

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 21, 2008
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 October 21, 2008 at 6:30 P.M. in the City Municipal building with the following present:

COUNCIL: Mayor Harold Thompson, Councilmembers Tommie L. Hill, Keith Henderson, Ricky Todd Harris, Orangelow Ruff and Fran Bailey.

CITY ATTORNEY: Billy Whitney

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

NEWS MEDIA: Charles Warner – Union Times and Steve Ramsey - WBCU

PLANNING COMMISSION: Charles Barber, Bobby Joe Gibbs, Oscar Gist and Mary Norman.

OTHERS: Laura Hembree, Butch Dill, Donnie Johnson, Judy Johnson, Sonja Craig, Ron Wade, Katherine Pendergrass, Debbie Eaves, Jim Cunningham, Debbie Woodard, L.D. Owens, Clint Smith, Ronald Mummery, Jr., Charlie Vaughan, Shirley Vaughan, Mary Ellen Williams, Harold Beason, Annie Bell Beason, Polly McGee, Michelle Young, Deb Belk, Kathryn Jolly, Thomas Black, Donna Cody, Don Cody, William Smith, Jo Carol Smith, Alien Smith, Debbie Robertson, Cindy Hulon, Bobby Helms, Hope Small, Robert, Benjamin Burnett, Kakie White, Dot Nichols, Sunny White, Ned Farr and Torance Inman.

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. September 16, 2008 Regular Council Meeting

MOTION by Councilmember Hill to accept minutes as presented.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

3. Communications

A. Monthly Reports

The monthly reports of all departments were included in the council packages and are on file in the office of the Municipal Clerk.

MOTION by Councilmember Ruff to accept monthly reports.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

B. Retirement Awards – Albert P. Dill, Jr.
Donald F. Johnson

Utility Director Joe Nichols presented retirement awards to Albert P. Dill, Jr. and Donald F. Johnson.

C. Update – Timken Upfit Project

Utility Director Joe Nichols gave an update on the Timken Upfit Project. Timken had their grand opening on October 6, 2008.

4. **BUSINESS**

A. ORDINANCE – 1ST READING – AUTHORIZING THE EXECUTION OF STATE REVOLVING LOAN FUND

On March 18, 2008 City Council passed a resolution authorizing staff to apply to the South Carolina Water Quality Revolving Fund Authority for a loan from the State Water Pollution Control Revolving Fund. This loan will finance projects to close the existing Beltline Wastewater Treatment Plant and add a pump station that will pump wastewater to the City's Tosch Creek Plant. Also, this loan will finance the project that will replace the clarifier at Tosch Creek Wastewater Treatment Plant. On July 31, 2008 the City was offered a loan in the amount of \$2,198,575 at 3.25% for 20 years. The loan amount, as always was an estimate to be adjusted once the projects were bid. The bids received were less than the original estimate, so the total loan will be only \$1,743,139. An ordinance for 1st reading was presented to Council to approve the financing of the above projects through the borrowing of not exceeding \$1,743,139 from South Carolina Waste Quality Revolving Fund Authority.

MOTION by Councilmember Bailey to pass 1st reading of the ordinance.
SECOND by Councilmember Ruff.
CARRIED UNANIMOUSLY.

B. ORDINANCE – 1ST READING – AUTHORIZING EXECUTION OF BROWNSFIELD REVOLVING LOAN FUND DOCUMENTS

On August 8, 2008 the City reconfirmed its commitment to the Catawba Regional Development Corporation to borrow funds from the Brownsfield Revolving Loan Fund in the amount of \$370,000. The funds for this loan will be used to finance part of the cleanup at the Old Union Mill Site. Also, a 500,000 CDBG grant was awarded to the City for this cleanup. The ordinance will authorize the execution and delivery of various documents in order to fund a portion of the costs associated with the Union Mill cleanup.

MOTION by Councilmember Bailey to pass 1st reading of the ordinance.

SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

C. ORDINANCE – 1st READING – ESTABLISHING MAYOR’S SALARY

The Finance Committee of City Council held a Special Meeting on October 15, 2008 to discuss the Mayor’s salary and receive comments from the public on the proposed reduction. The current annual package for the Mayor is \$103,545. The recommendation by the Finance Committee includes an actual salary of \$48,800, a car allowance (\$5,400) and cell phone allowance (\$1,800) and also to include other city benefits same as other City employees. The total proposed package for the Mayor is \$56,000. City Council must determine the annual salary of the Mayor by ordinance to take effect after the next general election.

MOTION by Councilmember Ruff to pass 1st reading of the ordinance establishing the Mayor’s salary.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

D. RESOLUTION – AUTHORIZING THE CITY OF UNION IDENTITY THEFT PROTECTION PROGRAM

To help combat identity theft, Congress enacted sections 114 and 315 of the Fair and Accurate Credit Transaction of 2003 (FACTA). These final rules and guidelines became effective January 1, 2008 with mandatory compliance by November 1, 2008. Section 114 of the Act contains the Red Flag Rules that require businesses, including utilities, to develop and implement a written Identity Theft Prevention Program for combating identity theft in connection with certain accounts. The program must include reasonable policies and procedures for detecting, preventing and mitigating identity theft. The recommendation is to authorize the City of Union’s Theft Prevention Program.

MOTION by to Councilmember Harris to accept the recommendation.
SECOND by Councilmember Henderson.
CARRIED UNANIMOUSLY.

E. AWARD BID – GAS SYSTEM IMPROVEMENTS: SC HWY 215, MT. LEBANON ROAD DUTCHMAN CREEK

Bids were received on September 30, 2008 at City Hall for Gas System Improvements on SC Hwy. 215, Mt. Lebanon Road and Dutchman Creek Road. A summary of the bids and recommendation from our consultants were reviewed. The recommendation is to accept bid from G. Campbell Construction of Mooresville, N.C. in the amount of \$243,112.00.

MOTION by Councilmember Ruff to accept staff recommendation.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

F. AWARD BID – SEWER SYSTEM IMPROVEMENTS: TOSCH CREEK WWTP CLARIFIER REHABILITATION

Bids were received September 11, 2008 at 2:00 pm for the rehabilitation of the 90’ diameter south clarifier at Tosch Creek Wastewater Treatment Plant. A letter of recommendation along with the bid summary from our engineering consultant was reviewed. The recommendation is to award bid to Goodwater,

Inc. of Greenville, SC in the amount of \$41,800.00. This will be funded through SRF.

MOTION by Councilmember Bailey to accept recommendation.
SECOND by Councilmember Ruff.
CARRIED UNANIMOUSLY.

G. AWARD BID – SEWER SYSTEM IMPROVEMENTS: BELTLINE PUMP STATION & FORCE MAIN - SRF

Bids were received on September 11, 2008 at City Hall for Sewer System Improvements – Beltline Pump Station & Force Main. Bids were separated into two (2) divisions: Division I and Division II. A summary of the bids and recommendation from our consultants were presented. The recommendation is to award bid for Division I to Goodwater, Inc. of Greenville, SC in the amount of \$1,001,370.00 and award bid for Division II to Kris Mechanical, Inc. of Easley, SC in the amount of \$158,153.50. This will be funded through SRF.

MOTION by Councilmember Bailey to accept recommendations.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

H. AWARD BID – SEWER SYSTEM IMPROVEMENTS: UNION COUNTY SCHOOLS SEWER SYSTEM EXPANSION: NORTH & SOUTH SCHOOL SITES

Bids were received on September 18, 2008 at City Hall for Sewer System Improvements – Union County Schools – Sewer System Expansion – North & South School Sites. A summary of the bids and recommendation from consultants were presented. The recommendation is to accept bid from Appling Boring in the amount of \$743,596.31 (the total for both divisions)

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

I. DISCUSSION/MOTION – APPROVE FUNDING (PMPA) FOR UNION COUNTY HEALTH CARE FOUNDATION.

The Union County Health Care Foundation is raising funds to purchase a Picture Archiving and Communications System for Wallace Thomson Hospital. This technology will allow the Radiology department to eliminate traditional x-ray film processing, resulting in reduced cost, test times, and quicker access to both images and reports by primary care physician. To help provide the service; the hospital will be holding their annual Autumn Splendor event on the evening of Saturday, October 25th at the Union National Guard Armory. The Health Care Foundation is requesting that the City of Union become a sponsor of this year's Autumn Splendor event at one of the following levels:

Platinum - \$2,000	Gold - \$1,000	Silver - \$500
Bronze - \$250	Member - \$100	

The recommendation is to provide funding at the Platinum level in the amount of \$2,000.

MOTION by Councilmember Henderson to approve request from PMPA funding in the amount of \$2,000.
SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

J. **ORDINANCE – 1ST READING – REZONE 105 SPRUCE STREET FROM R-10 RESIDENTIAL TO A-2 HIGHWAY COMMERCIAL**

The owners of the property located at 105 Spruce Street including Lot 20 and a portion of Lot 21 are requesting that their property be rezoned from R-10 Residential to A-2 Highway Commercial. The property is adjacent to property which is already zoned A-2 Highway Commercial and it does comply with the regulation requirements for the A-2 Highway Commercial Zone.

Chairman Charles Barber read the Planning Commission's recommendation.

“The Planning Commission for the City of Union does not recommend to City Council the rezoning of the property located at 105 Spruce Street including Lot 20 and a portion of Lot 21 from R-10 Residential to A-2 Highway Commercial.”

Mr. Barber states that it was turned down because of opposition and the neighborhood itself.

MOTION by Councilmember Harris to accept the Planning Commission's recommendation.

SECOND by Councilmember Hill.

FOR: Thompson, Hill, Harris, Ruff and Bailey.

ABSTAIN: Henderson

5. **ANNOUNCEMENTS BY MAYOR AND COUNCIL:**

None

6. **PUBLIC COMMENT:**

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

7. **EXECUTIVE SESSION: TO DISCUSS LEGAL, CONTRACTUAL, AND PERSONNEL MATTERS**

MOTION by Councilmember Bailey to go out of regular session into executive session to discuss contractual matter.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

No action taken.

8. **ADJOURNMENT:**

MOTION by Councilmember Hill to adjourn.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 8:01 P.M.

Regular Council Meeting
Tuesday, October 21, 2008

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2008