

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

Monday, December 21, 2009  
6:30 p.m.

Breedin Assembly Room  
City Hall

**Members Present:**

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

**Members Absent-**

**E=Excused/U=Unexcused:**

Councilmember Welle- **E**

- I. Welcome/Introductory Remarks:** Mayor Johnson welcomed all present and stated that due to the observance of the Martin Luther King, Jr. Holiday on Monday, January 18, 2010, Council will meet on the fourth Monday in January. Next, Mayor Johnson stated that the media was notified and acknowledged the following:

News Media: Cathy Gilbert- *Manning Times*.  
Bobby Baker- *The Item*.

Others: Larry Williamson, Manning Zoning Board of Appeals.

- II. Invocation:** Councilmember Ervin Davis.

- III. Pledge:** Councilmember Diane D. Georgia.

**IV. Approval of Agenda:**

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

**V. Minutes:**

**Minutes of the Regular Meeting of City Council, November 16, 2009.**

**Page 2. Minutes of the Regular Meeting of Manning City Council, December 21, 2009.**

A **motion** was made by Councilmember Georgia and was seconded by Mayor Pro-tem Gordon to approve the minutes of the Regular Meeting of City Council, November 16, 2009. There was no discussion. All favored the motion.

**VI. Citizens' Comments:** None.

**VII. Committee Reports:** None.

**VIII. Mayor's Report:** Included in Council's packet as information.

**IX. Finance Report:**

Mrs. Prince stated that the Finance Report was included in Council's packet as information and asked if there were any particular questions concerning the report. There were no questions.

Mrs. Rhodes stated that there are a number of line items that show that they are over budget due to reimbursable grant monies not yet received. Mrs. Rhodes noted the following grant reimbursements in the Utility Fund that have not been received:

- \$250,000 in the Utility Fund for engineering fees for the I-95 project.
- \$70,000 for engineering fees for the WWTP.
- \$37,000 for engineering fees for Have Faith Community Development Corporation-Alcolu sewer line.
- \$15,000 for engineering fees for line to the A&K Mulch Company.

In the General Fund, the following grant reimbursements have not been received:

- Salary reimbursements issued quarterly for two officers through the police grants.
- \$120,000 from SCDOT for the downtown streetscape.
- \$5,000 for the Farmers Market grant.

Mrs. Rhodes stated that hopefully by the end of the year all grant monies will have been received. In addition, Mrs. Rhodes stated that a Department Head meeting was held to ask them to make sure grants are tracked accurately.

Mayor Johnson stated that the city is fortunate to be in the position to be able to fund the grants and wait for the reimbursements from the funding agencies. In addition, Mayor Johnson stated that in the General Fund the bulk of revenues, which come from property taxes, are not received until January or February. Mayor Johnson thanked Mrs. Prince for providing more detailed information.

**X. Administrator's Report:**

**1) Paxville Waterline Project-** Boring and for the sewer line has begun.

**Page 3. Minutes of the Regular Meeting of Manning City Council, December 21, 2009.**

- 2) **Wastewater Treatment Plant Upgrade-** The PER and Environmental Report have been reviewed with the engineer. Changes have been made to the reports and will be ready to be submitted by the Christmas Holiday.
- 3) **City Hall-** The elevator has been ordered and is expected to arrive January 15, 2010. The anticipated date for moving is February, 2010.

A) Departmental Reports: Included in Council's packet as information.

**XI. Old Business:**

**A. Ordinance No. 2009-11 (Second Reading). An Ordinance pertaining to the 2010 Municipal Election Process for the City of Manning.**

A **motion** was made by Councilmember Davis and was seconded by Councilmember Witherspoon to approve the ordinance for second reading. There was no discussion. All favored the motion.

**XII. New Business:**

**A. Zoning Ordinance No. 2009-06M (First Reading). An ordinance to re-zone property located at 301 Lee Street, Tax Map No. 170-13-04-039-00, owned by Jeffrey Black, from Residential-10 (RS-10) to Residential-6 (RS-6).**

A **motion** was made by Councilmember Davis and was seconded by Mayor Pro-tem Gordon to approve the ordinance for first reading. In discussion, Mrs. Rhodes stated that she had provided Council with a copy of the plat for review. Mrs. Rhodes stated that the Planning Commission recommended that Council approve the request. There was no further discussion. All favored the motion.

**B. Resolution stating opposition to H3272, the Point of Sale Bill.**

Mayor Johnson stated that included in Council's packet was a Resolution stating opposition to the point of sale bill which will be coming up early in the session in January. Mayor Johnson stated that a lot of municipalities, counties and school districts have gone on record in opposition of this bill. Next, Mayor Johnson read the Resolution.

A **motion** was made by Councilmember Witherspoon and was seconded by Councilmember Davis to approve the Resolution. In discussion, Mayor Johnson stated that there are a number of municipalities that have passed the Resolution because of the impact the Bill would have on their revenue sources. There was no further discussion. All favored the motion.

**C. Resolution authorizing the Mayor, or His Designee, the City Administrator, to enter into an agreement for USDA-RD for engineering services for the Wastewater Treatment Plant Upgrade.**

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Davis to approve the Resolution.

In discussion, Mrs. Rhodes stated that this is a standard agreement that USDA requires between engineers and municipalities. Next, Mrs. Rhodes stated that the application process requires cities to submit a PER, an Environmental Report, and an Engineering Agreement to be considered for funding. There was no further discussion. All favored the motion.

**D. Appointment of two alternates to the Grievance Committee.**

Mayor asked if there were any recommendations given for alternates. Mrs. Rhodes stated that the Grievance Committee recommended Mr. Jason Montgomery and Mr. Chris Snider as alternates and they have each agreed to serve.

A **motion** was made by Councilmember Witherspoon and was seconded by Mayor Pro-tem Gordon to appoint Mr. Jason Montgomery and Mr. Chris Snider as alternates to the Grievance Committee. There was no discussion. All favored the motion.

**E. Appointment to the Sick Leave Pool Committee.**

Mrs. Rhodes stated that Policy should reflect the current Chief of Police and recommended that Council officially appoint Chief Blair Shaffer to the Sick Leave Pool Committee.

A **motion** was made by Mayor Pro-tem Gordon and was seconded by Councilmember Georgia to appoint Chief Shaffer to the Sick Leave Pool Committee. There was no discussion. All favored the motion.

**F. Discussion of a budget amendment for the Utility Department.**

Mrs. Rhodes stated that an error was made during the budget process in which money budgeted for a new server for the Utility Department was listed under computer software instead of computer hardware. Mrs. Rhodes asked Council's permission to transfer \$7,433.06 from the utility software line item to the utility hardware line item.

A **motion** was made by Councilmember Davis and was seconded by Councilmember Witherspoon to approve the request to move \$7,433.06 from the Utility Software line item to the Utility Hardware line item. There was no discussion. All favored the motion.

**G. Discussion of a budget amendment for the Police Department Direct Award.**

Mrs. Rhodes stated that the City of Manning was approved for a \$22,000 Direct Award from the Department of Justice. Mrs. Rhodes stated Council agreed to use the award to purchase a vehicle for the Police Department. In addition, Mrs. Rhodes stated that after talking with the City's Auditor and the Finance Director, the auditor recommended that a new line item be created under General Fund Revenue to accurately record the vehicle purchases and the Direct Award.

A **motion** was made by Councilmember Davis and was seconded by Mayor Pro-tem Gordon to approve the request to create a line item for the Direct Award. In discussion, Mayor Johnson asked Mrs. Rhodes when she anticipates receipt of the Direct Award. Mrs. Rhodes stated that she did not know. Chief Shaffer stated that they have been waiting for a couple months for receipt of the award. There was no further discussion. All favored the motion.

**XIII. Councilmembers' Comments:**

**Mayor Pro-tem Gordon**

Mayor Pro-tem Gordon made a motion that Mayor and Council receive an increase in pay of \$150.00 a month. The motion was seconded by Councilmember Davis. In discussion, Mayor Johnson stated that if the motion passes, any change in salary or benefits for Council would not take effect until the next General Election, which would be April, 2010. Councilmember Davis stated that he seconded the motion because Council has not had an increase for the last 8 years, that Council has worked very hard to keep the budget in line, and that the increase is well deserved. There was no further discussion. All favored the motion.

**XIV. Executive Session:**

- 1) Administration Department: Contractual Matter.
- 2) Public Works Department: Contractual Matter.

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Davis to enter into Executive Session to discuss a Contractual Matter in the Administration Department and Public Works Department. There was no discussion. All favored the motion.

After Executive Session, the following action was taken:

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Pack to approve the purchase of property for the bus shed in the Manning Renaissance Village Project. In discussion, Mrs. Rhodes stated that she must disclose that the property owner for that property is a brother of a city employee. Next, Mrs. Rhodes read the

**Page 6. Minutes of the Regular Meeting of Manning City Council, December 21, 2009.**

following statement:

“The property located at the southeast corner of the property located at the northeast corner of Dickson Street and Reardon Street in Manning, SC is owned by Frederick Bethea, who is the brother of City of Manning employee James Bethea and is targeted to be acquired for the purpose of construction of a small bus shelter for the school children in the area. In order to comply with Federal and State Ethical guidelines, this information must be disclosed publicly and is being done by presentation at the City of Manning Council Meeting.”

Mayor Johnson stated that the property will be purchased at the fair market value. There was no further discussion. All favored the motion

A **motion** was made by Councilmember Davis and was seconded by Councilmember Witherspoon to approve a Resolution to enter into a Memorandum of Agreement to sell wastewater capacity and treatment to Clarendon County for S&N Properties. There was no discussion. All favored the motion.

**XV. Adjournment:**

A **motion** was made by Councilmember Davis and was seconded by Councilmember Pack to adjourn. There was no discussion. All favored the motion.

**Time: 7:25 p.m.**

**Respectfully submitted,**

Daun Davis  
Administrative Services Coordinator/Clerk