

**MINUTES OF THE REGULAR MEETING
OF THE
MANNING CITY COUNCIL**

Monday, January 28, 2008
6:30 p.m.

Breedin Assembly Room
City Hall

Members Present:

Mayor Johnson
Mayor Pro-tem Gordon
Councilmember Davis
Councilmember Georgia
Councilmember Pack
Councilmember Welle
Councilmember Witherspoon

- I. Welcome/Introductory Remarks:** Mayor Johnson welcomed all present and stated that the media was notified. Mayor Johnson acknowledged the following:

News Media: Cathy Gilbert, Manning Times
Sharron Haley, The Item

Others: Mr. Burgess Sprott
Judge James Dingle
Mr. Ted Johnson
City of Manning Department Heads
Mrs. Gloria Johnson

- II. Invocation:** Councilmember Ervin Davis.

- III. Pledge:** Councilmember Georgia.

- IV. Approval of Agenda:**

A **motion** was made by Councilmember Welle and was seconded by Mayor Pro-tem Gordon to approve the agenda as presented. There was no discussion. All favored the motion.

V. Minutes:

Minutes of the Regular Meeting of City Council, December 17, 2007.

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Welle to approve the minutes as presented. There was no discussion. All favored the motion.

VI. Citizen's Comments:

Mayor Johnson stated that Mr. Ted Johnson would like to speak to Council on behalf of United Ministries of Clarendon County. In addition, Mayor Johnson stated that United Ministries of Clarendon County is an organization that helps those in need. Mayor Johnson thanked the organization for the services they provide to the citizens of Manning and throughout Clarendon County.

Ted Johnson.....United Ministries of Clarendon County

Mr. Johnson thanked Council for giving his organization an opportunity to speak to Council. Mr. Johnson introduced two members of the Board who were in the audience, Judge James Dingle, President and Mr. Burgess Sprott, Vice President.

Mr. Johnson distributed to Council material describing the organization. In addition, Mr. Johnson stated that the organization is registered with the state as a 501-C3 organization, is non-denominational and consists of churches, businesses and individuals serving all of Clarendon County. Mr. Johnson stated that the purpose of the organization is to help individuals who need assistance with paying for their utility services, fuel, food, clothing and transportation in times of emergency.

In addition, Mr. Johnson stated that the organization consists of all volunteers and that last year the organization was able to help 1,463 families in Clarendon County with approximately 96.5% of all donations sent back into the community. Mr. Johnson asked Council to consider becoming a member of the organization to help offset the water bills the organization pays to the City. Mr. Johnson stated that last year the organization paid approximately \$967.53 to the City for individuals needing assistance with their water bills. Mr. Johnson asked Council if there were any questions.

Councilmember Welle asked Mr. Johnson if the organization was associated with the United Ministries organization located in Sumter, South Carolina.

Mr. Johnson stated that they share similar names, but that each organization serves their respective Counties. Mr. Johnson also stated his organization refers individuals who live in Sumter to the organization located in their area.

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Councilmember Welle asked Mr. Johnson if the organization had spoken to Clarendon County Council seeking assistance.

Mr. Johnson stated that they had not spoken to Clarendon County Council.

Councilmember Welle asked how many active churches were members of the organization.

Mr. Johnson stated that there were not many churches enrolled as members but the churches contribute with donations of food and other things.

Mayor Johnson stated that churches could assist the organization by becoming members and referring individuals in need to the organization.

Mr. Johnson stated that the office does not handle any money, but uses a voucher system with the businesses in Clarendon County and some in Sumter County.

Mrs. Rhodes recommended that the City donate to the organization approximately the amount that they have paid to the city in water utility bills.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Davis to become a member of the United Ministries of Clarendon County and to donate \$1,000.00 to the organization. There was no further discussion. All favored the motion.

VII. Committee Reports: None.

VIII. Mayor's Report: Included in Council's packet as information. Mayor Johnson stated that he was unable to attend the meeting with the Beach Company that was scheduled for January 28, 2008 and that the Administrator, Mrs. Rhodes, represented the city at the meeting.

In addition, Mayor Johnson asked Council to note the dates of upcoming events listed on the inside cover of their Council Packet.

IX. Public Presentation:

**Proclamation.....Fred Bennett, Cornerback
Houston Texans**

Mayor Johnson stated that he was happy to make a presentation on behalf of City Council and the City of Manning to a deserving citizen. Mayor Johnson stated that Mr. Fred Bennett and his family were in the audience tonight. Mayor Johnson noted that Mr. Bennett was an outstanding football player at Manning High School, among other sports, and was also an outstanding player at the University of South Carolina, one of the top Cornerbacks in the county, and a member of the NFL Houston Texans, just completing

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his rookie year.

In addition, Mayor Johnson stated that he was honored to present to Mr. Bennett a proclamation on behalf of the Manning City Council and the City of Manning proclaiming January 28, 2008 as Fred Bennett Day. Mayor Johnson read the proclamation. Next, Mayor Johnson presented Mr. Bennett with a Key to the City. Mayor Johnson also recognized his parents, daughter and a friend.

X. Finance Director's Report:

January 2008

General Fund Unrestricted:	\$1,647,175.00
General Fund Restricted:	\$ 56,914.00
Interest Earned (GF):	\$ 5,515.00
Utility Fund Unrestricted:	\$1,385,660.00
Utility Fund Restricted/Reserved:	\$1,312,555.00
Interest Earned (UF)	\$ 3,955.00
Special Fund:	\$ 57,276.00

Mrs. Prince stated that the reports reflect 6 months into the budget year which was 50% with a remainder of 50%.

REVENUE

	<u>Current</u>	<u>Percent Collected</u>
YTD GF Revenue	\$ 986,928	27%
YTD UF Revenue	\$ 983,200	55%

EXPENDITURES

General Fund

	<u>YTD Spent</u>	<u>Percent Collected</u>
Legislative	\$ 39,693	42%
Judicial	\$ 30,038	27%
Administration	\$ 188,532	42%
Non-Departmental	\$ 90,256	30%
Police	\$ 561,851	49%
Fire	\$ 207,821	40%
Street	\$ 394,719	40%
YTD GF	\$1,512,910	42%

Utility Fund

	<u>YTD Spent</u>	<u>Percent Collected</u>
YTD UF	\$ 758,867	43%

XI. Administrator's Report:

Mrs. Rhodes gave the following report:

- 1) **Summerton Rotary Club-** The Summerton Rotary Club and the SC Legislative Delegation have sent invitations for the Wine and Cheese Tasting on February 16, 2008.
- 2) **SC Municipal Association Legislative Action Day-** This event will be held on February 20, 2008 in Columbia, SC. Registration forms must be submitted by February 7th.

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Mayor Johnson stated that the Municipal Elected Officials Institute will be held on February 19, 2008. In addition, Mayor Johnson stated that the Municipal Elected Officials Institute is one of the most important training sessions for Elected Officials.

- 3) **Statement of Economic Interest Forms-** These forms are to be completed and mailed to the Ethics Commission by April 15, 2008.
- 4) **Budget-** The budget process will begin in March. Please submit any special requests to be considered to the Administrator by February 15, 2008.
- 5) **State Budget and Control Board Grant-** A grant for the I-95 Exit 119 Water Extension project has been submitted. The purpose of the grant is to get water and sewer service across the interstate. The maximum any one entity can receive is \$300,000.00. Mrs. Rhodes provided Council with information concerning the grant. Mrs. Rhodes stated that the grant must be sponsored by the South Carolina Legislation and that she had asked for letters of support from Senator John Land II and Representative Cathy Harvin.

XII. New Business:

A. Ordinance No. 2008-01- (First Reading). An Ordinance Pertaining to the 2008 Municipal Election Process for the City of Manning.

Mayor Johnson stated that the Election will be held in April, 2008 and that this ordinance establishes the times for the general election. In addition, Mayor Johnson stated that the offices that are up for election this year would be the Mayor, and three Council seats.

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Welle to approve the ordinance for first reading. There was no discussion. All favored the motion.

B. Ordinance No. 2008-02- (First Reading). An Ordinance to Annex a Portion of South Carolina Department of Transportation (SCDOT) Right-of-Way SC 261 (West Boyce Street) Pursuant to Section 5-3-110, Code of Laws of South Carolina (1976 as Amended).

Mayor Johnson asked Mrs. Rhodes for additional information.

Mrs. Rhodes stated that the right-of-ways were not added when the schools were originally annexed and that the ordinances would annex the road so that the city would have jurisdiction to the end of the property line.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Pack to approve the ordinance for first reading. There was no discussion. All favored the motion.

- C. Ordinance No. 2008-03- (First Reading). An Ordinance to Annex a Portion of South Carolina Department of Transportation (SCDOT) Right-of-Way of RD 14-770, (W. L. Hamilton Road) Pursuant to Section 5-3-110, Code of Laws of South Carolina (1976 as Amended).**

A **motion** was made by Councilmember Pack and was seconded by Councilmember Georgia to approve the ordinance for first reading. There was no discussion. All favored the motion.

- D. Ordinance No. 2008-04-(First Reading). An Ordinance to Annex a Portion of South Carolina Department of Transportation (SCDOT) Right-of-Way of State Road S-63 (Raccoon Road) Pursuant to Section 5-3-110, Code of Laws of South Carolina (1976 as Amended).**

A **motion** was made by Councilmember Welle and was seconded by Councilmember Pack to approve the ordinance for first reading. There was no discussion. All favored the motion.

- E. Zoning Ordinance No. 2008-01M- (First Reading) An Ordinance re-zoning property owned by Julien Weinberg, located at 8 West Huggins Street, Tax Map No. 169-14-07-007-00, from Residential-10 (RS-10) to Office Commercial (OC).**

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Welle to approve the ordinance for first reading. There was no discussion. All favored the motion.

- F. A Resolution Re-forming and Agreeing to Participate in the Sumter County Regional Home Consortium for the period April 1, 2009 to March 31, 2012.**

Mayor Johnson stated that supporting documentation was included in Council's packet. Mayor Johnson asked Mrs. Rhodes for additional information.

Mrs. Rhodes stated that the resolution is presented to Council every year and the funding received had been used to rehabilitate housing in the West Huggins Street and Bellwood areas. Mrs. Rhodes stated that plans for creating a Habitat Village in Mayor Pro-tem Gordon's District are being considered.

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Welle to approve the resolution. There was no discussion. All favored the motion.

G. A Resolution authorizing the Mayor and/or His Designee to execute an Agreement with Farmers Telephone Cooperative (FTC) for the purchase of phones for the Judicial Center.

Mrs. Rhodes stated that the resolution would be needed to sign the contract with Farmer's Telephone to purchase and install the phones for the Judicial Center at a cost of \$4,521.00.

A **motion** was made by Councilmember Pack and was seconded by Mayor Pro-tem Gordon to approve the resolution. There was no discussion. All favored the motion.

H. Discussion of funding for a Consultant for the National Register of Historic Places for a Downtown Historic District.

Mayor Johnson asked Mrs. Rhodes if a consultant was required as part of the Main Street SC program.

Mrs. Rhodes stated that if the city would like the downtown designated as a Historic District, the application must be completed. Mrs. Rhodes stated that Mrs. Janet Meleny had agreed to assist with completing the application at no charge but that a consultant would be needed to work with her on the application. Mrs. Rhodes stated that the consultant would work on an hourly basis and that the cost would not exceed \$5,000.00.

Mayor Johnson asked if the city would have to go through the bid process when seeking a consultant.

Mrs. Rhodes asked Mrs. Davis if the city would have to go through the bid process.

Mrs. Davis stated that the city would have to obtain written bids.

A **motion** was made by Councilmember Welle and was seconded by Mayor Pro-tem Gordon to approve the request of funding for a consultant for the National Register of Historic Places for a Downtown Historic District after going through the proper procurement process.

In discussion, Mayor Johnson asked Mrs. Rhodes to make sure that the procurement process is followed.

There being no further discussion, all favored the motion.

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I. Discussion of paving downtown parking lots on Brooks Street.

Mrs. Rhodes stated that she was aware of the previous discussions concerning the possibility of paving the parking lots located on North Brooks Street behind the buildings where the Chamber of Commerce is located and the road behind Peebles Department Store.

Mrs. Rhodes stated that she had obtained estimates on the costs of paving these areas and stated that if the owners of the property would agree to give the city an easement, then the city would be able to pave the areas to improve the downtown area.

Mrs. Rhodes stated that there are drainage problems and that the city's water and sewer lines run under the parking lot behind the buildings where the Chamber of Commerce is located.

Mayor Johnson asked if the easement would deed the property to the city.

Mrs. Rhodes asked Council if they would like the owners to give the city an easement or to deed the property to the city.

Mayor Johnson stated that the city could not spend public funds on private property. In addition, Mayor Johnson stated that in order to justify paving the property, the owners would have to deed the property to the city or obtain a long-term lease.

Mrs. Rhodes stated that it would cost approximately \$34,000 to pave the road behind Peebles and Brunson's Pharmacy all the way through and the parking lot behind the buildings where the Chamber of Commerce is located, excluding the fenced-in area, would cost approximately \$21,000.00. Mrs. Rhodes also indicated that the attorney's fees for obtaining easements were not added into the cost.

Councilmember Davis asked Mrs. Rhodes if Attorney Johnson would prepare paperwork for the property owners to sign an easement or a long term easement.

Mrs. Rhodes stated that Attorney Johnson would prepare the paperwork for a permanent easement that would be attached to the property, no matter who were the owners of record.

Councilmember Davis stated that the Council had addressed the problem a couple years ago and had contacted a few of the owners to see if they would deed the property to the city and that the city was not successful. Councilmember Davis asked Mrs. Rhodes what would make this task easier.

Mrs. Rhodes stated that she had spoken to several owners and that the parking areas had become a drainage problem.

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Mayor Johnson stated that if the owners would not deed the property to the city, then at least the city would have done their part in trying to resolve the problem.

After some discussion, a **motion** was made by Councilmember Welle and was seconded by Councilmember Pack to proceed with the legal process to contact the property owners to sign a deed or long term lease with the city, to pave the lots if there is 100 percent participation, and to fund appropriately when the time allows. There was no further discussion. All favored the motion.

XIII. Councilmembers' Comments:

Mayor Johnson stated that this time is reserved for Councilmembers who have concerns or issues that is not an Executive Session item.

Councilmember Georgia

Councilmember Georgia asked Mrs. Rhodes for an update on her concerns of installing a sidewalk on Alfred Henry Drive for the safety of children walking in that area.

Mrs. Rhodes stated that she had given Councilmember Georgia a copy of a correspondence she had received from the South Carolina Department of Transportation (SCDOT). Mrs. Rhodes stated that SCDOT was aware of the concern; however, their budget currently had funding only for maintaining sidewalks and not for special projects or new sidewalks. In addition, Mrs. Rhodes stated that SCDOT would have a grant available in the spring for installing new sidewalks and that the city could apply for the grant at that time.

Mayor Johnson

Mayor Johnson stated that he still had concerns about the ditches overflowing on Drayton Street. Mayor Johnson stated that he had received complaints concerning drainage problems between Ipock Village and the Masonic Lodge.

Mrs. Rhodes stated that the area of concern is the Ipock Village's detention pond which was an approved Detention Pond.

Mr. Rubin Hardy stated that he had asked a representative of SCDOT to look at the area. Mr. Hardy stated that there is a flooding problem and that SCDOT is responsible for correcting the problem.

Councilmember Pack

Councilmember Pack stated that the area around the playground at the Bellwood Park is a safety issue and that he would like to see a fence around the playground.

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Mrs. Rhodes stated that she had an estimate for erecting a fence.

Councilmember Pack stated that he would like to see the fence installed as soon as possible.

Mayor Pro-tem Gordon

Mayor Pro-tem Gordon stated that the children were thrilled to be able to use the Memorial Street Park.

Councilmember Georgia

Councilmember Georgia asked Mrs. Rhodes if some of the funding under the Rex Josey Park line item could be used to erect the fence at the Bellwood Park.

Mrs. Rhodes stated that some of the funds would be used to repair the bridge, but that there will be funds left in that line item.

Councilmember Davis stated that the bridge is not an immediate problem and asked if the funds can be used to erect the fence at the Bellwood Park.

A **motion** was made by Councilmember Pack and was seconded by Councilmember Georgia to use the funds from the Rex Josey Park line item to erect a fence at the Bellwood Park. There was no discussion. All favored the motion.

XIV. Executive Session:

- 1) Administration Department: Contractual Matter concerning the Bid Award for Phase V and Phase VI Streetscape.
- 2) Public Works Department: Contractual Matter concerning a new Public Works Facility.

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Welle to enter into Executive Session to discuss a contractual matter in the Administration Department concerning the Bid Award for Phase V and VI Streetscape and a contractual matter in the Public Works Department concerning a new Public Works Facility. There was no discussion. All favored the motion.

Following Executive Session, the following action was taken:

A **motion** was made by Councilmember Welle and was seconded by Mayor Pro-tem Gordon to award the bid for Phase V and Phase VI of the Streetscape Project to Swamp Fox Utilities, the low bidder for the project. There was no discussion. All favored the motion.

XV. Adjournment

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Georgia to adjourn. There was no discussion. All favored the motion.

Time: 8:25 p.m.

Respectfully submitted,

Daun Davis
Administrative Services Coordinator/Clerk