

**MINUTES  
REGULAR COUNCIL MEETING  
TUESDAY, JUNE 5, 2018  
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 June 5, 2018 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, Ricky T. Harris, Pamela Sloss and Sonja Craig

**CITY ATTORNEY:** Larry Flynn and C.D. Rhodes

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

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

**OTHERS:** Eddie Williams, Larry Robinson, Curtiss Hunter, Lois Moorman, Bobby Monroe, Neil McKeown, Judy Bynum, Kathy Teague, Alise Ashby, Adolphus Jones, Perry Enlow and Reieta Drinkwine

**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. May 8, 2018 Special Council Meeting

**MOTION** by Councilmember Anthony to approve minutes.  
**SECOND** by Mayor Pro Tem Garner.  
**CARRIED UNANIMOUSLY.**

B. May 15, 2018 Public Hearing  
C. May 15, 2018 Regular Council Meeting

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

D. May 21, 2018

Special Council Meeting/Workshop

**MOTION** by Councilmember Harris to approve minutes.  
**SECOND** by Mayor Pro Tem Garner.  
**CARRIED UNANIMOUSLY.**

E. May 29, 2018

Special Council Meeting

**MOTION** by Mayor Pro Tem Garner to approve minutes  
**SECOND** by Councilmember Anthony  
**CARRIED UNANIMOUSLY**

F. May 31, 2018

Special Council Meeting

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

### 3. **COMMUNICATIONS**

A. Monthly Reports

**MOTION** by Councilmember Harris to accept monthly reports as information.  
**SECOND** by Councilmember Sloss.  
**CARRIED UNANIMOUSLY.**

B. 1. Union County Detention Center - Neil McKeown

Neil McKeown of the Union County Detention Center addressed City Council. He states that he gave a presentation a few weeks ago regarding the Health and Wellness Facility the County will be building but failed to mention the amount they are requesting for assistant. The building cost will be around \$55,000 to \$60,000. He respectfully asks that the City of Union make an investment to the Union County Detention Center in the amount of \$5,000 for the next two budget years for a total of \$10,000.

2. South Carolina Humanities - Judy Burke Bynum

Judy Burke Bynum addressed City Council. She states that she lives in Spartanburg but works statewide on behalf of South Carolina Humanities. Ms. Bynum discussed the Smithsonian Exhibit coming to Union in September. Ms. Bynum states that SC Humanities is a state-wide non for profit agency which is 45 years old based in Columbia. They are very small, but provide money for exhibits, programming and technical assistant and their collaborations throughout the state. SC Humanities is the main covalent for bringing this type of activity on a state-wide basis. The Smithsonian Exhibit focuses on rural community. The exhibit is called "Crossroads, Changing Rural American" and Union County is the Kick-off for the tour and the exhibit goes to six small communities throughout the state. It is a competitive process and she is happy that Union was selected out of a very tough field. Ms. Bynum is requesting that council consider financial support in the amount of \$2,500 for the exhibit. The funding will be used to help with the rental of the exhibit, the cost of moving the exhibit and also state-wide promotion. There will not be a cost to the public and there will be a lot of special events and activities planned by the Planning Community here in Union.

Mayor Thompson thanked Ms. Bynum for the information and will take the request under consideration at the next regular council meeting.

4. **BUSINESS**

A. ORDINANCE – 2<sup>nd</sup> **READING** – PROPOSED BUDGET 2018-2019

Finance Director Laura Hembree states that the Fiscal Year 2018/2019 Proposed Budget All Funds Summary is \$44,907,650, a decrease of 2.3% under Fiscal Year 2017-2018. The General Fund's projected revenues are \$5,641,860. Expenditures are proposed at \$6,264,240. This leaves a deficit of \$622,380 to be funded by fund balance. Taxpayers will receive a credit against their property taxes, due to Local Option Sales Tax revenue. There is no tax or fee increase proposed for the General Fund. Capital equipment and improvements in the amount of \$315,900 are included in the proposed expenditures amount above. The Solid Waste Management fund has a budget of \$784,510, an increase of 2.6%. No fee increase is proposed For FY 2019. The Utility Fund projected revenues are \$35,603,060. Expenses are proposed at \$37,085,300, a decrease of 3.6% under last year's budget. The deficit of \$1,482,240 will be funded by retained earnings. The PPA will continue to true up the cost of power each month. Water proposed rate increase is at 2.5% on volume only. Sewer customers will see an increase of 2.5%. Natural Gas base rates will not increase, but the PGA will continue to true up cost of gas each month. Capital equipment in the amount of \$477,000 and infrastructure of \$3,522,430 are included in the total utility proposed expenses above. A 2.6% cost of living raise is proposed for City employees. The General Fund and Utility Funds will use fund balance/cash reserves to balance. The following is a list of special revenue funds and their FY 2018-2019 proposed budgets:

a. Local Hospitality and Accommodations	\$430,000
b. Main Street Junction	116,600
c. Economic Development Fund	100,000
d. Drug Fund	7,000
e. Community Change	30,000
f. Debt Service-Tax Increment	90,000

At a workshop a few weeks ago city council discussed adding tamper fees and some wording on deceased customer policies. This was added on the service connection section of the proposed budget for FY 2019.

Staff recommends council to approve 2<sup>nd</sup> reading of the 2018-2019 proposed budget ordinance.

**MOTION** by Councilmember Harris to approve 2<sup>nd</sup> reading of the 2018-2019 Budget Ordinance.

**SECOND** by Councilmember Craig

**CARRIED: 6 to 1**

**FOR:** Thompson, Garner, Anthony, Harris, Sloss, Craig

**OPPOSE:** Morgan

B. ORDINANCE – 2<sup>nd</sup> **READING** – ADOPT TAX LEVY – 2018-2019

Finance Director Laura Hembree states that the proposed Tax Levy will remain the same at 86.8 Mills. The recommendation is to pass 2<sup>nd</sup> reading of the Tax Levy for 2018-2019

**MOTION** by Mayor Pro Tem Garner to pass 2nd reading of the Tax Levy Ordinance.

**SECOND** by Councilmember Anthony.

**CARRIED UNANIMOUSLY.**

C. ORDINANCE – 2<sup>ND</sup> **READING** - ANNEXATION AGREEMENT

Finance Director Laura Hembree states that over the past several years, the City has annexed parcels that were under the jurisdiction of the Buffalo Fire District. As part of each annexation, legal counsel has been sought to determine the amount of tax monies to be allotted to the District to cover any debt service obligations. The ordinance encompasses future annexations with the Buffalo Fire District. The agreement details the calculation for the amount of taxes to be paid to the District based on the millage and debt service terms at the time of annexation. The recommendation is to pass 2<sup>nd</sup> reading of the Annexation Agreement Ordinance.

**MOTION** by Councilmember Harris to pass 2<sup>nd</sup> reading of the ordinance  
**SECOND** by Councilmember Sloss  
**CARRIED UNANIMOUSLY.**

D. ORDINANCE – 2<sup>ND</sup> **READING** – APPROPRIATE FISCAL 2017-2018 MONIES FROM GENERAL FUND FOR THE FOLLOWING EXPENSES

Finance Director Laura Hembree states that during the December 19, 2017 regular meeting, Tim Teague with Gregory Pest Solutions spoke to City Council about a mosquito treatment contract. The contract would include several treatments over a seven-month period to include the placement of briquettes and the spraying of larvicide throughout the City. The Mayor was authorized to contract with Gregory Pest Solutions to begin the process for mosquito treatment throughout the City. Gregory Pest Solutions began their treatment in April 2018. To date, the cost to the City for the first 3 treatment has been \$16,012.00. The cost for the treatments for fiscal year 2017-2018 total \$20,693 with 1 more treatment scheduled in June. The ordinance provides an appropriation from the General Fund to adjust the FY 2018 budget. The recommendation is to pass 2<sup>ND</sup> reading of the ordinance.

**MOTION** by Mayor Pro Tem Garner to accept recommendation  
**SECOND** by Councilmember Morgan  
**CARRIED UNANIMOUSLY.**

E. TO TAKE FROM TABLE – ORDINANCE OF THE CITY OF UNION AMENDING RESTATING AND ADDING PROVISION TO THE CITY’S CODE OF ORDINANCE PERTAINING TO THE CITY’S FORM OF GOVERNMENT AND OTHE MATTERS RELATED THERETO

Mayor Thompson states that a special city council meeting/workshop was held on May 21, 2018. The 1<sup>ST</sup> reading of an ordinance from that agenda to amend the City’s Code of Ordinance to change the form of government from the Mayor-Council to Council form of government was tabled by a unanimous vote from council. Staff recommends that council make a motion to take from the table and place on agenda the 1<sup>st</sup> reading of an ordinance of the City of Union amending, restating and adding provisions to the city’s code of ordinances pertaining to the city’s form of government and other related matter.

**MOTION** by Mayor Pro Tem Garner to accept recommendation.  
**SECOND** by Councilmember Sloss.  
**CARRIED UNANIMOUSLY.**

F. ORDINANCE – 1<sup>ST</sup> **READING** – ORDINANCE OF THE CITY OF UNION AMENDING, RESTATING AND ADDING PROVISIONS TO THE CITY’S CODE OF ORDINANCE PERTAINING TO THE CITY’S FORM OF GOVERNMENT AND OTHER MATTERS RELATED THERETO

Attorney C.D. Rhodes states that a special election was held on Tuesday, January 9, 2018 for the City of Union to vote on a referendum changing the City Form of Government from Mayor–Council to the Council. This required some changes to the City code to reapportion the administrative responsibilities within the City. Under the Council Form of Government, the administrative duties are held by council and they are typically delegated to either an Officer of the City, the Mayor for instance, or to an Administrator. Mr. Rhodes made some suggestion changes to the City Code to accomplish that task. Those are listed under section 2-14 of the City’s ordinance. The other significant change is to create committee structure in this version of the ordinance. The Mayor does appoint those members of the committees from members of the City Council; however, the committee does not have any administrative duties itself.

**MOTION** by Mayor Pro Tem Garner to pass 1<sup>st</sup> reading of the ordinance to change the form of government to Council Form of Government effective July 1, 2018.

**SECOND** by Councilmember Craig.

**CARRIED UNANIMOUSLY.**

G. MONARCH MILL AREA SEWER SYSTEM UPGRADE

Utility Director Joe Nichols states that the Union City Council voted on March 20, 2018 to pass a resolution to provide a local match of \$350,000 and any additional funds required for the completion of project to the Monarch Mill area sewer system upgrade. The cost of this upgrade had been estimated at \$844,545. It has now been determined that the cost to complete these upgrades is now estimated at \$847,545. The SC Department of Commerce is requiring that the resolution for the City’s 10 percent local match be the exact amount of the estimated amount, therefore a new resolution is required. The program requires local matching funds of a minimum of 10 percent of the grant amount. The City of Union now agrees to provide local matching funds of \$347,545 and any additional funds required for the completion of this project. The recommendation is that the Union City Council agrees through resolution to provide local funds of \$347,545 and any additional funds required for the completion of the project.

**MOTION** by Councilmember Anthony to accept recommendation.

**SECOND** by Councilmember Harris.

**CARRIED UNANIMOUSLY.**

H. AWARD BID – WASTEWATER SYSTEM IMPROVEMENTS:  
MEANSVILLE ROAD PUMP STATION & FORCE MAIN UPGRADE

Utility Director Joe Nichols states that bids were received on May 31, 2018 at 2:00 pm at Union City Hall for Meansville Road Pump Station and Force Main Upgrade. Five bids were received:

Harper Corporation	\$1,645,000
North American Pipeline Mgmt.	1,542,599
J.L. Construction Co., Inc.	1,199,800
Babcock Construction, LLC	1,696,610
J.L. Construction Co.	1,315,380

A copy of the bid summary was presented and a letter of recommendation from consultant. The recommendation is to award bid to J.L. Construction Co., Inc. in the amount of \$1, 199,800 pending SC Rural Infrastructure Authority (SC RIA) approval.

**MOTION** by Councilmember Sloss to accept recommendation.  
**SECOND** by Councilmember Harris.  
**CARRIED UNANIMOUSLY.**

I. DISCUSSION/MOTION – DATA MAX HOLDINGS, LLC – REVENUE ENHANCEMENT

Bobby Monroe of Data Max addressed council. He gave an update on undiscovered revenue that Data Max has collected for municipalities since he last addressed council. He states that the City of Union has a lot of revenue that has been coming into the City and just leaving out and the City does not know about it. As stated before he said that they do 100% of the work and they collect 50% of the fees that they collect. There is never a cost to the City. Mayor Thompson states that if council wishes to enter into an agreement with DataMax to collect undiscovered revenue a motion is in order.

**MOTION** by Mayor Pro Tem Garner to enter into an agreement with DataMax to collect undiscovered revenue.  
**SECOND** by Councilmember Sloss.  
**CARRIED UNANIMOUSLY.**

J. DISCUSSION/MOTION – UNION COUNTY CHAMBER OF COMMERCE ANNUAL “LIGHT UP THE LAKE 2018” SPONSORSHIP”

Mayor Thompson states that the Union County Chamber of Commerce is requesting sponsorships for the annual “Light up the Lake 2018” Independence Day Celebration scheduled for July 3<sup>rd</sup> at Veteran’s Memorial Park. This celebration is one of the most anticipated and attended family events in Union County. To keep this event thriving, sponsorships are greatly appreciated and needed. A motion is needed from Council to participate with a sponsorship for the Annual “Light up the Lake 2018” Independence Day celebration.

**MOTION** by Councilmember Harris to fund the annual “Light up the Lake “ 2018 Independence Day Celebration in the amount of \$500.  
**SECOND** by Councilmember Craig.  
**CARRIED UNANIMOUSLY**

K. RESOLUTION – SETTLEMENT AGREEMENT

Mayor Thompson states that he needs a motion to table the Settlement Agreement Resolution until executive session.

**MOTION** by Councilmember Sloss to table the Settlement Agreement Resolution until executive session.  
**SECOND** by Councilmember Craig.  
**CARRIED UNANIMOUSLY**

5. **PUBLIC COMMENT**

Alise Ashby addressed council regarding the upcoming AG & Art Tour. The Tour will be held the June 23 & 24, 2018. The AG & Art Kick-Out Dinner will be held on Thursday, June 21, 2018. Tickets are \$25.00. The Farm and Craft Market will be open on Saturday, June 30, 2018, their opening season, from 7:00 am until noon.

Adolphus Jones addressed council. He thanked council for putting up fence covering. Also he discussed two other items, the speed limit on Calhoun Street which is 25 miles per hour but drivers are going around 45 to 50 miles an hour. Mr. Jones wants council to look at putting speed bumps or “No Through Traffic”

sign. Mayor Thompson states that Calhoun Street is a state road and he will give him a request form to send in to SCDOT. In addition he will get Public Safety to patrol area. The other item he discussed is a sign at City Hall that says ‘No Smoking on City property’. He confirmed that this meant cars, trucks and anything that belongs to the City of Union. Mr. Jones states that he sits on his porch and sees employees smoking in City vehicles. He feels that this needs to be addressed. The Mayor states that he will address the issue.

Curtiss Hunter addressed council. She reminded everyone that the 4<sup>th</sup> of July, “Light Up the Lake Celebration” will be held on July 3, 2018 this year.

Perry Enlow of Cherokee Estates addressed council regarding his home being robbed numerous times by the same people and the treatment he has received from the Public Safety Department whenever he reports this. Mr. Enlow states that he had \$25,000 to 30,000 worth of items stolen from his home and called the police about 5 to 7 times in a row and no action has been taken. He wants his break- ins to be investigated and the suspects, which he knows, to be put in jail and his stolen items returned. Mayor Thompson states that Chief White and his department has been investigating; however, he does not know the status of the investigation.

6. **ANNOUNCEMENT BY MAYOR AND COUNCIL**

None

7. **EXECUTIVE SESSION**

**MOTION** by Councilmember Sloss to go out of regular session into executive session to discuss a resolution for a settlement agreement.

**SECOND** by Councilmember Craig.

**CARRIED UNANIMOUSLY.**

**MOTION** by Councilmember Harris to go out of executive session back into regular session.

**SECOND** by Councilmember Sloss.

**CARRIED UNANIMOUSLY**

No action taken.

Mayor Thompson asked for a motion to pass resolution authorizing him to execute an Agreement and Release with OVA Properties, LLC.

**MOTION** by Councilmember Morgan to pass the resolution.

**SECOND** by Councilmember Craig.

**CARRIED UNANIMOUSLY.**

8. **ADJOURNMENT**

**MOTION** by Councilmember Sloss to adjourn.

**SECOND** by Councilmember Craig.

**CARRIED UNANIMOUSLY.**

Meeting adjourned at 8:16 P.M.

---

Gloria J. Rogers, Municipal Clerk

Minutes approved \_\_\_\_\_ 2018