

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, JUNE 21, 2011
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 (e).}

The regular meeting of City Council was held on June 21, 2011 at 6:30 P.M. in the City Municipal building with the following present:

COUNCIL: Mayor Harold Thompson, Mayor Pro Tem Keith Henderson, Councilmembers Tommie L. Hill, Robert Garner, Ricky Todd Harris, Orangelow Ruff and Andy Bailey.

CITY ATTORNEY: Billy Whitney

DEPARTMENTAL STAFF: Gloria Rogers, Municipal Clerk/Personnel Director; Sam White, - Public Safety Director; Joe Nichols – Utility Director; Perry Harmon - Public Service Director , Mike Petrie – Maintenance Shop Director and Laura Hembree – Accounting Supervisor. Walker Gallman – Finance Director was absent.

NEWS MEDIA: Charles Warner – Union Times; Graham Williams – Union County News and Steve Ramsey – WBCU.

OTHERS: Torance Inman, Ben Powles, Toney Gregory, Edgar Glenn, Bruce Sparks, Letitia Hayes and others.

1. Call To Order

Mayor Thompson called the meeting to order. Mayor Pro Tem Henderson 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. May 17, 2011	Regular Council Meeting
B. June 7, 2011	Public Hearing
C. June 7, 2011	Special Council Meeting

MOTION by Councilmember Harris to accept minutes as presented.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

3. Communications

A. Monthly Reports

MOTION by Councilmember Ruff to accept monthly reports.
SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

A. ORDINANCE – 2ND READING – FLOOD DAMAGE PREVENTION
ORDINANCE

On August 17, 2010 council passed 2nd reading and adopted a Flood Damage Prevention Ordinance for the City to participate in the National Flood Insurance Program. On April 12, 2011 Karen Jones with SCDNR notified the City through Brian Blackwell, Floodplain Manager that there were some required amendments that needed to be made to the ordinance and that the newly amended ordinance needed to be adopted by council and a true/certified copy must be received in her office no later than July 28th, 2011 to allow time to process through FEMA. Before the City can submit an application to participate in the National Flood Insurance Program, an ordinance must be adopted by City Council. Adoption of this ordinance will help to promote the public health, safety and general welfare and to minimize public and private loss due to flood conditions. City Council passed 1st reading of the ordinance at its May 17, 2011 regular council meeting.

MOTION by Councilmember Bailey to pass 2nd reading of the ordinance to allow the City of Union to be reinstated into the National Flood Insurance Program.

SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

B. RESOLUTION – STATE REVOLVING LOAN FUND

City staff continues to evaluate our sewer system and have identified the need to upgrade our existing headworks and aerators at the **Tosch's Creek Wastewater Treatment Plant.** We have also determined the need to replace the **Coleman Street, Lukesville, and Ottaray** pump stations. The need to upgrade and replace is discussed in more detail in a public notice. The cost of this project is estimated to be \$3,105,000. To fund this project we propose to apply to the State Revolving Fund for a low interest loan under the Clean Water Act. The standard interest rate is 3.25% for a 20 year term. There is a possibility that approximately \$1,000,000 of the project will qualify under what is considered a "green" initiative (energy efficient) and the interest rate on that amount will only be 1%. The resolution will authorize the Mayor to complete, execute and submit an application to the State Authority. The resolution also grants the State a pledge of, and lien on, all revenues of the City's combined revenues for repayment of the loan. The recommendation is to pass resolution to allow the Mayor to apply for a State Revolving Fund Loan.

MOTION by Mayor Pro Tem Henderson to pass resolution to allow the Mayor to apply for a State Revolving Loan Fund.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

C. DISCUSSION/MOTION – LINE WARRANTY PROGRAM/NATIONAL LEAGUE OF CITIES

Mr. Albert Saussol, Regional Account Manager with Utility Service Partner, Inc. addressed council regarding a partnership with the National League of Cities “Line Warranty Program” at its April 19, 2011 regular council meeting. The Service Line Warranty Program is an affordable home protection solution for residents to help them deal with the financial burden of unanticipated utility line repair and replacement costs that are not the city’s responsibility to repair. Staff recommendation is to participate in the program. If council approves, a motion is required to authorize the Mayor to execute the program thru the National League of Cities.

MOTION by Councilmember Bailey to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

D. APPOINTMENT TO PLANNING COMMISSION BOARD

City Council must fill three (3) vacancies on the Planning Commission Board for expired terms. This Board works closely with the City of Union Planning Department. They meet to consider and make recommendations to City Council concerning zoning ordinances or resolutions. The Commission also makes regulations for the subdivision of land and appropriate revisions thereof within its jurisdiction. These positions were solicited by public notice in the Union County News. Request to serve letters were received from Bobby Joe Gibbs, Lynn Eaves and Hutch Hall requesting reappointment to board. Voting ballot and public notice were presented to council. City staff recommends that Council appoint qualified candidates to fill these most important board vacancies.

MOTION by Councilmember Hill to reappoint Bobby Joe Gibbs, Lynn Eaves and Hutch Hall to Planning Commission Board.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

E. AWARD BID/SPILLWAY REPAIRS – FOSTER PARK

Bids were received on June 9, 2011 at City Hall in Union for spillway repairs at Foster Park. Two (2) bids were received: Ray Lemons Bulldozing – \$9,473.42 and Smith Backhoe and Construction - \$11,050.00. The recommendation is to award bid to Ray Lemons Bulldozing to repair spillways at Foster Park Lake in the amount of \$9,473.42.

MOTION by Councilmember Henderson to award bid to Ray Lemons Bulldozing.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

F. AWARD BID/FILL MATERIAL FOR KENWOOD LANDFIELD

Bids were received on June 9, 2011 at City Hall in Union providing fill material for the Kenwood Landfill. Two (2) bids were received. Bids are as follows: Smith Backhoe and Construction - \$4,125.00 and Ray Lemons Bulldozing - \$8,550.00. The recommendation is to award bid to Smith Backhoe and Construction in the amount of \$4,125.00.

MOTION by Mayor Pro Tem Henderson to award bid to Smith Backhoe and Construction in the amount of \$4,125.00.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

5. **ANNOUNCEMENT BY MAYOR & COUNCIL**

- A. Please address the Mayor and Council from the lectern and state your name and address for the record.

Councilmember Garner thanked City employees for the work during last week's storm.

6. **PUBLIC COMMENT:**

Edgar Glenn, 111 Douglas Heights, addressed council regarding a public safety concern during last week's storm. A limb fell across a power line and the limb was suspended above the road and cars had to turn around and the road had to be closed temporarily. Mr. Glenn asked what could be done about the tree problem and limbs falling during storms. He wanted to know who is the responsible for the trees. The trees are between the sidewalk and the road.

Public Service Director Perry Harmon states Douglas Heights is owned by State Highway. The City has done sidewalk repair work twice there and had to get a permit to encroach on their property.

Mayor Thompson state that he would contact the Highway Department to meet and discuss the issue and work out some kind of agreement to help each other in situations such as this.

Toney Gregory, 121 Douglas Heights also addressed council regarding trees falling during storms and asked who the property belonged to. He states the he and others in that district want to be a part of the meeting with the City and State Highway Department.

Bruce Sparks, 116 Douglas Heights, addressed council regarding trees falling during storms. He would like for dead trees to be cut and others that can be saved, then save them. Mr. Sparks also commented on the Tosch Creek Project issue.

Letitia Hayes, 117 Douglas Heights addressed council. She states that she has contacted the State Highway Department. There is a huge dead tree between her home and the sidewalk. She is aware that there is an issue about who the trees belong to. She states that the citizens in the neighborhood have small children and she wants the trees cut down because of safety issues.

Mayor Thompson recommends forming a committee to discuss issue regarding the trees on Douglas Heights. Committee will consist of Councilmembers Andy Bailey, Ricky Harris and Robert Garner.

Councilmember Bailey commented on the Tosch Creek Project. He states that this project has been studied and reviewed in-depth before it was presented to Council.

7. **EXECUTIVE SESSION** – TO DISCUSS LEGAL, CONTRACTUAL, AND PERSONNEL MATTERS

None

8. **ADJOURNMENT:**

MOTION by Councilmember Garner to adjourn.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:05 PM.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2011