

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 16, 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, October 16, 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: Sonja Craig, Charles Coyne and others.

1. CALL TO ORDER

Mayor Thompson called the meeting to order. Mayor Pro Tem 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. September 18, 2012 Regular Council Meeting

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

3. COMMUNICATIONS

A. Monthly Reports

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

4. **BUSINESS**

A. ORDINANCE – 2ND READING – TO AMEND THE HOSPITALITY & ACCOMODATIONS 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 2nd reading of the ordinance.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

B. ORDINANCE – 1ST READING –AMENDING BUSINESS LICENSE ORDINANCE PROVISION FOR INSURANCE COMPANIES

The Municipal Association of S.C. has been the City’s agent to collect business license fees from insurance companies and non-admitted insurance brokers since July 20, 1993. As a result of legislation passed in the 2012 session of the South Carolina General Assembly, all cities must amend their business license ordinance concerning insurance companies and non-admitted insurance brokers. The legislation was signed into law on June 29, 2012 by the Governor. The new law required the SC Department of Insurance to collect and deposit the revenue into a special account, separate from the General Assembly’s general fund. The law also authorizes the MASC to serve as the Municipal Agent to receive the funds from the Department of Insurance and distribute the funds to the municipalities. In order to comply with the new state law the City needs to adopt ordinance and execute a new agreement with the MASC. In summary, the rates are combined into a single rate of 6%, but preserve the designation of collecting a 4% state tax and a 2% municipal broker’s premium tax. The MASC will continue to retain 4% of all funds collected or received by the Association. The recommendation is to pass 1st reading authorizing the Mayor to execute agreement with the Municipal Association of S.C.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Wilson.

CARRIED UNANIMOUSLY.

C. RESOLUTION –WORK READY COMMUNITIES

A “Work Ready Communities” resolution was presented to Council for adoption to ensure growth in S.C. communities by creating an environment conducive to business and workforce development. The recommendation is to pass resolution.

MOTION by Mayor Pro Tem Henderson to accept recommendation.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

D. RESOLUTION – APPROVING POST- ISSUANCE TAX COMPLIANCE POLICIES AND PROCEDURES FOR THE CITY OF UNION

A resolution was presented to Council that provides the City with policy and procedures to implement a bond post-issuance compliance program to ensure it complies with the requirements of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder in order to

maintain the tax-exempt status of its debt. The recommendation is to pass resolution.

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

E. DISCUSSION/MOTION – MIRACLE LEAGUE OF UNION

Mayor Thompson states that the Miracle League is dedicated to providing children and adults with physical and mental disabilities the opportunity to play baseball. The special field will accommodate wheelchairs and walkers. Each player is assigned a Player Buddy to assist and protect them. Activities at the field will also attract tourists to the area. Staff recommendation is to donate \$50,000 from the Hospitality and Accommodations Tax Fund to the Miracle League to help build the field for these special athletes. Staff feels the Miracle League meets the necessary requirements set forth in the Hospitality and Accommodations Ordinance.

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

F. DISCUSSION/MOTION – WBCU’S TRUCK FULL OF TOYS” CAMPAIGN

WBCU will be doing their annual “Truck Full of Toys” campaign again this year. All items that are collected during this campaign will be donated to UCARE of Union and distributed in our community for this Christmas sponsorship. The City will receive one two-hour live broadcast; 50 thirty-second ads to promote live broadcast; 50 promos that name the City an official drop off point; and the business name on the “Truck Full of Toys” if submitted no later than November 5, 2012. Should Council decide to participate, a motion is needed.

MOTION by Mayor Pro Tem Henderson to not participate in the WBCU campaign and donate \$800 worth of toys directly to UCARE.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

G. DISCUSSION/MOTION – UNION COUNTY HISTORICAL SOCIETY

The narrative history of Union County has been printed 3 times. Most of you are aware that Dr. Allen Charles authored the first edition in 1987 while serving as professor of History at USC-Union. He still teaches part-time following his retirement and has been named professor emeritus. He has also been a long time member of the Board of Directors at the Union County Historical Society and most recently completed a two-year term as president. Dr. Charles has offered to update his book at no charge and give the copyright to the Union County Historical Society. They are soliciting donations. Economical order quantities are set at 1000 books with an approximate \$20,000 total cost. Those who give \$1,000 will receive an autographed copy from Dr. Charles. The recommendation is to donate \$1,000 to help the Union County Historical Society print the narrative history of Union County. The copy received will be placed in the Mayor’s office in Union City Hall.

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

H. MOTION – TAKE FROM THE TABLE – AWARD BID – 2012 SHINGLE ROOF

Mayor Thompson states that this item was tabled at the September 18, 2012 regular council meeting until further information could be obtained from the low bidder, C.E. Bourne & Company. A motion is needed to bring item back to the agenda.

MOTION by Councilmember Wilson to untable item for shingle roof project.
SECOND by Mayor Pro Henderson.
CARRIED UNANIMOUSLY.

I. AWARD BID – 2012 SHINGLE ROOF REPLACEMENT PROJECT

Utility Director Joe Nichols states that the lowest bid on the roof replacement project is \$60,015; however this is above the appraised estimate of \$52,452.08 by the City's insurance company. The project was reopened to investigate pricing differences with the low bidder, Scott Bourne and Gilstrap Roofing (who states that he can do the project for the estimate by the City's insurance company). Gilstrap Roofing was hired by the City's insurance company for a second opinion. The City has contacted the low bidder, Scott Bourne to negotiate the project. Mr. Bourne had responded in writing to the City that he cannot do the project for the amount of \$52,452.08. Staff will need direction from Council on how to proceed.

MOTION by Mayor Pro Tem Henderson to put project back out for bid.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

6. **ANNOUNCEMENT BY MAYOR & COUNCIL**

None

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

MOTION by Councilmember Garner to go out of regular session into executive session to discuss legal and contractual matters.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

MOTION by Councilmember Harris to go out of executive session into regular session.
SECOND by Councilmember Garner.
CARRIED UNANIMOUSLY.

No action taken.

8. **ADJOURNMENT:**

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

Council meeting adjourned at 8:10 PM.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2012