

**MINUTES  
REGULAR COUNCIL MEETING  
TUESDAY, FEBRUARY 16, 2010  
6:30 PM**

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{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 council meeting was held on Tuesday, February 16, 2010 at 6:30 PM at the City Municipal building with the following present:

**COUNCIL:** Mayor Harold Thompson; Mayor Pro Tem Keith Henderson; Councilmembers Tommie Hill, Sr.; Ricky Todd Harris and Orangelow Ruff. Councilmembers Robert Garner and Andy Bailey were attending a Municipal Elected Official training class in Columbia, SC.

**CITY ATTORNEY:** Billy Whitney was absent due to surgery.

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

**NEWS MEDIA:** Daniel Prince -WBCU; Charles Warner – Union Times and Graham Williams – Union County News

**OTHERS:** Dr. Allen Charles, Ola Jean Kelly, Ed Burwell, Torance Inman, Scott Sandor, Rhonda Harmon, Mike Crocker and Debbie Woodard.

1. **CALL TO ORDER**

Mayor Thompson called the meeting to order. Invocation was given by Mayor Pro Tem Henderson. The pledge of allegiance was given by all present. The roll was called by Municipal Clerk Gloria Rogers.

2. **MINUTES**

A. January 19, 2010 - Regular Council Meeting

**MOTION** by Councilmember Hill to accept minutes as presented.

**SECOND** by Councilmember Ruff.

Councilmember Henderson states that he would like for letter from Progressive Engineer Consultant Inc. under “Business Section - Item 4-A” of the January 19, 2010 regular council meeting be included in the minutes.

**CARRIED UNANIMOUSLY.**

3. **COMMUNICATIONS**

A. Monthly Reports

**MOTION** by Councilmember Ruff to accept monthly reports.

**SECOND** by Councilmember Hill.

**CARRIED UNANIMOUSLY.**

B. 1. Historical/Museum Update – Dr. Allen Charles/Mrs. Ola Jean Kelly

Dr. Allen Charles, President of the Union County Historical Society addressed City Council. He states that the main responsibility of the Historical Society is to run the Union County Museum and manage the Cross-Keys House. In addition to Dr. Charles is a Board of Directors consisting of 15 members. Board Members in attendance during the council meeting were Mr. Ed Burwell and Ms. Ola Jean Kelly. The Museum has been highly recognized all over the State of South Carolina.

Ms. Ola Jean Kelly addressed City Council. She thanked City Council for the work they do at the City of Union and for allowing her to work at the museum. The desire of the museum is to continue to focus a positive spotlight on Main Street. The museum provides a venue for non-for profit organizations to meet. Since the grand re-opening of the museum in September 2004, more than 14, 000 people have registered as visitors.

Mayor Thompson thanked Ms. Kelly for her work at the Union County Museum. He states that Mrs. Kelly has done an excellent job and that is something that Union can be proud of and also future generations to come.

4. **BUSINESS**

A. **ORDINANCE – 1<sup>ST</sup> READING - AUTHORIZING TRANSFER OF CERTAIN PROPERTY FROM THE CITY OF UNION TO THE COUNTY OF UNION**

The City owns a 42 acre tract of land located in the South Hills area of Union County, formally known as the “Old City Dump”. The City has owned this property since 1976 and has been used for a number of years by Union County for a Softball Complex. The County has applied and has been approved to receive funding to upgrade this area. A motion is needed from City Council to transfer the 42 acre tract of land, formally known as the “Old City Dump” and now, “South Hills Softball Complex” to the County of Union due to the best interest of tax payers and all parties involved.

**MOTION** by Councilmember Henderson approving the transfer of property to County of Union.

**SECOND** by Councilmember Harris.

**CARRIED UNANIMOUSLY.**

B. **ORDINANCE – 1<sup>ST</sup> READING – SEWER USE ORDINANCE AMENDED**

The NPDES permits for the Tosch’s Creek and Meng Creek WWTP’s were reissued and became effective August 1, 2008. A requirement of those permits 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. While under review by SC DHEC, it was noted that several changes need to be made to the current Sewer Use Ordinance in order to comply with current EPA and SC DHEC regulations and mandates. The proposed changes were presented to City Council.

**MOTION** by Councilmember Henderson to pass 1<sup>st</sup> reading of Sewer Use Ordinance amendments.

**SECOND** by Councilmember Hill.

**CARRIED UNANIMOUSLY.**

C. AWARD BID – REMOVAL AND REPLACEMENT OF DAMAGED SIDEWALKS “C” FUNDS

Public Service Director Perry Harmon states that on February 4<sup>th</sup>, the City of Union received six (6) bids for removal and replacement of damaged sidewalks throughout the City. The project is funded from “C” Funds and Street Department Budget. The recommendation from staff and engineer is to award bid to Ray Lemons Bulldozing in the amount of \$46,140.00

**MOTION** by Councilmember Hill to accept recommendation.

**SECOND** by Councilmember Ruff.

**CARRIED UNANIMOUSLY.**

D. AWARD BID – RICE AVENUE EXTENSION – PHASE I

On January 26<sup>th</sup>, the City of Union received four bids on the Rice Avenue Extension sidewalk. The bids were: L.J., Inc. - \$106,624.47; Town of County of SC – \$116,929.75; Smith Backhoe & Construction, LLC - \$117,792.00 and AOS Specialty - \$139,126.00. The grant for this project requires review and approval from both the City Council and SCDOT. The recommendation from staff and engineer is to award bid to L.J., Inc. in the amount of \$106,624.47 provided SCDOT accepts review and approval of contractor.

**MOTION** by Councilmember Henderson to accept recommendation.

**SECOND** by Councilmember Harris.

**CARRIED UNANIMOUSLY.**

E. DISCUSSION/MOTION – VICTIM ASSISTANCE FUNDS TRANSFER TO UNION COUNTY VICTIM ASSISTANCE

Chief Sam White states that the City of Union has received a request for funding to help with the costs of furnishing the training/conference room at the Courthouse Annex, which is located in the second floor of 322 East Main Street. This conference/training room is used by the Union County Victim Advocate and local law enforcement for meetings and training sessions. It is the opinion of the Public Safety Department that this request would benefit crime victims and law enforcement by providing a more suitable area in which to have training sessions and meetings. Funding for this request would come from the portion of criminal fines collected by the City of Union which are designed for programs that aid victims of crime. The recommendation is to approve funding assistance for the next phase of completion of the Union County Victim Advocate training/conference room at the Courthouse Annex.

**MOTION** by Councilmember Henderson to approve recommendation.

**SECOND** by Councilmember Harris.

**CARRIED UNANIMOUSLY.**

F. DISCUSSION/MOTION – POOL RESURFACING - YMCA

Mr. Scott Sandor, Executive Director of the Union YMCA addressed City Council. The City of Union and the YMCA is a partnership. He

discussed the swimming pool at the YMCA. There are some problems with the surface of the pool which will require re-surfacing. Mr. Sandor has received three bids for the re-surfacing. The low bid is from Pool Surfaces, LLC, located in Pineville, NC in the amount of \$34,272.00 and does come with a 5-year warranty. Mr. Sandor states that the issues with the pool started several years ago with the re-patching of the pool. From a safety standpoint it is an issue for the YMCA, in that when the pieces chip off, they break, it creates a very sharp edge under the water and there is nothing the YMCA can do about it until the pool is drained in the winter. The bids have been passed on to the City of Union's Finance Director for review. The pool is 15 years old and the entire surface has never been re-surfaced. Each year the City of Union budgets monies for the maintenance of the YMCA building in the amount of \$30,000. The YMCA has not used that funding to date. Mr. Sandor is requesting an additional \$5,000 more in the funding allocation for the re-surfacing of the swimming pool.

**MOTION** by Councilmember Hill to approve Mr. Sandor's request for an additional \$5,000 to the YMCA for swimming pool resurfacing.

**SECOND** by Councilmember Henderson.

**CARRIED 4 TO 1.**

**FOR:** Thompson, Hill, Henderson and Harris

**OPPOSE:** Ruff

5. **ANNOUNCEMENT BY MAYOR & COUNCIL**

None

6. **PUBLIC COMMENT:**

A. Please address the Mayor and Council from the lectern and state your name and address for the record. (Please limit your comments to 3-5 minutes)

None

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

**MOTION** by Councilmember Ruff to go out of regular session into executive session to discuss a legal matter.

**SECOND** by Councilmember Henderson.

**CARRIED UNANIMOUSLY.**

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

**SECOND** by Councilmember Harris.

**CARRIED UNANIMOUSLY.**

No action taken.

8. **ADJOURNMENT**

**MOTION** by Councilmember Henderson to adjourn.

**SECOND** by Councilmember Hill.

**CARRIED UNANIMOUSLY.**

Regular Council Meeting  
Tuesday, February 16, 2010

Council meeting adjourned at 7:34 P.M.

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Gloria J. Rogers, Municipal Clerk

Minutes approved \_\_\_\_\_ 2010