

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 17, 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 February 17, 2009 at 6:30 P.M. in the City Municipal building with the following present:

COUNCIL: Mayor Harold Thompson, Councilmembers Tommie L. Hill, Robert Garner, Keith Henderson, Ricky Todd Harris and Orangelow Ruff. Councilmember Andy Bailey was absent due to attending an MEO Class in Columbia, SC

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 and Mike Petrie – Maintenance Shop Director.

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

OTHERS: Ola Jean Kelly, Ray Robbins, Colonel William Whitener, Martha Whitener, Grace Ruth McBeth, Debbie Woodard, Karl Pendergrass, Katherine Pendergrass, Torance Inman, Melissa Youngblood, Olivia Faye Henderson, Laura Hembree and others.

1. Oath of Office

Newly elected Councilmember Robert Garner was given the oath of office by Municipal Clerk Gloria Rogers. He will serve City Council District 2.

2. 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.

3. Minutes

A. January 20, 2009 Regular Council Meeting

MOTION by Councilmember Harris to accept minutes as presented.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

4. Communications

A. Monthly Reports

MOTION by Councilmember Ruff to accept monthly reports.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

B. Update – Union County Historical Society – Ray Robbins & Ola Jean Kelly

Mr. Ray Robbins, President of the Union County Historical Society addressed Council. He introduced board members which some are in attendance tonight: Colonel William J. Whitener, William T. Beaty, Gene Edward Bogan, Sarah Parker, Ed Burrell, Mike Becknell, Dr. Allen Charles, Charles Edward Smith, Grace Ruth McBeth, Martha Whitener, James Marvin Stepp.

Mrs. Ola Jean Kelly gave an update of the Union County Museum.

5. **Business**

A. ORDINANCE – 1ST READING – AMENDMENT OF CITY CODE CHAPTER 16.2-1 THROUGH 16.2-6 ENTITLED PARKS AND RECREATION

An ordinance amending Chapter 16.2-1 through 16.2-6 entitled “Parks and Recreation” was presented to council for 1st reading.

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

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

B. ORDINANCE – 1ST READING – PMPA NERC COMPLIANCE AGREEMENT

An ordinance adopting the North American Electric Reliability Corporation (NERC) Standards Agreement and authorizing the Mayor to sign the agreement on behalf of the City was presented to council.

MOTION by Councilmember Hill to pas 1st reading of the ordinance.

SECOND by Councilmember Henderson.

CARRIED UNANIMOUSLY.

C. ORDINANCE – 1ST READING – LEASE PURCHASE AGREEMENT

At the January 2009 council meeting, City Council authorized the purchase of a garbage truck from Amick Equipment Company. At our budget work session for FY 2008-09, council authorized staff to determine the best way to purchase the garbage truck, either purchase outright or enter into a lease purchase agreement. The ordinance authorizes the execution, delivery and performance of a Lease Purchase Agreement by the City not to exceed \$250,000. This ordinance gives the Mayor the authority to negotiate and determine the form, terms and provision of the lease.

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

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

D. ORDINANCE – 1ST READING – AUTHORIZING TRANSFER OF PROPERTY UN-OPENED AETNA STREET MONARCH CAMELOT DRIVE, SOUTH STREET AND WEST MAIN 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 recommendation is to authorize the transfer of property (Aetna Street in Monarch) to J.C.O. Real Estate, LLC

MOTION by Councilmember Ruff to transfer strip of land to J.C.O. Real Estate, LLC.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

E. DISCUSSION – BUDGET SESSION – MARCH 26, 2009

Mayor Thompson recommends that dates for the budget work session be March 26, 2009 beginning at 9:00 a.m. until 4:00 pm and if needed March 27, 2009 (half-day) to finish up budget work session.

MOTION by Councilmember Hill to accept recommended dates.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

F. DISCUSSION – FILMING CITY COUNCIL MEETING – CHANNEL 14

Mayor Thompson states that he has received one or two phone calls from citizens requesting that City Council meetings be recorded for Channel 14. The Mayor states that this will be a council decision. There is a possibility that the meetings can be filmed and broadcasted at a later date. He states that the City does not have the capability to broadcast live. City Council briefly discussed the issue.

MOTION by Councilmember Henderson that City Council hold a public hearing to get input from the general public regarding filming City Council meetings.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

G. DISCUSSION/MOTION – HOUSING AUTHORITY APPOINTMENT

There is a vacancy on the City of Union Housing Authority's Board to fill an un-expired term ending June 26, 2011. A public notice was run in the Union Times soliciting candidates. A request letter was submitted by the following applicants: Jack Jennings, Mae K. Jeter and Preston Thomas. City Staff recommends that Council appoint a qualified candidate to fill this most important board vacancy. Council voted by ballot for the appointment and results are as follows: Mr. Jack Jennings – 4 votes and Mr. Preston Thomas – 2 votes. Mr. Jennings will be appointed to the Housing Authority Board.

H. DISCUSSION/MOTION – VOLUNTEER CHAPLAIN – PUBLIC SAFETY DEPARTMENT

The Public Safety Department has been approached by two local ministers that have expressed an interest in being a volunteer chaplain for the department. If appointed, these ministers would drop in at the Public Safety Department and meet our officers in a casual atmosphere. In the event that an officer should be involved in a traumatic event, the department could ask these volunteer chaplains to assist with the officers or victims needs. This program would be funded through the department's reserve program, and would have very little cost associated with it. The chaplains would have no

law enforcement authority. Chief White feels that this program would be a positive asset to the department and ask Council to consider this new program.

MOTION by Councilmember Henderson to accept Volunteer Chaplin Program for Public Safety Department.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

I. **DISCUSSION/MOTION - UNION/PMPA LEGAL MATERS**

This item will be discussed in executive session.

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

MOTION by Councilmember Garner to go out of regular session into executive session to discuss item “T” on the agenda – Union/PMPA Legal Matter.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

City Attorney Billy Whitney discussed the Union/PMPA legal matter. He recommends that a member of council make a motion to allow the Mayor to settle the PMPA case upon such terms as the attorneys advise the City to do so. The PMPA case will be coming up for trial on March 15, 2009.

MOTION by Councilmember Henderson to allow Mayor Thompson to settle the PMPA case as recommended by City Attorney Billy Whitney.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

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

None

8. **PUBLIC COMMENT:**

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

None

9. **ADJOURNMENT:**

MOTION by Councilmember Hill to adjourn.

SECOND by Councilmember Garner.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 7:10 P.M.

Regular Council Meeting
Tuesday, February 17, 2009

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2009