

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, MAY 17, 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 May 17, 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; Walker Gallman – Finance Director; Perry Harmon – Public Service Director , Mike Petrie – Maintenance Shop Director and Laura Hembree – Accounting Supervisor

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

OTHERS: Torance Inman, Tommy Anthony, A.P. Dill, Clyde Jennings, John Kingsmore, Ben Powles and Carol Dangerfield.

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. April 19, 2011	Public Hearing
B. April 19, 2011	Regular Council Meeting

MOTION by Councilmember Harris to accept minutes as presented.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

3. Communications

A. Monthly Reports

MOTION by Councilmember Ruff to accept monthly reports.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

- B. AWARD RECOGNITION - A.P. Dill, Jr.
Wastewater Operator of the Year –
Catawba District
- Clyde Jennings
Laboratory Analyst of the Year
Catawba District

Mayor Thompson recognized A.P. Dill, Jr. for Wastewater Operator of the Year – for the Catawba District and Clyde Jennings - Laboratory Analyst of the Year for the Catawba District.

4. **Business**

A. ORDINANCE – 1st **READING** – PROPOSED BUDGET ORDINANCE
FY 2011-2012

The FY 2011-2012 proposed budget totals \$42,462,860. The General Fund Budget of \$5,239,760 includes a tax rate increase to offset a prior year deficit and also a tax rate increase based on the CPI (Consumer Price Index). The Solid Waste Management proposed budget of \$732,390 will be funded by a \$14 per month fee. This is an increase of \$1 per month from last budget year. A transfer of \$39,740 from the general fund will be used to balance. The combined Utility Fund's proposed totals \$35,265,840. Electric and gas rates will not change, but a PPA (Purchase Power Adjustment) and a PGA (Purchase Gas Agreement) will continue. Water and wastewater rates will increase by 10% on the base facility charge and 9% by volume used, also the monthly security light charge will increase by 5%. A list of special revenue funds and their FY 2011-2012 proposed budgets were presented to Council. A 3% cost of living increase for City employees is included in this budget. The recommendation is to pass 1st reading of the proposed budget ordinance for FY 2011-2012.

MOTION by Councilmember Garner to pass 1st reading of the ordinance.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

B. ORDINANCE – 1ST **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. The recommendation is to pass 1st reading of the ordinance to allow the City of Union to be reinstated into the National Flood Insurance program.

MOTION by Councilmember Ruff to pass 1st reading of the ordinance to allow the City of Union to be reinstated into the National Flood Insurance program.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

C. **ORDINANCE – 1ST READING – APPROPRIATE FISCAL 2010-2011 MONIES FROM LOCAL HOSPITALITY/ACCOMODATION FUND**

The Hospitality/Accommodations Fee for the City of Union was implemented on September 1, 2010. Projected revenues for FY 2011 are \$120,000. City Council may want to consider appropriating funds for the following tourism and recreational expenditures: Reimburse the City's General Fund for tourism related expenditures to organizations that were budgeted in the general fund - \$25,620; Fund Public Safety Day - \$10,000 and Repairs and maintenance at Foster Park Lake to include, but not limited to, repairs to spillway, bathrooms, shelters and erosion control around the perimeter of lake. These expenditures shall not exceed \$60,000 or 50% of revenues as required by state law. Staff recommends Council pass 1st reading of ordinance to appropriate funds from the Local Hospitality and Accommodations Fund.

MOTION by Councilmember Bailey to pass 1st reading of ordinance.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

Councilmembers Ruff and Councilmember Henderson briefly discussed the possibility of another bathroom at Foster Park. Councilmember Henderson also discussed the possibility of a bathroom in the downtown area.

D. **DISCUSSION/MOTION - VICTIM'S ASSISTANCE PROGRAM AGREEMENT**

The City and County of Union are compelled by State Act 141, commonly referred to as the Victim's Bill of Right Act, to provide for certain victims' and witnesses' services. The City and County determined that the most effective way to jointly discharge the duties and responsibilities mandated by the Act is to create a single Victims' Advocate Office empowered with authority and autonomy necessary to accomplish those same services. On February 4, 1998 the City and County entered into an agreement for the County to establish a County Victim's Rights Advocate that would cover the duties and responsibilities ascribed to both the City and County in the State Act of 141. In return, the City agreed to remit to the County 75% of assessments and surcharges identified under the Act. At first, the City assumed we would use the remaining 25% to pay for overhead cost of the City, but it was later determined we could not. Over the years the City has built a fund balance with the remaining 25% and on 2 occasions reimbursed the County for additional expenditures concerning victim services. After discussion with the County Supervisor and the Victim's Assistance Advocate, staff recommends that the city approve an agreement that will allow the City to transfer 100% of the collection of fees and surcharges. Staff feels like this will increase the efficiency of our operations and provide for better services to the Victims of Crime. Also item 12 has been added to provide for an annual audit of funds that will be in conjunction with Union County's annual audit. Finally, there is a request from Union County to transfer any funds being held in the Fund Balance relating to Victim Services. If Council approves, a motion is required to authorize the Mayor to execute agreement and to transfer any funds being held by the City relating to Victim Services.

MOTION by Councilmember Harris to approve Victim's Assistance Program Agreement.

SECOND by Councilmember Henderson.

CARRIED UNANIMOUSLY.

E. AWARD BID – SEWER IMPROVEMENTS – PERRIN AVENUE - OTTARAY

Bids were received on April 28, 2011, 2:00 p.m. at City Hall for Sewer Improvements on Perrin Avenue in the Ottaray Community. We only received one bid for this project. The bid summary and the recommendation was received from consultants. The recommendation is to accept bid from Boulware Plumbing & Consultants in the amount of \$43,923.50.

MOTION by Councilmember Henderson to accept recommendation.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

F. AWARD BID – DEMOLITION OF SLUDGE DIGESTER & ADJACENT CONTROL BUILDING @ TOSCH CREEK WWTP

Bids were received on May 5, 2011 at 2:00 p.m. at City Hall for the demolition of Sludge Digester and Adjacent Control Building at the Tosch Creek WWTP. Five (5) bids were received for this project. The bid summary and the recommendation from our consultants were presented to Council. The recommendation is to accept bid from Smith Backhoe & Construction in the amount of \$26,900.00.

MOTION by Councilmember Henderson to approve recommendation.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

G. ORDINANCE –1ST READING – ADOPT TAX LEVY – FY 2011-2012

The proposed tax levy will increase from 74.3 mills to 79.9 mills for FY 2011-2012. The increase includes an increase of 4.4 mills to offset a prior year general fund deficit. This increase will be shown separately on each tax notice and will be eliminated next year once the deficit is recovered. The remaining 1.2 mill increase is allowed by the average increase in the consumer price index for calendar year 2010. The recommendation is to pass 1st reading of ordinance to adopt the tax levy for FY 2011-2012.

MOTION by Councilmember Garner to pass Tax Levy Ordinance.

SECOND by Councilmember Garner.

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.

None

6. **PUBLIC COMMENT:**

Carol Dangerfield, 106 Columbus Street, addressed City Council regarding the closing of the Piggly Wiggly grocery store. Ms. Dangerfield states that since the store went out of business, neighbors in the area are having problems getting to another grocery store. She asked if the City could do anything to help alleviate the problem such as helping people get to the store. Mayor Thompson states that the City will look into the problem and he thanked Ms. Dangerfield for her concern.

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

MOTION by Councilmember Henderson to go out of regular session into executive session to discuss a personnel matter.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

No action taken.

8. **ADJOURNMENT:**

MOTION by Councilmember Garner to adjourn.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:40 PM.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2011