

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, APRIL 21, 2015
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, April 21, 2015 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, Yates Giles, Ricky Todd Harris, Pamela Sloss and Jim Wilson.

CITY ATTORNEY: Larry Flynn

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

NEWS MEDIA: Mike Stevens – WBCU Radio, Graham Williams – Union County News and Derrick Vanderford – Union Times

OTHERS: Curtiss Hunter, Jean V. Harris, Brenda V. Russell, Caitlin A. Russell, Michael Todd Harris, Larry Robinson, Barbara Rippy, Toccoa Switzer, Amy Austin and others.

1. CALL TO ORDER

Mayor Thompson called the meeting to order. Councilmember Giles 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. March 17, 2015 Public Hearing

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

B. March 17, 2015 Regular Council Meeting

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

C. April 13-14, 2015 Budget Worksession

MOTION by Councilmember Harris.
SECOND by Councilmember Wilson.
CARRIED UNANIMOUSLY.

3. **COMMUNICATIONS**

A. Monthly Reports

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

B. Miracle League – Amy Austin

Amy Austin, Executive Director, of the Union County Miracle League gave PowerPoint presentation on the Miracle League. The Miracle League Mission is to provide opportunities for children and adults with intellectual and/or physical disabilities to achieve the same dream as the non-disabled peers – to play ball.

C. Piedmont Physic Garden – Toccoa Switzer

Toccoa Switzer addressed council. She gave an update on the Piedmont Physic Garden. The garden is located at the corner of E. South Street & South Mountain Street. It is a botanical garden that features herbs and medicinal plants. The Piedmont Physic Garden will be included in the AG & Art Tour in June.

4. **BUSINESS**

A. ORDINANCE – 2ND READING - ADMENDMENT TO ZONING
ORDINANCE SECTION 115.1

Mayor Thompson addressed council. He states that the property owner of Union Square Shopping Center located at 719 N. Duncan Bypass requests a change to Zoning Code Section 115-1 – Body Piercing & other disfiguring processes to eliminate the “Variance Not Permitted” subsection. This provision prohibits requests for variances to reduce the minimum separation requirements listed in the “Distance Separation” subsection. Staff recently denied a zoning compliance permit for a tattoo parlor at the Union Square Shopping Center because the property touches residentially zoned property on Scotch Pine Drive and does not meet the minimum 600 feet separation requirement. In addition, since Life Spring Church is a tenant in the shopping center, its presence prevents a tattoo parlor from locating on the same parcel. Staff recommends updating the ordinance to include tattooing as a specific use in Section 115-1 and adding a definition for tattooing in Section 129-Definitions. City Council passed 1st reading at its March regular meeting.

MOTION by Councilmember Wilson pass 2nd reading.
SECOND by Councilmember Giles.
CARRIED UNANIMOUSLY.

B. ORDINANCE – 2ND READING – ANNEXATION – 1021 SOUTH
DUNCAN BY-PASS

Mayor Thompson addressed council. He states that the City has requested that the owner of the property located at 1021 South Duncan Bypass submit 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 corporate limits with an A-2 Highway Commercial Zoning classification. The property is adjacent to properties which are already zoned A-2 Highway Commercial and it does comply with the regulation requirements for this zone. City Council passed 1st reading at its March regular meeting. The recommendation is to pass 1st reading of the ordinance at its March regular meeting.

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

C. RESOLUTION – AUTHORIZE MAYOR TO SIGN LANDFILL NOTATION TO DEED

Public Service Director Perry Harmon states that DHEC requires that any owner of a landfill sign a Notation to Deed that the land was used as a landfill to inform future land owners of this properties prior use. A resolution was presented to council for approval.

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

D. RESOLUTION – AUTHORIZE MAYOR TO EXECUTE AMENDMENT TO THE PMPA – UNION BILLING AGREEMENT DATED APRIL 18, 1985

Utility Director Joe Nichols states that the Billing Agreement between PMPA and the City of Union dated April 18, 1985 sets forth a credit methodology that produces payments by PMPA to Union that are necessary to produce for Union the economic results of its participation in the Catawba Project. The Billing Agreement's credit (or adjustment) includes a "Purchased Power Factor" (Fpp). Due to changes in Lockhart's generating resources and wholesale electric market interaction, Lockhart's FERC Form 1 reporting has changed that is distorting the purchase power factor. PMPA and Union have been engaged in discussions relating to amending the methodology dictating the calculation of the purchased power factor in order to restore the original intent of the Billing Agreement. The recommendation is to approve resolution authorizing the Mayor to execute amendment to the PMPA-Union Billing Agreement.

MOTION by Councilmember Giles to accept recommendation.
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

E. RESOLUTION – HOUSE BILL H3490

Mayor Thompson states that the House Bill H3490 is a bill that introduced on February 3, 2015 that would cap business license taxes at \$100 per business. This bill would require all businesses, no matter how large or small to pay the same business license tax. The recommendation is to approve resolution opposing the House Bill H3490.

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

F. RESOLUTION – AUTHORIZE MAYOR TO ENTER INTO VICTIM’S ASSISTANCE AGREEMENT

A resolution was presented to council to authorize Mayor to enter into Victim’s Assistance Agreement. The City and County are compelled by S.C. Code 16-3-1505, commonly known as the Victim’s Bill of Rights Act, to provide certain victims and witness services. City Attorney Larry Flynn recommendation is to table resolution.

MOTION by Mayor Pro Tem Garner to table until next meeting.
SECOND by Councilmember Anthony.
CARRIED UNANIMOUSLY.

G. AWARD BID – ELECTRICAL SUBSTATION

Utility Director Joe Nichols states that three (3) bids were received on March 26, 2015 at 2:00 p.m. for electrical substation maintenance: Eaton Corporation - \$104,888; L & L Contractors, Inc. - \$42,225.38 and ABM - \$82,293.00. A letter of recommendation from consultants was included. City Staff recommendation is to award bid to L & L Contractors, Inc. of Andrews, SC in the amount of \$42,225.38.

MOTION by Councilmember Giles to accept recommendation.
SECOND by Councilmember Anthony.
CARRIED UNANIMOUSLY.

H. AWARD BID – CLEANING & PAINTING LIGHT POLES ALONG MAIN STREET

Utility Director Joe Nichols states that three (3) bids were received on April 9, 2015 at City Hall for cleaning and painting light poles along Main Street. Two (2) bids were received: VM Roebuck, Inc. of Lexington, SC - \$60,000 and Strickland Waterproofing Company, Inc. of Charlotte, NC in the amount of \$22,620.00.

MOTION by Councilmember Anthony to accept recommendation.
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

I. DISCUSSION/MOTION – MISS UNION COUNTY FAIR 2015

Ms. Caitlin Russell addressed council. On October 18, 2014, she was crowned Miss Union County Fair 2015. Caitlin is now preparing herself to be one of 55 contestants competing in the Miss South Carolina Pageant being held in Columbia, SC June 23-27, 2015. Serving as Union’s Ambassador, Caitlin will be the first contestant from Union County since 2010 at the state pageant and her platform will be the Children’s Miracle Network. Staff recommendation is that City Council considers assisting Ms. Russell with a monetary donation in her preparation to represent Union at the 2015-2016 Miss South Carolina Pageant.

ABSTAIN: Councilmember Harris.

MOTION by Mayor Pro Tem Garner to assist Ms. Russell in the amount of \$1,000 if fund are available.

SECOND by Councilmember Sloss.

CARRIED UNANIMOUSLY

J. DISCUSSION/MOTION – WBCU “ZLOOP COUNTRY SHOWDOWN”

Mayor Thompson states that the 34th Annual “ZLOOP Country Showdown” begins each spring with over 450 local contests sponsored by country music radio stations throughout the U.S. Winners advance to their respective state competition held at leading fairs and expositions. Acts then compete for a \$1,000 prize, the state title and opportunity to advance to one of the five Regional Finals held at the historic Ryman Auditorium in Nashville, Tennessee. The audience cheers for 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 June 12th at the USC-Union Auditorium. If council approves to sponsor this event, a motion is in order along with a recommendation for level of sponsorship.

MOTION by Councilmember Wilson to approve recommendation pending application approval.

SECOND by Councilmember Giles.

CARRIED UNANIMOUSLY.

K. DISCUSSION/MOTION – 17TH ANNUAL WBCU SENIOR EXPO

Mayor Thompson states that the 17th annual WBCU Senior Citizen’s Expo, May 21, 2015 Tabernacle Baptist Church. May is national Senior Citizen’s month, WBCU Radio and its co-sponsors honor our senior citizens annually with an event that will 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. The recommendation is to approve this event and a recommendation of co-sponsorship level.

MOTION by Councilmember Harris to fund WBCU Senior Expo in the amount of \$300 without ad.

SECOND by Councilmember Sloss.

CARRIED UNANIMOUSLY.

5. **ANNOUNCEMENT BY MAYOR & COUNCIL**

Councilmember Harris asked Public Service Director Perry Harmon if the City could cut grass on side of highway near the Toney Road. He states that this is a safety issue due to not being able to see when exiting vehicle onto the highway. Mr. Harmon will check with DOT Engineer about this situation.

Councilmember Giles thanked Public Service for their assistance in monitoring the garbage cart removal from curb after pickup day. Councilmember Giles informed the Mayor about a house /office at the corner Oaks Street that could possibly be donated to the City of Union or Habitat For Humanity. Mayor Thompson feels that this would be better suited for Habitat for Humanity. Councilmember Giles suggested that the City of Union implement a Facebook page.

6. **EXECUTIVE SESSION – TO DISCUSS LEGAL AND PERSONNEL
MATTER AND CONTRACTUAL MATTER**

MOTION by Mayor Pro Tem Garner to go out of regular session into executive session to discuss a contractual matter.

SECOND by Councilmember Wilson.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Giles

CARRIED UNANIMOUSLY.

No action taken.

7. **ADJOURNMENT**

MOTION by Councilmember Wilson

SECOND by Councilmember Giles.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 8:31 P.M.

Minutes approved _____ 2015