

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, APRIL 21, 2009
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 April 21, 2009 at 6:30 P.M. in the City Municipal building with the following present:

COUNCIL: Mayor Harold Thompson, Mayor Pro Tem Keith Henderson, Councilmembers Tommie L. Hill, Robert Garner, Ricky Todd Harris, Orangelow Ruff and Andy Bailey.

CITY ATTORNEY: Billy Whitney.

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

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

OTHERS: Robert Moody, Teresa Bowser, Tim McFalls, Daryl Wade, Torance Inman, Dr. Mark Freeman, Darrell Wade, Debbie Woodard, Robert Small, David Fant, Glenn Sparks and Sara Fant Jones, Fub Arkor and Amy Austin.

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. March 17, 2009 Regular Council Meeting

MOTION by Councilmember Ruff to accept minutes as presented.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

B. April 14 & 15, 2009 Special Meeting/Budget Session

MOTION by Councilmember Garner to accept meeting minutes as presented.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

3. **Communications**

A. Monthly Reports

MOTION by Councilmember Hill to accept monthly reports.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

B. Retirement Award - Teresa A. Bowser

Chief Sam White presented Teresa A. Bowser a retirement award for 15 years of service with the City of Union Public Safety Department.

C. Sidewalk Grant Update – Rice Ave. Ext. Project - Robert Moody

Robert Moody, Senior Planner for the COG gave an update on the progress of the Rice Avenue Sidewalk Project by reviewing a timeline of the project. In July of 2007 the City of Union applied for a \$200,000 Transportation Enhancement Program grant from the South Carolina Department of Transportation for the Rice Avenue Sidewalk Project. City Council agreed to provide a \$50,000 match for a total project amount of \$250,000.

4. **PUBLIC COMENT:**

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

1. HealthQuest Dr. F.W. Barker, MD

Dr. F.W. Barker of HealthQuest, 103 Bridletrail Lane, addressed Council. He announced the development of a new not-for-profit healthcare organization. HealthQuest is intended to save lives and improve healthcare for residents of Union County. Their first project is called Good Samaritan's HealthQuest. He also informed Council that the Union Community Indicators Conference will be held on Friday of this week.

2. Glenn Sparks, 276 Webber Lake Road addressed Council. He spoke on behalf of Union County SBCA (Society for the Prevention of Cruelty to Animals). He stated that the Town of Jonesville has elected to enforce their already in existence ordinance prohibiting dogs from running at large within the town limits. The ordinance states that dogs are not allowed in town unless they are kept in a secure fenced-in area. Owners can no longer secure their dogs by means of a rope or a chain. Dogs are permitted on the street only if they are on a leash. This is not only for the people protection but also for the safety of the animals. Mr. Sparks states that on behalf of the SBCA he respectfully ask the City Council to re-visit the City of Union Code Section 3-2. "Animals, generally, running at large prohibited" which he presented to Council at the last meeting. Jonesville has enforced their ordinance with a \$200 fine after one warning. He also discussed enforcing the law on animal cruelty. SBCA also respectfully ask City Council to enforce ordinance not allowing an owner to re-claim animal if they have been charged with animal cruelty and any person that has previously been charged with animal cruelty to be periodically monitored by the Animal Control Officer to make sure that they are not abusing public animal.

MOTION by Councilmember Ruff to add item D- Discussion/Motion – Un-Opened Aetna Street to the agenda and also an executive session.
SECOND by Councilmember Henderson.
CARRIED UNANIMOUSLY.

5. **Business**

A. **ORDINANCE – 2ND READING – APPROVE THE SALE OF THE PEAK GENERATION FACILITY TO LOCKHART POWER COMPANY**

Lockhart Power Company has presented to the City of Union a Real Estate Purchase and Sale Agreement for the Electric Generating Facility located at 198 Times Blvd. The purchase for the Generating facility and land is \$1,510,000. City Council passed 1st reading at its March 17, 2009 meeting.

MOTION by Councilmember Hill to pass 2nd reading.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

B. **ORDINANCE – 1ST READING – UNION MILL PROPERTY RESTRICTIVE COVENANTS**

D.H.E.C requires that restrictive covenants be added to the title of the Union Mill Property and recorded at the Union County Court House. This property has been divided into 3 separate parcels with each having their own restrictions. The recommendation is to pass 1st reading of the ordinance to place restrictive covenants on the Union Mill Property.

MOTION by Councilmember Henderson to pass 1st reading of the ordinance.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

C. **ORDINANCE – 1ST READING – REPEAL OF PRIOR ANNEXATION ORDINANCE**

On 08/21/2007 City Council passed 2nd reading of an ordinance to annex the property at 1262 S. Duncan By-Pass, Union, and S.C. This property was never changed out of the Southside Fire District by Union County. They were waiting on an agreement to be reached between the City and the Fire District. During a recent City Council meeting, the City attorney clarified the ordinance to require a Utility Extension Agreement, as amended on November 21, 2006. One of the requirements was for the property to have changed ownership after that date. Also, the property owner did not want her property annexed. Staff's recommendation is to repeal the ordinance.

MOTION by Councilmember Garner to pass 1st reading of the ordinance repealing prior ordinance dated August 21, 2007.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

D. **DISCUSSION/MOTION - UN-OPENED AETNA STREET**

Aetna Street was deeded to the City of Union by deed of John A. Fant Estate Company dated March 24, 1908 and recorded in Deed Book X-41, Page 502. The street designated as Aetna Street contains 0.33 acres and was never

opened. The City of Union will retain the 0.33 acres known as Aetna Street for future utility right of way and economic development.

MOTION by Councilmember Ruff for the City of Union to retain Aetna Street property.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

E. **DISCUSSION/MOTION – APPROVE SPONSORSHIP/FUNDING FOR “UNION MAGAZINE” WELCOME BOOK**

Dr. Mark Freeman addressed Council requesting funding in the amount of \$1,800 (same as last year) for the “Union Magazine” Welcome Book. For an additional \$1,200, they will offer all small businesses a 50% reduction over last year’s ad price. This plan only applies to the 1/6 page ads that sell at \$250. With the City’s support, they will sell those ads for \$125 in an effort to create their own local stimulus plan.

MOTION by Councilmember Henderson to approve funding “Union Magazine” Welcome Book same as last year in the amount of \$1,800.00.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

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

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

SECOND by Councilmember Bailey.

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.

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

None

8. **ADJOURNMENT:**

MOTION by Councilmember Harris to adjourn.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:52 P.M.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2009