

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 19, 2017
6:30 P.M.**

{Summary minutes of City Council meeting. Audio 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 December 19, 2017 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 C. Morgan, Ricky Todd Harris, Pamela Sloss and Sonja J. Craig.

CITY ATTORNEY: Larry Flynn

DEPARTMENTAL STAFF: Gloria Rogers, Municipal Clerk/Personnel Director; Walker Gallman - Finance Director; Joe Nichols – Utility Director; Adam Harris – Assistant Utility Director; Perry Harmon – Public Service Director - Leroy Edwards – Maintenance Shop Director; Sam White – Public Safety Director; Laura Hembree – Finance Director and Rebecca Lance – Accounting Supervisor.

NEWS MEDIA: Daniel Prince – WBCU Radio and Graham Williams – Union County News.

OTHERS: Libby Oliver, Mark Cathcart, Tim Teague, Jim Ryan, Elise Ashby, Alexander Tucker, Matthew Phillips and David Lance.

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. November 14, 2017 Regular Council Meeting

MOTION by Councilmember Harris to approve minutes.
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

3. COMMUNICATIONS

A. Monthly Reports

MOTION by Councilmember Harris to accept monthly reports.
SECOND by Councilmember Anthony.
CARRIED UNANIMOUSLY.

B. Gregory Pest Solutions - Tim Teague

Tim Teague of Gregory Pest Solutions addressed City Council. He presented a Mosquito Control Service Agreement which is a seven month cycle that runs from April to October. In April they would start out with a larvicide treatment. Mr. Teague states that state contract pricing will be \$53.87 per mile which was discussed during a previous council meeting. But if the City did a monthly service contract, he states that they can come down on the price which would be \$48.00 per mile. The 90 day briquettes would be put out two times per year. The mosquito briquettes which is a larvicide is a pro-active approach for mosquito control; stopping them before they get to adulthood to start biting people. One piece of information he states that they do not have is how many storm drains the City has; but after the first application they will know how many storm drains there are and can adjust price as necessary. The grand total for the year for the briquettes is \$13,300. The monthly treatments treating 98 miles of city roads is \$32,770 bringing the grand total for the entire year treatment down to \$46,070.00. Mayor Thompson states that this information will be brought before council at its January regular meeting for discussion.

C. Clemson Extension 4-H & Youth Development Agent – Mark Cathcart

Mark Cathcart of Clemson Extension 4-H & Youth Development Agent for the County addressed council. He states that Union County has one of the best County Fairs in the State of South Carolina. He states that his main goal for Union County Fair is to make the best agriculture and livestock shows that they can have. Mr. Cathcart states that he came to Mayor Thompson back in the summer, along with a lot of other businesses in Union and asked for monetary support to help with the shows. He wanted to reward the young people in their showmanship abilities. The reason why he wants to concentrate on this is because it would be judging the child and not the animal that they are showing. He presented a thank you letter that the kids and parents from Union, as well as out of towners signed to show their appreciation. With the City's support and other businesses, they were able to present belt buckles as prizes to the children. Mr. Cathcart thanked Mayor and City Council for their support and hope that they can count on their support in the future.

D. FY 2017 Audit Presentation – Matthew Phillips
McKinley Cooper, LLC & Co.

Matt Phillips, CPA of McKinley Cooper, LLC & Company of Greenville, SC addressed council. He states that he is pleased to present the report related to their audit of the financial statements of the City of Union for the year ended June 30, 2017. The report summarizes certain matters required by professional standards to be communicated to Mayor & City Council in their oversight responsibility for the City's financial reporting process. He thanked City Council for allowing them to work with the City of Union and thanked staff for their cooperation during their engagement with the City of Union.

4. **BUSINESS**

A. **ORDINANCE – 2ND READING – BARS, TAVERNS AND NIGHTCLUBS**

Mayor Thompson states that City Council passed 1st reading to amend the Zoning Ordinance regarding bars, taverns & nightclubs at its November regular council meeting. The recommendation is to pass 2nd reading.

MOTION by Councilmember Sloss to pass 2nd reading.

SECOND by Councilmember Craig.

CARRIED 5 to 2.

FOR: Thompson, Garner, Morgan, Sloss, Craig.

OPPOSE: Anthony, Harris.

B. **ORDINANCE – 1ST READING – APPROPRIATE FISCAL 2017-2018
MONIES FROM GENERAL FUND**

Finance Director Walker Gallman states that on September 15, 2015, Mayor and Council passed a resolution to use local funds to match a \$500,000 Streetscape Grant at North Gadberry and North Pinckney Streets. The amount of the local match is estimated at \$58,705. Also during the demolition process, issues with drainage were discovered at the intersection of North Pinckney and Academy Street. The cost to repair the drainage issues amounted to \$41,703. The ordinance is to appropriate funding from the General Fund Fund Balance in the amount of \$100,408. The recommendation is to pass 1st reading of the budget adjustment ordinance.

MOTION by Councilmember Sloss to pass 1ST reading of the budget adjustment ordinance.

SECOND by Councilmember Craig.

CARRIED UNANIMOSLY.

C. **ORDINANCE – 1ST READING – APPROPRIATE FISCAL 2017-2018
MONIES FROM UTILITY FUND**

Finance Director Walker Gallman states that during the March 21, 2017 regular City Council Meeting Teresa Cawley, with Southern Municipal Advisors, Inc., made a presentation on “How You Prepare for a Bond Issue Rating”. By receiving an “A” bond credit rating or better the City would be able to request Debt Service Reserve Funds held by the State Revolving Fund (SRF) be released back to the City’s Utility Fund. Also going forward, by obtaining and maintaining a credit rating of “A”; SRF would not require a reserve fund for future loans. This rating will also give flexibility to obtain funds from other institutions. The Mayor was authorized, during the meeting, to contract with Southern Municipal Advisors, Inc. to assist staff in applying for a bond issue rating. On November 30, 2017, Moody’s Investor Services issued the City an “A2” bond rating for the General Fund and the Combined Utility Fund. The cost of preparing the bond rating presentation and review was approximately \$53,500, which includes a one-time fee of \$22,500 to the rating agency. The ordinance provides an appropriation from the Utility Fund retained earnings to adjust the FY2018 Budget. The recommendation is to pass 1st reading.

MOTION by Mayor Pro Tem Garner to pass 1st reading to appropriate FY2017-2018 monies from utility fund.

SECOND by Councilmember Morgan.

CARRIED UNANIMOUSLY.

D. **ORDINANCE – 1ST READING – ACKNOWLEDGING CHANGES TO THE
PROGRAM POLICIES OF THE SC WATER QUALITY REVOLVING FUND
AUTHORITY**

Finance Director Walker Gallman states that pursuant to the terms of “FY 2014 AMENDMENT TO ALL PRIOR SRF LOAN POLICIES” (the “***Policy Statement***”), the South Carolina Water Quality Revolving Fund Authority (the “***Authority***”) released certain loan policy amendments which affected a modification to certain provisions of all prior major loan policies for both the Authority’s Clean Water State

Revolving Fund and Drinking Water State Revolving Fund programs (collectively, the “*SRF Policy Changes*”). The SRF Policy Changes included, among other things, modification of requirements related to the Authority’s policies regarding the establishment and maintenance of debt service reserve funds (restricted funds established as additional security for the City of Union’s debt in an amount equal to one-year of principal and interest payments). The Policy Statement provides that if an issuer maintains a rating of “A” or better from Standard & Poor’s and/or Moody’s Investors Service (“*Moody’s*”), then the reserve requirement (the amount required to be set-aside in the debt service reserve fund) is set (or in this case, reset) at \$0. Recently, the City of Union undertook the process to be rated by Moody’s. Based on their review, Moody’s assigned a rating of “A2” to the City’s combined public utility system; the A2 rating conforms to the requirements of the Policy Statement and the City now wishes to pursue the release the debt service reserve fund monies currently securing its 2008 SRF Bond, 2010 SRF Bond, 2011 SRF Bond, 2013A SRF Bond and 2013B SRF Bond (collectively, the “*SRF Bonds*”). The aggregate balance debt service reserve fund money currently on deposit equals \$633,498.11. The ordinance under consideration tonight approves of certain changes to the ordinances approving the SRF Bonds and further provides for changes to the Loan Agreements under which the SRF Bonds were issued. Staff recommends approval of this item. Bond Counsel, Lawrence Flynn, will be available for second reading, currently scheduled for January 16, 2018, to answer any additional questions.

MOTION by Councilmember Sloss to pass 1st reading acknowledging changes to the program policies of the SC Water Quality Revolving Fund Authority.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

E. **ORDINANCE - 1ST READING – CITY PARK LAND TRANSFER**

Mayor Thompson states that on September 6, 2017 City Council held discussion at a Special Workshop concerning City Park. The County has maintained the park for many, many years. The County has agreed to continue maintaining the portion of the park that the ballfield, parking area, concession area and the basketball court sits on. The City has agreed to convey, and the County has agreed to accept the areas as outline in the ordinance. The recommendation is to pass 1st reading of the ordinance.

MOTION by Councilmember Sloss to pass 1st reading of an ordinance for City Park Land Transfer.

SECOND by Mayor Pro Tem Garner.

CARRIED UNANIMOUSLY.

F. **AWARD BID – ENGINEERING SERVICES – MEANSVILLE ROAD PUMP STATION AND FORCE MAIN UPGRADE**

Utility Director Joe Nichols states that three (3) proposals to provide engineering services to upgrade the Meansville Road Pump Station and Force Main were received. Engineering services include the design, permitting and construction administration of the project. Bids were received as follows: Alliance Engineering - \$115,000; Rogers & Callcott Engineering - \$81,350 and Summit Engineering - \$90,000. The recommendation is to evaluate all proposals. The low bid would require additional charges in order to complete the project. Therefore, City Staff recommends that Council accept bid from Summit Engineering for a not to exceed price of \$90,000.

MOTION by Councilmember Anthony to award bid to Summit Engineering.

SECOND by Councilmember Sloss.

CARRIED UNANIMOUSLY.

G. AWARD BID – ELECTRICAL SUBSTATION

Utility Director Joe Nichols states that on behalf of the City of Union, our electrical engineering firm, Progressive Engineering received sealed proposals for furnishing one (1) 14 kV Vacuum Circuit Breaker and three (3) 7.62 kV Voltage Regulators, as specified on December 5, 2017. Three (3) bidders provided proposals. The bid tabulation and the letter of recommendation from our consultant were presented. City staff recommends that council award bid to NTS/Siemens in the amount of \$48,876.00.

MOTION by Councilmember Anthony to accept recommendation.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

H. DISCUSSION/MOTION – HEATING & COOLING ASSISTANCE PROGRAM RENEWAL

Finance Director Laura Hembree states that the City of Union has been involved in a Heating and Cooling Assistance Program since 2011. This program generated from the original Community Change Program from 1993. Heating assistance (Electric & Gas) runs from January 1 thru April 30 and cooling assistance runs July 1 thru October 31. Each City of Union customer who qualifies can receive \$100 per season. (No customer is to receive more than \$200 per year). In fiscal year 2017, the “Community Change Program” generated 19,299.75, assisted 49 customers in the amount of 4,659.96. In keeping with the guide lines already in place, the program will continue on the availability of funds. The Salvation Army and Carolina Community Actions have been notified of the continuation of the program and are requested to respond to the City by letter if their willingness to qualify applicants for the assistance as appropriated. Customers are required to participate in the “Community Change Program” to qualify to receive assistance. Staff recommendation is to release Community Change funds to qualifying City Utility Customers.

MOTION by Mayor Pro Tem Garner to accept recommendation.
SECOND by Councilmember Morgan.
ABSTAIN: Councilmember Sloss
CARRIED UNANIMOUSLY.

I. DISCUSSION/MOTION – APPOINTMENT TO THE MUNICIPAL ELECTION COMMISSION

Mayor Thompson states that there is a vacancy on the City of Union Municipal Election Commission Board for an unexpired term that will end June 2018. The vacancy was advertised in the Union Daily Times and the Union County News. There was (1) one letter of interest received from Mamie Holmes. The vacancy will need to be filled as soon as possible due to an upcoming Special Election on January 9, 2018. Staff recommends that we appoint Ms. Holmes to the City of Union Municipal Election Commission Board.

MOTION by Mayor Pro Tem Garner to appoint Mamie Holmes to the Municipal Election Commission Board.
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

J. DISCUSSION/MOTION – APPOINTMENTS TO THE BOARD OF ZONING APPEALS & THE BUILDING BOARD OF APPEALS

Mayor Thompson states that City Council must fill two (2) vacancies on the Board of Zoning Appeals for expired terms. These positions are for a three-year term to expire December 31, 2020 and are appointed by the Mayor & City Council. The Board of Zoning Appeals works closely with the City of Union Planning Department. This board hears and makes decisions dealing with the City of Union Zoning Ordinance Regulations. Also City Council must fill two (2) vacancies on the Building Appeals Board for expired terms. These positions are for a four-year term to expire December 31, 2021 and are appointed by the Mayor & City Council. The Building Appeals Board works closely with the City of Union Planning Department. This board hears and makes decisions on appeals dealing with the City of Union Code of Ordinances and International Building Codes. These positions were solicited by public record in the local newspaper November 27, 2017. Request to serve letters, voting ballots and public notice were presented to council. Jerry A. Willard, Jr. and Wiley (Trip) Sheron applied to serve another term on the Board of Zoning Appeals. Nikia Brannon applied to serve on the Board of Zoning Appeals. The following votes were casted by council for the Board of Zoning Appeals:

Jerry A. Willard, Jr. -	6 votes
Nikia Brannon	6 votes
Wiley (Trip) Sheron	2 votes

Wayne Cook and A.C. Martin applied to serve another term on the Building Appeals Board. The following votes were casted by council for the Building Appeals Board:

Wayne Cook -	7 votes
A.C. Martin -	7 votes

Jerry A. Willard, Jr. and Nikia Brannon were appointed to serve on the Board of Zoning Appeals. Wayne Cook and A.C. Martin were appointed to serve on the Building Appeals Board.

5. **ANNOUNCEMENT BY MAYOR & COUNCIL**

Councilmember Morgan asked if council could possibly look at discussing a Dog Park in January. Mayor Thompson states that they could. Councilmember Morgan also mentioned ordering flags for the Downtown area to put up after the Christmas Flag are taken down. Mayor Thompson states that the City has a branding logo and need to look at what format they want to use for the flags.

6. **PUBLIC COMMENT**

Alexander Tucker addressed City Council. He asked how many new businesses have opened in Union for the years 2016-2018. Mayor Thompson states that this would be a better question for the Chamber of Commerce.

Mayor Thompson thanked everyone for their participation during Union Downtown Christmas Open House and the Christmas Parade. He states that this was the biggest Christmas Parade the City has had in a long time. There were a lot of people downtown and the weather was good for it. He wished all the councilmembers a Merry and safe Christmas.

7. **ADJOURNMENT**

MOTION by Mayor Pro Tem Garner to adjourn.
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

Meeting adjourned at 7:31 P.M.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2018