

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, NOVEMBER 21, 2006
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 November 21, 2006 at 6:30 P.M. in the City Municipal building with the following present:

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

CITY ATTORNEY: Billy Whitney

DEPARTMENTAL STAFF: Gloria Rogers – Municipal Clerk/Personnel Director; Jeff Lawson, CBO MCP-Building Official; Joe Nichols – Utility Director; Sam White, - Chief, Perry Harmon – Public Service Director, Mike Petrie – Maintenance Shop Director. Walker Gallman – Finance Director was absent.

NEWS MEDIA: Charles Warner – Union Times and Kevin Shehan – WBCU Radio.

OTHERS: Jim Edwards, B.F. Kennedy, Torance Inman, A.C. Martin, Ellis Langley, Mary E. Johnson, H.C. Rowland, Alvin Bostick and others.

1. Oath of Office: Councilmembers

Tommie L. Hill – District 1, Harold E. Thompson - District 2 and Orangelow Ruff – District 5 were seated as Councilmembers in a General Election held on November 7, 2006. The oath of office was given by Municipal Clerk Gloria Rogers.

2. Mayor Morgan called the meeting to order. Following the pledge of allegiance to the flag, the invocation was given by Councilmember Thompson. The roll was called by Municipal Clerk Gloria Rogers.

3. Minutes

1. October 17, 2006 Regular Council Meeting

MOTION by Councilmember Harris to accept minutes as presented.

SECOND by Councilmember Thompson.

CARRIED UNANIMOUSLY.

4. 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 Harris.
CARRIED UNANIMOUSLY.

5. **Business**

A. ELECTION OF MAYOR PRO TEMPORE

In accordance with City Code, City Council must elect a Mayor Pro Tempore to serve in the Mayor's absence. This should be done at Council's first meeting after the new Council is seated.

MOTION by Councilmember Bailey to elect Councilmember Thompson as Mayor Pro Tempore.
SECOND by Councilmember Ruff.
CARRIED UNANIMOUSLY.

B. ORDINANCE – 2ND READING – AMENDED UTILITY EXTENSION POLICY

A Utility Extension Policy applying to properties, as determined by the City of Union which are located outside the city limits requesting water and/or sewer service was presented. City Council passed 1ST reading at its October 17, 2006 regular council meeting.

MOTION by Councilmember Thompson to pass 2ND reading of the ordinance.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

C. DISCUSSION/MOTION – MOVE DECEMBER REGULAR COUNCIL MEETING FROM DECEMBER 19TH TO DECEMBER 12TH, 2006

The December Council Meeting falls on December 19th, 2006 this year. Due to the closeness of the meeting date to Christmas, City Council may wish to move the December meeting date. Should Council wish to move the Council Meeting date, a motion is required.

MOTION by Councilmember Bailey to move Council Meeting date to December 12, 2006.
SECOND by Councilmember Henderson.
CARRIED UNANIMOUSLY.

D. AWARD BID – BID OPENING FOR SEWER (DUNCAN AVENUE) & WATER SYSTEM IMPROVEMENTS (US 176)

Bids were received on November 16, 2006 at City Hall for Sewer System Water System Improvements on Duncan Avenue and U.S. Hwy. 176. A summary of the bids and recommendation from our consultants are as follows: C & T Backhoe & Dozer - \$95,701.00 and Boulware Plumbing & Construction - \$109,490.00. The recommendation is to accept bid from C & T Backhoe & Dozer in the amount of \$95,701.00. No action is required at this time.

E. AWARD BID – SIDEWALK IMPROVEMENTS

The City of Union received bids on November 9, 2006 for removal and replacement of sidewalks throughout the city. The City received four bids. A summary of the bids and recommendation from our consultants were presented.

MOTION by Councilmember Thompson to accept bid from Smith Backhoe and Construction in the amount of \$114,000.00.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

F. AWARD BID – STREET RESURFACING

The City of Union received bids on November 9, 2006 for resurfacing the following streets: Jones Lane, Rifle Road, Sharpe Avenue, West Hillcrest Avenue, Boyce Street, Palmer Street, Depot Street, Excelsior Avenue, Harold Street, White Oak Street, Reid Street, Cohen Street, and Wallace Street. The City received four bids. A summary of the bids and recommendation from our consultants were presented.

MOTION by Councilmember Bailey to accept bid from Sailors Asphalt Paving in the amount of \$120,580.00.

SECOND by Councilmember Thompson.

CARRIED UNANIMOUSLY.

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

Mayor Morgan announced that a Special Council Meeting will be held on Thursday, November 30, 2006 at 5:00 p.m. in the downstairs conference room.

Councilmember Ruff asked if Beautification Week could be implemented as in past years. Mayor Morgan states that staff will do research and discuss at an upcoming meeting.

7. **PUBLIC COMMENT:**

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

Mr. A.C. Martin, owner of Martin House Electric, at 303 East Main Street addressed Council. He states that he received a request letter from the Union/Laurens Commission on Higher Education to move vehicles from the university property, located behind his business, to develop and landscape the property. Mr. Martin states that the university had some surveying done and it shows the property line coming up to the corner of the front of his building and limiting his access to the property. Martin House and its employees use the university property for parking vehicles and other business purposes. Mr. Martin opposes the university plans to restrict access to the property.

Mr. Alvin Bostick, owner of an alteration shop, located on East Main Street, also addressed Council. He states that he and his wife use the back entrance all the time and the driveway needs to be left open.

Mr. Ellis Langley, owner of Union Dry Cleaners, located on 307 East Main Street, addressed Council. He is in support of leaving the driveway open.

Mr. B.F. Kennedy, a Commission on Higher Education, addressed Council. He states that the university is a viable asset to the community. He states that they are not trying to interfere with anyone's property. They are trying to improve the university's property for current and future use. Mr. Kennedy states that Martin House has been using the property for several years even though the university owns it.

Mr. Torence Inman, Director of the Chamber of Commerce, commended Council for their support of the ETV Road Show and Downtown Christmas Open House.

Mayor Morgan states that the City of Union was limited in what it could do because this appeared to be a private matter between two parties. Mayor Morgan did state that the City of Union would be open to attend a meeting between the two parties but he again stated that the City of Union could not become an active participant in a legal action between two private parties not affiliated with the City of Union. Mayor Morgan states that Representative Mike Anthony has stated that he will assist in anyway legally possible.

8. **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 legal matter.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

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

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

MOTION by Councilmember Bailey to join a current group of potentially responsible parties known as Carolina Transformer PRP Group for an initial fee of \$10,000 for a common expense check for legal expenses.

SECOND by Councilmember Thompson.

CARRIED UNANIMOUSLY.

9. **ADJOURNMENT:**

MOTION by Councilmember Ruff to adjourn.

SECOND by Councilmember Bailey.

CARRIED UNANIMOUSLY.

Council meeting adjourned at 8:50 P.M.

Gloria J. Rogers, Municipal Clerk

Regular Council Meeting
Tuesday, November 21, 2006

Minutes approved _____ 2006