

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 18, 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, September 18, 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 Robert Garner; Tommie L. Hill, Sr., Ricky Todd Harris and Jim Wilson. Councilmember Orangelow Ruff was absent due to illness.

CITY ATTORNEY: Billy Whitney

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

NEWS MEDIA: Graham Williams – Union County News and Derik Vanderford – Union Times.

OTHERS: Lawrence Flynn, Tereasa Cawley, Sonja Craig, Ben Powles, Charles Coyne, Hank Kwiatkowski, Mike Stevens and Olivia Henderson.

1. CALL TO ORDER

Mayor Thompson called the meeting to order and 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. August 21, 2012 Public Hearing

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

B. August 21, 2012 Regular Council Meeting

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

C. September 5, 2012 Special Council Meeting/Workshop

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

3. **COMMUNICATIONS**

A. Monthly Reports

MOTION by Councilmember Harris to accept monthly reports.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

4. **EXECUTIVE SESSION – TO DISCUSS PERSONNEL MATTERS**

MOTION by Councilmember Garner to go out of regular session into executive session to discuss personnel matters.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

No action taken.

5. **BUSINESS**

A. ORDINANCE – 2ND READING – NEW ANIMAL CONTROL ORDINANCE

An ordinance repealing and replacing all provisions of Chapter 3 of the Code of Ordinance of the City of Union and other matters related to the new Animal Control Ordinance passed 1st reading at the August regular meeting. The recommendation is to pass 2nd reading.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

B. ORDINANCE – 2ND READING – YMCA – MAINTENANCE FUNDS APPROPRIATION

On May 15, 2012 City Council awarded bid to Kingsmore Construction to renovate the YMCA restroom/locker rooms. Due to delays in receiving the materials needed, this project was not completed as of June 30, 2012. Also, the appropriated funds for this project lapsed on June 30, 2012. Scott Sandor Director of the YMCA, has requested that the funds that were appropriated for this project be appropriated for Fiscal Year 2013 to fund this renovation. Council passed 1st reading at its August regular meeting. The recommendation is to pass 2nd reading of ordinance to appropriate fiscal 2012-2013 funds from the General Fund for the YMCA expenditures.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Wilson.

CARRIED UNANIMOUSLY.

C. ORDINANCE – 2ND READING – AMENDING AND RESTATING A GENERAL BOND ORDINANCE

Upon approval of City Council, the City of Union intends to begin negotiations regarding the refunding of certain bond issues. In anticipation of such action, the City has determined to amend and restate its outstanding General Bond Ordinance. Under the terms of this ordinance, the City will be required to issue

future series of Bonds pursuant to a Series Ordinance, as opposed to successive supplemental ordinances under the former general bond ordinance. All of the City's outstanding bonds are currently held by: South Carolina Water Quality Revolving Fund Authority, the South Carolina Infrastructure Facilities Authority or BB&T. Each of these institutions must consent to the implementations of the Amended and Restated Bond Ordinance in order for it to become effective. The form of such consents is attached to the Amended and Restated Bond Ordinance as Exhibits A, B and C respectively. The recommendation is to pass 2nd reading of the General Bond Ordinance.

MOTION by Councilmember Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

D. ORDINANCE – 2ND READING – AUTHORIZING THE ISSUANCE AND SALE OF A COMBINED PUBLIC UTILITY SYSTEM REFUNDING REVENUE BOND OF THE CITY OF UNION SOUTH CAROLINA TO BE DESIGNATED SERIES 2012 AND OTHER MATTERS RELATING THERETO

Pope and Zeigler, the City's bond attorney continually reviews our outstanding bonds to make sure the City is in compliance with all regulations. Also, they analyze our bonds with the current market and make recommendations on refunding opportunities that may result in savings to the City. Since interest rates are historically low they have made a recommendation to refund the 1996B, 1997, 2000 and 2004 bond issues.

MOTION by Councilmember Harris to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

E. ORDINANCE – 1ST READING – TO AMEND THE HOSPITALITY & ACCOMMODATIONS TAX

On July 20, 2010, Council passed the Hospitality and Accommodations Ordinance. In reviewing the ordinance, staff realized that the ordinance limited the use of funds to corporate limits of the City. There are many events outside the limits that have an economic impact on the City. This amendment would allow the City to participate in funding such events. The recommendation is to pass 1st reading of ordinance.

MOTION by Councilmember Wilson to accept recommendation.

SECOND by Mayor Pro Tem Henderson.

CARRIED UNANIMOUSLY.

F. RESOLUTION – APPROVING UPDATES TO PERSONNEL MANUAL

City staff has completed necessary revisions in the City's Personnel Policy Manual in order to maintain an updated and revised manual for Council's consideration. Labor laws change at such a rapid rate that it becomes necessary each year to have an annual update. The revised manual has been reviewed by Labor Attorney, Linda Edwards, with her recommendations and comments being incorporated in this document. It is hopeful that the additions and changes will continue to protect the City's interests as well as the employees'. The revised manual was presented for adoption by resolution. Effective date of the annual revisions is September 18, 2012. The recommendation is to pass resolution.

MOTION by Councilmember Hill to accept recommendation.

SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

G. DISCUSSION/MOTION – RE-APPOINTMENT TO THE MUNICIPAL ELECTION COMMISSION BOARD

Sara-Thomas Johnson has served on the Municipal Election Commission Board for the past 6 years. Mrs. Thomas-Johnson term has expired and she is requesting re-appointment for a term to expire June 2018. Request letter for re-appointment was presented to Council. City staff recommends that Sara Thomas-Johnson be re-appointed to this board because of her past experience and the fact that we have a general election on November 6, 2012.

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

H. DISCUSSION/MOTION – HOSPITALITY & ACCOMMODATIONS FEES FORM

In order to properly utilize and appropriate the Hospitality and Accommodations Fees, in accordance with sections 6-1-730 and 6-1-530 of the State Code of South Carolina, an application form has been prepared. Any organization funded by these fees will be required to submit the application to the City Council for funding consideration. The information submitted on this form will provide information about the organization, event, or projects, expected economic impact and budget on use of funds. The recommendation is to accept the form as a tool for Council to use to appropriate Hospitality & Accommodation Fees.

MOTION by Mayor Pro Tem Henderson to accept recommendation.
SECOND by Councilmember Wilson.
CARRIED UNANIMOUSLY.

I. DISCUSSION/MOTION – WBCU UCHS SPORTS HALL OF FAME

Union County High School will induct some of Union's best athletes from the past into the Union County High Sports Hall of Fame. WBCU is requesting sponsorship of the 1460 WBCU Union High Sports Hall of Fame T-Shirts. These T-Shirts will list the inductees this year as well as this year's Sponsors who participate in this promotion, as well as the UCHS Yellow Jacket. The T-Shirts will then be given to the Union County High School Booster Club to sell for a fund raiser. Level of sponsorship is the Aggressive Plan in the amount of \$750.00 or the Moderate Plan in the amount of \$550.00. Staff recommends the "Moderate Plan of sponsorship.

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

J. DISCUSSION/MOTION – UNION COUNTY HEALTH CARE FOUNDATION FALL CHARITY GOLF CLASSIC

The Union County Health Care Foundation will host its annual "Fall Charity Golf Classic" in October. In the past years, the City of Union has helped reach the Foundations Goal by being a Gold Sponsor. The current project at hand is to fund a Cardiovascular Diagnostic Stress Testing System for the Radiology Department of Wallace Thomson Hospital. There are several sponsorship levels. Staff recommends Council to approve \$500 for a Gold Sponsorship.

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

Mayor Pro Tem Henderson asked why golf tournament is being held out of Union County. Mayor Thompson states that he will get an answer for Mayor Pro Tem Henderson tomorrow.

CARRIED UNANIMOUSLY.

K. AWARD BID – FOSTER PARK – DREDGING CREEK

On September 11, 2012, three bids were received for dredging creek at Foster Park off Arthur Boulevard. Staff recommendation is to award low bidder, Smith Backhoe and Construction of Union, SC with a bid of \$1,900 for dredging creek at Foster Park.

MOTION by Mayor Pro Tem Henderson to accept recommendation.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

L. AWARD BID – EISON & KENWOOD LANDFILLS – PROVIDE DOZER WORK

On September 11, 2012, four bids were received for dozer work at the Eison & Kenwood Landfills. Staff recommendation is to award low bidder, Smith Backhoe and Construction of Union, SC, with a bid of \$7,120.00 to provide dozer work at the Eison Road and Kenwood Landfills.

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

M. AWARD BID – REMOVAL & REPLACEMENT OF SIDEWALKS

On September 11, 2012, four bids were received for replacement of sidewalks along Church, Pine, Pinckney, South, Hart, and Lybrand Street. The recommendation is to award low bidder, Ray Lemons Bulldozing of Jonesville, SC with a bid of \$20,665.00 to remove and replace the above mentioned sidewalks.

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

N. AWARD BID – ROAD SYSTEM IMPROVEMENTS - O'SHIELDS, BAILEY & COLEMAN STREETS, ARCH, AQUA, POPPY LANES & CALLAHAN ROAD

Three bids were received for road system improvements on O'Shields, Bailey, & Coleman Streets, Arch, Aqua & Poppy Lanes & Callahan Road. One bid was not opened since the envelope inside the Fed-Ex package did not identify the project and did not have the contractor's name as required. Staff recommendation is to award low bidder, Sailors Paving of Union, SC with a bid of \$116,631.50 for road system improvements.

MOTION by Mayor Pro Tem Henderson to accept recommendation.
SECOND by Councilmember Wilson.
CARRIED UNANIMOUSLY.

O. AWARD BID – KENWOOD LANDFILL PROVIDE FILL MATERIAL

On September 11, 2012, four bids were received for providing fill material at Kenwood Landfill. Staff recommendation is to award low bidder to Ray Lemons Bulldozing of Jonesville, SC with a bid of \$4,875.00 for providing fill material at Kenwood Landfill.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

P. AWARD BID – 2012 SHINGLE ROOF REPLACEMENT PROJECT

As a result of hail damage two bids were received on September 13, 2012 for shingle roof replacements on the following buildings: Garage at 134 Pump Station Road; Storage Shed at 215 Thompson Blvd.; Tire Warehouse at 134 Pump Station Road; Veterans Building at 322 Veterans Drive; Public Safety Building at 215 Thompson Boulevard and Picnic Shelters #2, 3 & 4 at 322 Veterans Drive. Staff recommendation is to award low bidder, C.E. Bourne & Co., Inc. of Greenwood, SC with a bid of \$60,015.00; however, there is a discrepancy in C.E. Bourne & Co. which is the lowest estimate and the City's insurance adjuster's estimate on the number of shingles for one of the locations. Staff is waiting on information from both parties.

MOTION by Mayor Pro Tem Henderson to table item until further information is obtained.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

6. ANNOUNCEMENT BY MAYOR & COUNCIL

Councilmember Harris states that the grass on Highway 176 needs cutting and he want to know what the City can do about the situation. Mayor Thompson states that Highway 176 is a state-owned road.

Mayor Pro Tem Henderson states that City Council should strive do their best in keeping revenue in Union County.

7. PUBLIC COMMENT:

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

None.

8. ADJOURNMENT:

MOTION by Mayor Pro Tem Henderson to adjourn

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 8:04 PM.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2012

