each year the Public Safety Department and several other agencies host a Public Safety Day, which is an event, designed to get kids to come and fish and have a good time that morning. There have been a lot of complaints where people will come down with their children and they are the ones doing the fishing plus have 5 or 6 fishing poles in the water. Each year it seems to get worse and worse. Adults leave with stings of fish that have been put in by the Public Service Department. The Wild Life Department is one of the sponsors of the Jakes' event and they have been getting a lot of complaints, even in Columbia. An amendment to the ordinance would help with the Jakes' Event and other events because it will give the Public Service Director or his designee the authority to change the rules of the Park for that particular time provided it is posted and put up on signage. For example when the Jakes' Event starts and all the people fishing that are not supposed to be fishing would give the Public Service Director or his designee the authority to put sign up signage, for example, one fishing device per registered child. That would eliminate adults and others from fishing with the child but they could help the child fish or assist the child. If they don't comply after being warned, they could get a ticket. The fishing event is for children up to 15 years old. There was a question and answer period between Council and Chief White regarding the age of participation in the Jakes' Event that could fish. City Attorney Larry Flynn states that this ordinance is basically giving some authority to the Public Service Director and the Public Safety Director to be able to control what happens at the parks. Councilmember Harris asked Chief White to check with the Jakes' Event Committee to see if they will accept moving the fishing age to 18 years old or School Age. Mayor Thompson asked for a motion to pass 1st reading of the amended ordinance contingent on the fact whether the committee accepts the changes.

MOTION by Mayor Pro Tem Garner to pass 1st reading of the amended ordinance for regulation of park use for fishing
SECOND by Councilmember Harris
CARRIED UNANIMOUSLY

C. **ORDINANCE – 2ND READING – RESTATING AND PROVISIONS TO CODE OF ORDINANCES PERTAINING TO CITY'S BUILDING CODES AND OTHER RELATED MATTERS**

City Attorney Larry Flynn states LLR has changed the regulations as it relates to residential builders. Licensed residential builders who received his or her license by exam are able to obtain a permit to perform work on the trades of Electrical, Plumbing and HVAC. This will bring the City ordinance in compliance with LLR.

Staff recommends council to approve 2nd reading of the ordinance to add provisions to the City's Code of Ordinance pertaining to the City's Building and other related matters.

MOTION by Councilmember Morgan to accept recommendation
SECOND by Councilmember Anthony

CARRIED UNANIMOUSLY

ABSTAIN Councilmember Harris - Licensed Contractor

D. DISCUSSION/MOTION – PROPOSED CHANGES TO THE CITY OF UNION’S CODE OF ORDINANCES PERTAINING TO THE CITY’S BUILDING CODES AND OTHER RELATED MATTERS

Mayor Thompson states that the Planning Commission met prior to tonight’s meeting. The Board of Zoning Appeals held a public hearing on January 24, 2019 to consider the request of Marcus Smith (the applicant) for a special exception which may be permitted by the Board pursuant to Section 119.2(c) of the City of Union Zoning Code as set forth in the application affecting property located at 227 South Gadberry Street to allow automobile service in the A-1 (Central Business District) zoning district. Mayor Thompson states that the Planning Commission for the City of Union recommends that City Council approve the proposed request to amend Section 109.2 – “Table of Permitted Uses for Non-Residential Districts” to allow automobile car washes in the A-1 District located in the downtown in Section 129 – “Definitions” of the City of Union Zoning Department.

MOTION by Mayor Pro Tem Garner to accept recommendation from the Planning Commission regarding City of Union’s Zoning Ordinance regarding automobile car washes

SECOND by Councilmember Sloss

CARRIED UNANIMOUSLY

E. DISCUSSION/MOTION – NEEDS ASSESSMENT FINALIZATION

Mayor Thompson states that Kimberly Herndon held a Needs Assessment Public Hearing prior to regular meeting. The Mayor states that there was good input on this from council. Ms. Herndon will make changes as discussed and give council the list. Mayor Thompson asked for a motion to accept the Needs Assessment Finalization.

MOTION by Councilmember Anthony to prioritize the Needs Assessment for the City of Union

SECOND by Mayor Pro Tem Garner

CARRIED UNANIMOUSLY

F. **DISCUSSION/MOTION** – USC-UNION UPCOUNTRY LITERARY FESTIVAL

Randy Ivey of USC-Union and the Director of Upcountry Literary Festival addressed council. He states that the annual festival promotes the sharing of culture, appreciation of literature and literacy, and learning. This free public event will include local, regional, and national authors who will engage in reading, presentations, discussion, face-to-face conversations, and book signings as a means of increasing local interest in literacy and writing. With contributions, USC Union Literary Festival is able to keep the event free and open to the public. The recommendation is that council approves the \$1,000 request to USC Union Upcountry Literary Festival from the Hospitality & Accommodations Tax

MOTION by Councilmember Sloss to accept recommendation

SECOND by Councilmember Craig

CARRIED UNANIMOUSLY

G. **DISCUSSION/MOTION** - UCHS “CELEBRATE SENIOR DAY”

Mayor Thompson states that the “Celebrate Seniors Day” is planned for May 17, 2019 at UCHS. There will be a time of recognition, as well as a cookout where each student will receive a specially designed tee shirt. The Healthy U Health Services and the Union County Schools are seeking monetary contributions in the following categories: Gold - \$600 or more; Silver - \$450 or Bronze - \$300 or less and any dollar amount will be greatly appreciated

MOTION by Councilmember Sloss to participate at the Silver level in the amount of \$450 for “Celebrate Seniors Day”

SECOND by Councilmember Craig

CARRIED UNANIMOUSLY

H. **DISCUSSION/MOTION** UNION COUNTY HEALTH CARE FOUNDATION SHAG NIGHT

Mayor Thompson states that the Union County Health Care Foundation is requesting consideration for their annual “Shag Night” Fundraiser. Levels of sponsorship are Platinum - \$1,500; Gold - \$1,000; Silver - \$500; Bronze - \$250 and Member - \$100. The recommendation is to sponsor the Union County Health Care Foundation’s “Shag Night” at the Silver level of \$500.

MOTION by Councilmember Morgan to accept recommendation to participate in “Shag Night” at the Silver level in the amount of \$500 out of the Special Event funds

SECOND by Mayor Pro Tem Garner

CARRIED UNANIMOUSLY

I. **DISCUSSION/MOTION** – UPPER UNION COUNTY ATHLETIC ASSOCIATION (UUCAA) TRAVEL BASKETBALL TEAM

Mayor Thompson states that the Union Upper County Athletic Association (UUCAA) Travel Basketball Team (Stingers) is an organization that is trying to mentor and help our youth. They are asking for a monetary donation to help cover the team’s expenses. The sports budget in the organization is not adequate enough to cover all the expenses, (i.e.) tournament cost, travel fees, insurance fees, lodging, uniforms, etc. Any amount will be greatly appreciated. The UUCAA Travel Basket Ball Team is designed to initiate, stimulate, and improve opportunities and athletic excellence and make a positive impact in the lives of our youth. Staff recommends that council approves a monetary donation to the UUCAA.

MOTION by Mayor Pro Tem Garner to fund UUCAA Travel Basketball Team in the amount of \$250.00.

SECOND by Councilmember Sloss

FOR: Thompson, Garner, Anthony, Harris, Sloss

OPPOSE Morgan, Craig

Councilmember Harris asked for a discussion on the request due to the fact that there is not a representative from the UUCAA Travel Basketball Team

Mayor Pro Tem Garner made a motion to table request. It was the consensus of council to table the item and Mayor Thompson will ask a representative to come in to address council regarding the organization’s funding request.

J. **DISCUSSION/MOTION** – SPARTANBURG COMMUNITY COLLEGE –
ECONOMIC VISIONARIES EVENT

Mayor Thompson states that the college and the SCC Foundation will be hosting their Third Annual Economic Visionaries Event at the Marriott in Spartanburg, SC on March 21, 2019. This event recognized four companies that are economic visionaries and are using their leadership skills to have successful businesses and influence the resources to make our community better for all of us. They are asking for event sponsorship in the amount of \$1,250 for a table, or \$150 each for seats. Dalton Williams with the Union County Development Board has called in regards to sharing a table sponsorship with the City. Each entity will pay \$625 and have 5 seats to fill at that table. Any additional seats required for City Councilmembers, will be purchased by the City at the \$150.00 level. Non-councilmember tickets will have to be purchased by the attendee. A motion is in order to sponsor the Third Annual Visionaries Event in partnership (with or without) the shared table sponsorship of the Union County Economic Development Board in the amount of \$625.00 each.

MOTION by Mayor Thompson to participate in the Spartanburg Community College Economic Visionaries Event accept recommendation

SECOND by Councilmember Harris

CARRIED UNANIMOUSLY

ABSTAIN: Councilmember Sloss – SCC Board Member

K. **DISCUSSION/MOTION**

Mayor Thompson states that the proposed 2019-2020 annual budget work-session has been tentatively set for March 25, 26 and 27 with sessions beginning at 5:00 pm. After a discussion, council approved March 26, 27 & 28 as dates for the 2019-2020 annual budget worksession.

L. **AWARD BID** – WATER PLANT CLEARWELL DEMOLITION

Utility Director Joe Nichols states that bids were received on January 15, 2019, at City Hall for the demolition of a Water Plant Clearwell. Eleven bids were received for this project. The bid summary and recommendation letter from engineers as presented to council. Eleven bids were received for this project: Demtek, LLC – \$49,944; Lindler’s Const. of SC - \$57,628; Mark’s Demolition & Env. - \$64,800; SM Grading & Excavating, LLC - \$68,500; Coogler Const. Inc - \$79,800; Hodge Demolition - \$90,510; Neuber Env. Services - \$114,320; Chaplin & Sons Clearing & Demo - \$162,750; Martin & Sons Contracting, LLC - \$164,288; Smith Backhoe & Construction, LLC - \$187,055 and Complete Demolition Serv. LLC - \$249,000. The recommendation is to accept bid from Demtek, LLC in the amount of \$49,944.

MOTION by Mayor Pro Tem Garner to accept recommendation

SECOND by Councilmember Anthony

CARRIED UNANIMOUSLY

5. **PUBLIC COMMENTS**

None

6. **ANNOUNCEMENT BY MAYOR AND COUNCIL**

None

7. **EXECUTIVE SESSION** – PERSONNEL & CONTRACTUAL MATTERS -

MOTION by Mayor Pro Tem Garner to go out of regular session into executive session to discuss a personnel and contractual matter

SECOND by Councilmember Morgan

CARRIED UNANIMOUSLY

MOTION by Mayor Pro Tem Garner Sloss to go out of executive session back into regular session

SECOND by Councilmember Morgan

CARRIED UNANIMOUSLY

No action taken

8. **ADJOURNMENT**

MOTION by Mayor Pro Tem Garner to adjourn

SECOND by Councilmember Craig

CARRIED UNANIMOUSLY

Meeting adjourned at 8:31 p.m.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2019