

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, MARCH 17, 2020
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.]

The regular meeting of City Council was held on Tuesday, March 17, 2020 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, Vicki Morgan, Ricky Todd Harris, Pamela Sloss and Sonja Craig

CITY ATTORNEY: Lawrence Flynn

DEPARTMENTAL STAFF: Gloria Rogers, HR Director/City Clerk; Joe Nichols – City Administrator; Mark Brown – Utility Director; Laura Hembree – Finance Director

NEWS MEDIA: Graham Williams – Union County News; Mike Stevens – WBCU Radio and Charles Warner – Union Times

OTHERS: Jamie Trammell; Anita Whitney; Alise Asby; Rhonda Hollingsworth; Dr. Lucretia Byrd and David Goia

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. February 11, 2020 - Regular Council Meeting

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

3. COMMUNICATIONS

A. Monthly Reports

MOTION by Councilmember Sloss to accept monthly reports as information only
SECOND by Councilmember Craig
CARRIED UNANIMOUSLY

4. **UPDATES/ANNOUNCEMENTS/EXTERNAL COMMUNICATIONS**

A. "Union Reads" – Jamie Trammell

Chamber of Commerce Director Jamie Trammell addressed Council. She states that back in October she and other community leaders received an e-mail to attend a meeting of a new program called "Union Reads" sponsored by the Union County School District. Mrs. Trammell states that this is a county-wide initiative and their vision is to see industries, small businesses, etc., as being book nooks to encourage reading everywhere you go in Union. They are asking industries and small businesses to purchase books to place around Union. Children, as well as adults, can grab a book from a "Union Reads" area. The Chamber of Commerce Director next states that the County assisted "Union Reads" project by paying for the cost of a marketing plan performed by Alison South in the amount of \$9,000. She introduced Dr. Lucretia Byrd, Director of Instruction for Union School District and Ms. Rhonda Hollingsworth, Coordinator for Elementary Education for Union County School District. They presented a video to Council used to launch their initiative. They are requesting funding from the City of Union to purchase six book shelves to put in different places about town for "Union Reads". The total cost would be \$935.76. Mayor Thompson states that the funding request will need to go before council for consideration at the next regular council meeting under the business section.

5. **AMEND THE AGENDA TO INCLUDE AN EMERGENCY ORDINANCE CONCERNING ELECTRONIC DIGITAL MEETINGS TO BUSINESS ITEM 6-F**

Mayor Thompson asked for a motion to amend the agenda to add the above item to the agenda under the business section as 6-F.

MOTION by Councilmember Sloss to amend agenda to add an emergency ordinance concerning electronic digital meetings
SECOND by Mayo Pro Tem Garner
CARRIED UNANIMOUSLY

6. **OLD BUSINESS**

A. **ORDINANCE – 2ND READING – TRANSFER OF FUNDS FOR GARBAGE TRUCK**

Finance Director Laura Hembree states that during the 2019-2020 budget workshop, City Council voted to purchase a garbage truck for the Solid Waste Department. Funding would be from the City's Utility Fund, with the Solid Waste Fund reimbursing the Utility Fund. The Utility Fund must show a surplus at the end of the fiscal year 2018-2019 for this purchase to take place. The 2018-2019 Financial Statements were presented at the December 2019 City Council meeting, with a surplus being reported in the Utility Fund for the audited fiscal year ending June 30, 2019. The cost of the garbage truck is \$133,925.76. An ordinance must be in place to transfer funds from the Utility Fund to the Solid Waste Fund. City Council passed 1st reading at its February regular meeting. The recommendation is to pass 2nd reading of the ordinance.

MOTION by Mayor Pro Tem Garner to accept recommendation to pass 2nd reading of the ordinance
SECOND by Councilmember Anthony
CARRIED UNANIMOUSLY

B. **ORDINANCE – 2ND READING - REFERENDUM TO DETERMINE**

ALCOHOL SALES ON SUNDAY

City Administrator Joe Nichols states that the City of Union wishes to put forth on the November 3, 2020 general election a referendum to allow certain businesses located in the City to sell alcoholic beverages, so as to meet the demand created by recent economic growth and development within the City. Pursuant to SC Code 61-6- 2010(C) (4), cities are authorized to call by ordinance for a referendum at the next general election to allow the sale of on-premises alcoholic beverages, and off-premises beer and wine on Sundays. City Council passed 1st reading at its February regular meeting. The recommendation is to pass 2nd reading of the ordinance to place a referendum on the November 3, 2020 ballot to allow the sale of on-premises alcoholic beverages and off- premises beer and wine in the City on Sundays.

MOTION by Councilmember Sloss to pass 2nd reading of the ordinance for referendum to determine alcohol sales on Sunday

SECOND by Councilmember Craig

IN FAVOR: Thompson, Garner, Morgan, Harris, Sloss, Craig

OPPOSE: Anthony

CARRIED 6 TO 1

7. **NEW BUSINESS**

A. **ORDINANCE – 1ST READING – AMENDMENT TO REZONE PROPERTY ON TONEY ROAD FROM A-2 HIGHWAY COMMERCIAL TO R-15 RESIDENTIAL**

City Administrator Joe Nichols states that there is a rezoning request for property located on the Toney Road (tax map parcel #064-00-00-156) from A-2 (Highway Commercial) to R-15 (Residential). The Planning Commission held a public hearing prior to meeting and does recommend the property on Toney Road be rezoned from A-2 Highway Commercial to R-15 residential.

MOTION by Mayor Pro Tem Garner to pass 1st reading of the rezoning request

SECOND by Mayor Thompson

CARRIED UNANIMOUSLY

B. **DISCUSSION/MOTION – USC –UNION SPRING FLING**

Anita Whitney of USC-Union addressed City Council. She states that the University of South Carolina will hold its Spring Fling on Wednesday, April 22, 2020 from 11:00 am until 2:00 pm and has invited the City of Union to participate in the Food Truck Lunch. The City has been an active partner in this event for the past four years by purchasing tickets for the employees. Food vendors such as Fundrucker, Chick-Fil-A and a Taco Food Truck, J & T Express and Philadelphia Ice are invited and the estimated cost is \$12 per person. There will also be a Traveling Arcade inside the Truluck Gym, corn hole and field games. Council is asked to support this event and authorize the City Administrator to purchase tickets for City employees.

MOTION by Councilmember Morgan to support USC-Union Spring Fling by purchasing tickets for City employees

SECOND by Councilmember Anthony

CARRIED UNANIMOUSLY

C. **DISCUSSION/MOTION – MUSIC AND MEDICINE – WBCU**

City Administrator Joe Nichols states that on April 18, 2020, WBCU will host a 5K run and all proceeds will go to benefit the USC-Nursing School. Packages are as follows: Gold Package - Investment in the amount of \$1,000, Silver Package in the amount of \$800 and Bronze Package in the amount of \$650. The

recommendation is that Council approves a package sponsorship to WBCU's 2nd annual "Music & Medicine.

MOTION by Councilmember Sloss to sponsor Music and Medicine in the amount of \$500

SECOND by Mayor Pro Tem Garner

CARRIED UNANIMOSLY

D. DISCUSSION/MOTION – FARMERS MARKET STANDS

City Administrator Joe Nichols states that the Union County Farm & Craft Market is requesting assistance with adding additional stands at the Union County Farmers Market. The Market, located on East Main Street, would like to add 12 much needed stands at a cost of \$850 each (\$10,200). The Market has obtained funds to cover material for two of the stands. Supervisor Frank Hart has suggested that the City and County split the cost of 10 stands, which would be \$4,250 each. The City issued a check on July 18, 2019 in the amount of \$1,000 to this project. Therefore, only (\$3,250) would be the requested amount from the City. The Union County Council has approved their half (\$4,250) at the March County Council meeting and will pay directly to the City of Union to be dispersed. The stands are \$850 each (Labor & Materials) and Materials are only \$450 each. A motion is needed by council to appoint funds in the amount of \$3,250 for labor and materials to construct additional stands at farmers market.

MOTION by Councilmember Sloss to appoints funds in the amount of \$3,250 for labor and materials to construct additional stands at farmers market

SECOND by Mayor Pro Tem Garner

CARRIED UNANIMOSLY

E. DISCUSSION/MOTION – APPOINTMENT OF ONE CITY RESIDENT TO THE CAPITAL PROJECT SALES TAX COMMISSION

City Administrator Joe Nichols states that on October 8, 2019 the Union County Council adopted a resolution to establish a Capital Project Sales Tax Commission. The commission is charged with considering proposals for funding capital projects within the county area and formulating the referendum question that will appear on the ballot in November 2020 for voter approval. Per the state formula, the City of Union is charged with appointing two city residents to the committee. These two members along with three members appointed by Council Council will select the 6th member of the committee. The 6th member must be a resident of one of the other municipalities in the county, Jonesville, Lockhart or Carlise. One of the appointed persons from the City had to withdraw from the commission. Therefore, that spot has to be filled to meet the state formula criteria. The recommendation is to appoint Mrs. Rebecca Rochester.

MOTION by Councilmember Sloss to accept recommendation to appoint Mrs. Rochester to the Capital Project Sales Tax Commission Board

SECOND by Councilmember Craig

CARRIED UNANIMOUSLY

F. ORDINANCE – 1ST READING – EMERGENCY ORDINANCE TO PERMIT AND ALLOW FOR ELECTRONIC MEETINGS AND OTHER MATTERS RELATED THERETO

Attorney Lawrence Flynn addressed City Council. He states that on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (Covid -19) and declared that a State of Emergency exist in South Carolina and therefore the governing body is hereby authorized to conduct public meetings exclusively in electronic form, provided the medium for

such meeting, whether telephonic, broadcast video, computer-based or other electronic media, or any combination of these and the conduct of the electronic meeting, allows for the following standard and practice to be met. This emergency ordinance for electronic meetings is in effect for 61 days. The ordinance only requires one reading. The recommendation is pass the emergency electronic meetings ordinance.

MOTION by Councilmember Sloss to accept recommendation to pass the electronic meetings ordinance
SECOND by Councilmember Harris
CARRIED UNANIMOUSLY

8. **ANNOUNCEMENTS BY MAYOR AND COUNCIL**

Councilmember Harris states that he talked to a man today from Florida that will be moving to Union and he drives a Tesler. He came to the City to charge his car but the way the parking lot is designed and the way the Tesler, he could not charge it. He has to back in and go out the one way street. The Councilman asked if the City can do anything about the parking. City Administrator Nichols states that he would have to look at how a Tesler is made. He also states that there is other electric charging stations around town.

Councilmember Morgan states she noticed from the teacher's video shown earlier in the meeting of how bad City Hall looked in the front and asked if something can be done to clean it up. The City Administrator states that it was in the budget the last two years to paint. He will have it pressured washed and painted.

9. **PUBLIC COMMENT**

A. **PLEASE ADDRESS THE MAYOR AND COUNCIL FROM THE LECTERN AND STATE YOUR NAME AND ADDRESS FOR THE RECORD (COMMENTS ARE LIMITED TO 3-5 MINUTES)**

David Goia, 411 Foster Street addressed Council regarding various subjects including the Coronavirus.

10. **EXECUTIVE SESSION**

MOTION by Councilmember Sloss to go out of regular session into executive session to discuss an Economic and PMPA Litigation matter
SECOND by Councilmember Craig
CARRIED UNANIMOUSLY

A. **ECONOMIC DISCUSSING OF BUSINESS TO BE LOCATED ON WEST MAIN STREET**

B. **PMPA LITIGATION UPDATE**

MOTION by Mayor Pro Tem Garner to go out of executive session back into regular session
SECOND by Councilmember Sloss
CARRIED UNANIMOUSLY

No action taken

11. **ADJOURMENT**

MOTION by Mayor Pro Tem Garner to adjourn

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SECOND by Councilmember Harris
CARRIED UNANIMOUSLY

Meeting adjourned at 7:58 p.m.

Gloria J. Rogers
Certified Municipal Clerk/HR Director

Minutes approved _____ 2020