

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, MARCH 20, 2012
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 Tuesday, March 20, 2012 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 and Ricky Todd Harris. Councilmember Orangelow Ruff was absent due to illness.

CITY ATTORNEY: Billy Whitney.

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

NEWS MEDIA: Steve Ramsey – WBCU and Graham Williams – Union County News.

OTHERS: Ben Powles, Charles Coyne, Mike Stevens and Debbie Clark.

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. February 21, 2012 | Public Hearing |
| B. February 21, 2012 | Regular Council Meeting |

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

3. Communications

- A. Monthly Reports

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

B. DHEC – Smoke Free Ordinance

Debbie Clark, Health Educator II for DHEC addressed Council regarding passing an ordinance to prohibit smoking in restaurants, bars or any workplace within the City limits of Union. She presented a PowerPoint presentation to Council on being exposed to second-hand smoke. Ms. Clark states that this is a major public health issue and a smoke free ordinance is not taking the rights away from individuals smoking; it is protecting the health and lives of those who do not smoke.

4. **BUSINESS**

A. ORDINANCE – 2ND READING – TO REZONE 400 EAST MAIN STREET FROM A-4 OFFICE, RESIDENTIAL & INSTITUTIONAL TO A-1 CENTRAL BUSINESS

Due to the former use of the property located at 400 East Main Street being discontinued and the utilities turned off for more than ninety (90) days the property lost its grandfather use and must conform to the regulations for the A-4 Zone which does not allow a convenient store or supermarket type use. Therefore the owner of the property is requesting that the property be rezoned from A-4 Office, Residential & Institutional to A-1 Central Business which does allow these type uses. The property is adjacent to property which is already zoned A-1 Central Business and it does comply with the regulation requirement for the A-1 Central Business Zone. Council passed 1st reading of the ordinance at its February regular meeting.

MOTION by Mayor Pro Tem Henderson to pass 2nd reading of the ordinance to rezone property at 400 East Main Street to A-1 Central Business.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

B. ORDINANCE – 2ND READING – ESTABLISHING CITY OF UNION PLANNING COMMISSION

The City of Union Planning Commission was established by City Council in 1959 and has operated continuously since that time. In 1994, the Local Government Comprehensive Planning Act was enacted which repealed all of the previous state statues authorizing planning at the local level. In addition this new law empowered the planning commission with several responsibilities, including the development of a comprehensive plan and making rezoning recommendation. On a technical note, the City Council must reauthorize the planning commission in order to ensure compliance with state law. The proposed ordinance remedies the present situation. A copy of the Ordinance and Chapter 1 – Planning of the Local Government Comprehensive Planning Act Ordinance was presented to Council. Council passed 1st reading of the ordinance at its February regular meeting.

MOTION by Councilmember Hill to pass 2nd reading.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

C. ORDINANCE – 2ND READING – ANNEXING 1027 SOUTH DUNCAN BY-PASS

The City has requested that the owner of the property located at 1027 South Duncan Bypass submits a petition for annexation to bring his property into the Corporate Limits of the City of Union. The annexation ordinance states that the property be annexed into the corporate limits with an A-2 Highway Commercial zoning classification. The property is adjacent to and it does comply with the regulation requirements for the zone. Council passed 1st reading of the ordinance at its February regular meeting.

MOTION by Councilmember Mayor Pro Tem Henderson to pass 2nd reading of the ordinance.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

D. RESOLUTION – AGREEMENT BETWEEN THE CITY OF UNION AND PROJECT TRIAD

Utility Director Joe Nichols presented a resolution to approve the execution and delivery of a Memorandum of Understanding between the City of Union and Gestamp regarding the provision of certain utility services.

MOTION by Councilmember Harris to approve resolution.

SECOND by Mayor Pro Tem Henderson

CARRIED UNANIMOUSLY

E. RESOLUTION – LWCF GRANT – MATCH FOSTER PARK IMPROVEMENTS

Foster Park is the City of Union's showcase recreational facility and hosts many community events including its annual Independence Day Celebration. The park has a 7-acre pond and is adjacent to an elementary school. The area slated for the amphitheater once had a swimming pool. The pool was filled in and the concrete bleachers are still intact. This project will incorporate these bleachers and install a shelter/canopy system to provide overhead protection from the elements. The performance area includes a new concrete stage over the former pool and a shelter/canopy system similar to the one at the seating area. A new parking area will be constructed closer to the amphitheater primarily to accommodate handicapped and elderly patrons. The South Carolina Department of Parks, Recreation & Tourism invited interested eligible entities to submit an application for grant assistance from the Land & Water Conservation Fund. The deadline for submissions is June 11, 2012. The LWCF is a Federal program that provides matching grants for the acquisition or development of outdoor recreation areas and facilities. This is a reimbursable grant requiring a 50% match. Only state, federal and local government agencies may apply. Staff recommends that City Council approve the resolution and allocate \$100,000 in matching funds for this LWCF grant with funds from Local Accommodations Tax Fund and Local Hospitality Tax Fund.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

F. RESOLUTION – SEWER AND WATER IMPROVEMENTS –
BUFFALO MILL VILLAGE

The City of Union has determined that the sewer lines in the Buffalo Mill Village have reach the end of their life span and need to be upgraded in order to provide adequate sewer service to the residents in the Buffalo Community. Union County intends to make an application for Community Development funding through the Community Infrastructure Program to pay for the cost to construct 4.275 LF of sewer line in the Buffalo Community. The project will serve 70 residences. The City of Union is the service provider for sewer and water service to the Buffalo Mill Village and will benefit from upgrades to the system. The program requires local matching funds of at least 10 percent of the grant amount. A \$50,000 cash match is needed from the City of Union for this project and any additional funds required fro the completion of the project. The recommendation is to approve resolution.

MOTION by Mayor Pro Tem Henderson to approve resolution.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

G. DISCUSSION/MOTION – SPONSORSHIP “WBCU TEXACO
COUNTRY SHOWDOWN”

Mayor Thompson states that the 31st Annual Country Showdown begins each spring with over 450 local contest sponsored by country music radio stations throughout the US. Winners advance to their respective State competitions held at leading fairs and expositions. Acts then compete for a \$1,000 prize, the State title and the opportunity to advance to one of five Regional Finals. It’s the last step before the prestigious National Finals held at the historic Ryman Auditorium in Nashville, Tn. The audience cheers on the Regional Winners, as they compete for the Grand Prize of \$100,000 and the National Title. A uniform judging system is used at all levels of competition to insure fairness. This event will be held May 18, 2012 at USC Union Auditorium, 6:30 PM. If council approves to sponsor this event, a motion is in order along with a recommendation for level of sponsorship.

MOTION by Mayor Pro Tem Henderson to participate at the bronze level of \$450.00.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

H. DISCUSSION/MOTION – SPONSORSHIP WBCU RADIO SENIOR
EXPO

Mayor Thompson states that 14th Annual WBCU Senior Citizen’s Expo, Thursday, May 24, 2012, Tabernacle Baptist Church. May is National Senior Citizen’s month and, WBCU Radio and its co-sponsors honor our senior citizens annually with an event the will have lots of activities, entertainment, door prizes, give-a-ways and lunch. WBCU would like for the City of Union to be a co-sponsor for this event. Two advertising packages are being offered. If council approves this event, a motion is in order along with a recommendation of sponsorship level.

MOTION by Councilmember Garner to sponsor the WBCU Senior Citizen’s Expo by purchasing Package “B”.

SECOND by Mayor Pro Tem Henderson

AMENDMENT TO MOTION by Councilmember Harris to sponsor the WBCU Senior Citizen's in the amount of \$450.
SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

I. MOTION – TAKE FROM TABLE – DISCUSSION/MOTION – STREET NAME CHANGE

During the October 20, 2009 City Council Meeting, the Discussion/Motion to change the section of street between Smith and Long Twelve Streets was tabled by Councilmember Ruff and seconded by Councilmember Harris. This recommendation from the Planning Commission was never brought back to the table and was brought to our attention when 911 Communications requested a confirmation of this change.

MOTION by Mayor Pro Tem Henderson to take item from table.
SECOND by Councilmember Garner
CARRIED UNANIMOUSLY.

J. DISCUSSION/MOTION – STREET NAME CHANGE

The Public Safety Department requested that the Planning Commission consider and recommend to City Council that the section of Smith Street which is located between O'Shields Street and Long Twelve Street be renamed. The Planning Department met with Linda Mitchell from E-911 Office and discussed the change request and the name of Dove Lane was chosen. All property owners adjacent to this section of street were contacted by certified mail of the change request. There has been no opposition given to the Planning Department in regards to this change. At their meeting on Tuesday, October 6, 2009, the Planning Commission passed a motion to recommend to City Council that the section of Smith Street which is located between O'Shields Street and Long Twelve Street be changed to Dove Lane. A copy of the letter of request from Chief Sam White and the letter of recommendation from the Planning Commission was presented to Council. The recommendation is to approve recommendation from Planning Commission.

MOTION by Councilmember Hill to accept recommendation.
SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

K. DISCUSSION/MOTION – BUDGET WORK SESSION TIME SCHEDULE

On February 21, 2012, at the regular City Council Meeting, Council voted to designate Tuesday, April 17th, Wednesday, April 18th and Thursday, April 19th (if needed) as the 2012-2013 Budget Work Session. No times were discussed. The recommendation is for Mayor and Council to discuss and set times for Budget Work Sessions.

MOTION by Mayor Pro Tem Henderson to begin Budget Work Session at 9:00 a.m. on Tuesday, April 17th and Wednesday, April 18th and Thursday, April 19th if needed.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

L. AWARD BID – GAS SYSTEM IMPROVEMENTS – BLACKSTOCK ROAD AND SC HWY. 60

Utility Director Joe Nichols states that bids were received on January 26, 2012, 2:00 p.m. at City Hall for gas system improvements at Blackstock Road and SC Hwy. 56. Seven (7) bids were received for this project. The bid summary with the engineer's recommendation letter was presented to Council. The recommendation is to award bid to Boulware Plumbing and Construction in the amount of \$275,565.75.

MOTION by Mayor Pro Tem Henderson to accept recommendation.
SECOND by Councilmember Harris.
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.

Mayor Thompson made an announcement regarding a Special Election for District 6 which will be held on June 5, 2012. He also announced that Councilmember Ruff's condition is improving and we are trying to give her time to recover. Also Mayor Thompson states that there is not a City ordinance that states how many meetings a councilmember can miss before they are removed from Council.

6. **PUBLIC COMMENT:**

None

7. **ADJOURNMENT:**

MOTION by Councilmember Garner to adjourn.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:36 PM.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2012