

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, JUNE 16, 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, June 16, 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 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

NEWS MEDIA: Mike Stevens – WBCU Radio and Graham Williams – Union County News

OTHERS: Jason Vance and Jeff Shackle

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. May 19, 2015 Public Hearing

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

B. May 19, 2015 Regular Council Meeting

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

3. COMMUNICATIONS

A. Monthly Reports

MOTION by Councilmember Wilson to approve monthly reports.

SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

4. BUSINESS

A. ORDINANCE – 2ND READING - PROPOSED BUDGET – 2015/2016

Finance Director Walker Gallman states that the FY 2015/2016 proposed balanced budget totals \$45,309,640 a decrease of 2.0% under last fiscal year budget totals. The main reason for the decrease is due to the projected decrease in wholesale purchase power cost and the projected increase in the cost of natural gas. The General Fund budgeted expenditures total \$5,915,150, an increase of \$213,300 or 4% over FY 2014/2015. There are many fiscal pressures on the General Fund. State law limits the increases of property tax millage unless the government has a specific reason. Due to reassessment the City will not raise taxes for FY 2016. The City could increase property taxes by the CPI (Consumer Price Index) and percentage growth in population in the amount of 1.22 Mills, but will consider this increase for FY 2017. The 2015 tax rate will not be set until the reassessment information is complete. The Local Government Fund, which is funded by state revenues, is being debated by our state legislature concerning projected funding for FY 2016. The transfer of funds from the (2) two enterprise funds of the City continue to be a major revenue source of the General Fund at \$1,820,000 or 33% of total projected revenues of \$5,359,280. The Public Safety Department which is 61% of the General Fund Budget continues to pressure resources of the General Fund. The hospitality and accommodations fee, has allowed council to appropriate funds for local tourism and tourism related recreational events and projects. This fund has relieved some of the stress on the General Fund to fund these events. The Solid Waste Management Fund's budget for FY 2015/2016 totals \$784,230, an increase of \$21,030 or 3% over FY 2014-2015. No capital equipment is proposed in this budget or increase of the monthly garbage fee is proposed FY 2016. The Utility Enterprise fund budget expenses for FY 2015/2016 total \$36,285,070, a decrease of \$1,349,050 or 4% under FY 2014/2015. Electric power cost is projected to decrease by 2.4% or \$354,900 and Natural Gas commodity cost is projected to decrease by 12.61% or \$946,540. State and Federal mandates, as well as the loss of industrial base, continue to stress the water and sewer divisions. The City's water division provides water to approximately 6101 customers directly, as well as (5) water districts, and provides sewer service to approximately 4887 customers. The General Fund and Enterprise Funds will be balanced using fund balance and retained earnings accumulated from prior years. City council passed first reading of the ordinance at its May regular meeting. The recommendation is to pass second reading.

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

B. ORDINANCE – 2ND READING – SEWER USE ORDINANCE AMENDMENT

Utility Director Joe Nichols states that the NPDES permit for the Tosch Creek WWTP was reissued and became effective November 1, 2014. A requirement of the permit is the City of Union shall submit to the SC DHEC an update to its previously approved industrial pretreatment program, which is a section included in the Sewer Use Ordinance. We have revised our existing sewer use ordinance to comply with current EPA and SC DHEC regulations and mandates. The proposed changes are "highlighted" on the ordinance. City Council passed first reading at its May regular meeting

reading. The recommendation is to pass second reading.

MOTION by Councilmember Wilson to accept recommendation.

SECOND by Councilmember Sloss.

CARRIED UNANIMOUSLY.

C. ORDINANCE – 2ND READING – ANNEXATION – SARDIS ROAD

Robby Moody, Senior Planner of CRPC addressed council. Mr. Moody states that the four properties located on Sardis Road are contiguous to the City of Union. Per the execution of the water and/or sewer service agreements and restrictive covenants the property owners are obligated to sign the petitions for annexation. The following properties are 103 Sardis Road – Jackie & William Weber, 110 Sardis– Jeffery Malone, 120 Sardis Road – James E. Palmer and 126 Sardis Road– LJS Development, LLC. Staff contacted the property owners and each owner signed an annexation petition, except James Palmer at 120 Sardis Road. Per section 8 of the water and/or sewer service agreement and restrictive covenant previously signed by each property owner, the City Attorney has power of attorney to sign any annexation petition “in the event Owner fails to sign any Annexation Petition upon request. The property at 103 Sardis Road is at the intersection with US Highway 176; Duncan Bypass is a hair salon and is appropriate for A- 2 Highway Commercial zoning. The remaining three properties at 110, 120 and 126 Sardis Road are single-family residential homes; therefore, staff recommends R-10 Single-Family Residential zoning. City Council passed first reading of the annexation at its May regular meeting. The recommendation is to pass second reading.

MOTION by Mayor Pro Tem Garner to accept recommendation.

SECOND by Councilmember Anthony.

CARRIED UNANIMOUSLY.

D. RESOLUTION – MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF UNION & CATAWBA COG & CATAWBA REGIONAL DEVELOPMENT CORPORATION

Jason Vance, Planner for Catawba Regional Council of Governments addressed council. He states that CRPC has announced the award of \$5.6 million of competitive funding from the SC Housing Finance & Development Authority’s “Neighborhood Initiative Program” (NIP). Funds will be used to acquire, demolish, and green blighted residential properties in Chester, Lancaster, Union & York counties. The Catawba Regional Development Corporation, a non-profit affiliate of the Council of Governments, will Acquire & manage targeted properties through the demolition and greening process. The recommendation is to approve Resolution of Memorandum of Understanding between City of Union, Catawba COG and Catawba Regional Development Corporation.

MOTION by Councilmember Sloss to accept recommendation.

SECOND by Mayor Pro Tem Garner.

CARRIED UNANIMOUSLY.

E. RESOLUTION – AUTHORIZE MAYOR TO ENTER INTO VICTIM’S ASSISTANCE AGREEMENT WITH THE COUNTY OF UNION

Attorney Flynn presented a resolution authorizing Mayor to enter into the Victims Assistance Agreement with the County of Union. 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 & witness services.

The recommendation is to pass resolution.

MOTION by Councilmember Harris to accept recommendation.

SECOND by Councilmember Giles.

CARRIED UNANIMOUSLY.

F. AWARD BID – CLEANING & PAINTING 300,000 GALLON SONOCO

Utility Director Joe Nichols states that bids were received on June 4, 2015 at City Hall for cleaning and painting 300,000 gallon Sonoco water storage tank. A bid tabulation and letter from our engineers are as follows: Municipal Tank Coating & Sandblasting - \$179,900; R.E. McLean Tank Company, Inc. - \$162,400; Utility Service Group - \$145,000 and Pittsburg Tank & Tower Maintenance - \$251,200. The recommendation is to award bid to Utility Service Group in the amount of \$145,000.

G. AWARD BID – SEWER SYSTEM IMPROVEMENT – MAY STREET AREA REHABILITATION – R & C PROJECT 2013-117

Joe Nichols states that bids were received on June 4, 2015 at City Hall for Sewer Systems Improvements – May Street Area Rehabilitation. The bid tabulation and a letter of recommendation from the engineer were attached. Five (5) bids were received as follows: IPR Southeast LLC - \$379,456; Layne Inliner, LLC - \$399,053; Insituform Technologies - \$431,453.20; GH Smith Construction, Inc. - \$443,414 and Smith Backhoe & Construction – \$576,174. The recommendation is to award bid to IPS Southeast LLC in the amount of \$576,174.

MOTION by Councilmember Sloss to accept recommendation.

SECOND by Mayor Pro Tem Garner.

CARRIED UNANIMOUSLY.

H. AWARD BID – ROOF REPLACEMENT AT TOSCH CREEK WWTP LAB & OFFICE BUILDING

Joe Nichols states that bids were received on June 2, 2015 at City Hall for replacing the roof at the Tosch Creek WWTP Lab & Office Building. Two (2) bids were received: Kingsmore Construction of Union, SC - \$48,969.14 and I and E Specialties - 34,222. The recommendation is to award bid to the low bidder, I and E Specialties of Lexington, SC in the amount of \$34,222.

MOTION by Councilmember Wilson to accept recommendation.

SECOND by Councilmember Anthony.

CARRIED UNANIMOUSLY.

I. DISCUSSION/MOTION – WBCU & HOLCOMBE FUNERAL HOME UNION COUNTY PEP RALLY

Mayor Thompson states that WBCU and Holcombe Funeral Home host a Union County Pep Rally each year to celebrate a new school year with live entertainment, free food, T- Shirts and give-a-ways. This event will be held at the Union County Fairgrounds on Thursday, August 13, from 5:00 PM to 8:00 PM. They are requesting sponsorship. A motion and a recommendation is in order for the sponsorship of the Union County Pep Rally.

MOTION by Councilmember Harris to fund Union County Pep Rally in the amount of \$500, same as last year.

SECOND by Mayor Pro Tem Garner.

CARRIED UNANIMOUSLY.

J. DISCUSSION/MOTION – TIMKEN SPORTS COMPLEX/DIXIE YOUTH BALL TOURNAMENT

Mayor Thompson states that the Timken Sports Complex was chosen to host three age groups which will consist of 36 teams for the Dixie Youth State Tournaments beginning July 10. This will be the largest in the Timken Sports Complex history. This will bring an approximate 2,000 people to our town and contribute an estimated \$700,000 impact on our local economy per event. To assist with the cost of a tournament of this magnitude, the Timken Sports Complex is asking for sponsorships or donations to offset the cost of these events. All sponsors will be listed on the Official Program, and Dixie Youth website. All sponsors will be acknowledged during the opening ceremonies. If council approves to sponsor this event, a motion is in order along with a recommendation for level of sponsorship.

MOTION by Councilmember Harris to fund the event in the amount of \$1,000.

SECOND by Councilmember Wilson.

CARRIED UNANIMOUSLY.

K. DISCUSSION/MOTION – UNION HOSPITAL DISTRICT BANKRUPTCY

City Attorney Larry Flynn states that Union Hospital District filed a First Amended Plan for Adjustment of Debts dated June 1, 2015 regarding their Bankruptcy Case. The Court has approved a disclosure statement with respect to the plan. A ballot for accepting or rejecting plan was presented to council. The recommendation is to authorize the Mayor to sign the Union Hospital District Bankruptcy Plan

L. DISCUSSION/MOTION – APPOINTMENTS TO THE PLANNING COMMISSION BOARD

Mayor Thomson states that City Council must fill three (3) vacancies on the Planning Commission for expired terms. This board works closely with City of Union Planning Department. The Board meets to consider and makes recommendations to the City Council concerning zoning ordinances or resolutions. The Commission also makes regulations for the subdivision of land and appropriate revisions thereof within its jurisdiction. These positions were solicited by public notice in the local newspaper May 11, 2015. Request to serve letters, voting ballots and public notice was presented to council. The names submitted for these positions are as follows: Bobby Joe Gibbs, Lynn Eaves and Hutch Hall.

MOTION by Mayor Pro Garner to appoint Bobby Joe Gibbs, Lynn Eaves and Hutch Hall to the Planning Commission Board.

SECOND by Councilmember Anthony.

CARRIED UNANIMOUSLY.

5. **ANNOUNCEMENT BY MAYOR & COUNCIL**

None

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

None

7. **ADJOURNMENT**

MOTION by Mayor Pro Tem Garner
SECOND by Councilmember Sloss.
CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:11 P.M.

Minutes approved _____ 2015