

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

Monday, February 15, 2010
6:30 p.m.

Breedin Assembly Room
City Hall

Members Present:

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

Members Absent-

E=Excused/U=Unexcused:

Councilmember Pack- E

I. Welcome/Introductory Remarks: Mayor Johnson welcomed everyone to the meeting. Mayor Johnson stated that Councilmember Witherspoon would be arriving late due to a work commitment. Next Mayor Johnson stated that the media was notified and acknowledged the following:

News Media: Cathy Gilbert- *Manning Times*.

Others: Mrs. Dawn Griffith, Director, Clarendon County Chamber of Commerce.
Mr. 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 Councilmember Davis 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, January 25, 2010.

A motion was made by Councilmember Georgia and was seconded by Councilmember Welle to approve the minutes of the Regular Meeting of Manning City Council, January 25, 2010. 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. Public Presentation:

Proclamation....."Cities Mean Business" Month

Mayor Johnson noted that the Municipal Association of South Carolina recognizes the month of February as "Cities Mean Business" Month. Mayor Johnson stated that Council would like to observe this event by presenting a proclamation to Mrs. Dawn Griffith, Director of the Clarendon County Chamber of Commerce. The proclamation was read and Mayor Johnson thanked Mrs. Griffith and the Chamber of Commerce for all of their efforts on behalf of the city and towns in Clarendon County.

Mrs. Griffith thanked the Mayor and Council for showing their dedication to the awareness of "Cities Mean Business". Mrs. Griffith stated that the Chamber has enjoyed working with Main Street Manning during their first year on their promotional events for the businesses. In addition, Mrs. Griffith stated that the merchants look forward to what the Chamber and Main Street Manning are doing on their behalf.

X. Finance Director's Report:

Mrs. Prince stated the following:

Finance Report for the month ending January, 2010

General Fund unrestricted:	<u>\$1,355,588.00</u>
Total unrestricted GF	1,355,588.00
General Fund restricted:	\$ <u>124,863.00</u>
Total restricted GF	124,863.00
Interest Earned (GF):	\$ 1,713.00

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Utility Fund unrestricted:	\$ 459,269.00
Total unrestricted UF	\$ 459,269.00
Utility Fund restricted/reserved:	\$ <u>1,124,683.00</u>
Total restricted/reserve UF	1,124,683.00
Interest Earned (UF):	\$ 9,649.00**
Special Fund:	\$ 67,127.00

We have completed the 7th month into the budget year and should be at 58% with a remainder of 42%

REVENUE

YTD GF Revenue	\$1,233,152	32%
YTD UF Revenue	\$1,161,376	58%

EXPENDITURES

	<u>YTD Spent</u>	<u>Remaining</u>
YTD GF	\$2,476,975	64% (over by 6%)
Revenue over Expenses- GF = \$-1,243,823		
YTD UF	\$1,119,609	56% (Profit of \$41,767)

Mrs. Prince stated that the following:

- The city was on task Year-to-date with Fixed Services collections.
- Fixed services are at 41%
- Collections of \$4,463 in penalties, up by \$549.00 from last month.
- The city has serviced 2,905 water customers and 2, 191 sewer customers.
- Delinquent accounts increased by 74 accounts since January, with 26 of those accounts commercial accounts.

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Following, Mrs. Prince stated that the Finance Report was included in Council's packet as information and asked if there were any questions.

Mayor Johnson stated that he wanted to clarify the statement made that the revenue over expenditures was "under" by \$-1,243,823. Mayor Johnson noted that this figure based on projections that the city would receive 1/12 of its revenue each month. In addition, Mayor Johnson stated that property tax revenues usually began to come in around January or February and that the bulk of Business License revenues do not come in until the February. Then, Mayor Johnson stated that a cause of concern would come if revenue was not received towards the end of the budget year. Mayor Johnson asked Mrs. Prince if the city was in good shape otherwise. Mrs. Prince stated that it was.

Mayor Johnson asked Council if there were any other questions.

Mrs. Rhodes stated that the city had received its first reimbursement of approximately \$7,300 for the C.O.P.'s Grant and noted that reimbursements would be received quarterly. In addition, Mrs. Rhodes stated that the city is awaiting reimbursements from the Drug Task Force Grant. Following, Mrs. Rhodes stated that additional information was forwarded to SC Department of Transportation (SCDOT) to close out the grants and that the reimbursements should be mailed by the end of the month.

Mayor Johnson asked Mrs. Rhodes if Council would have a report on receipt of business license fees. Mrs. Rhodes stated that the business license fees are due before March 1st. Next, Mayor Johnson stated that because business license fees are based on gross sales, a lot of cities and towns are concerned on the effect the economy will have on this source of revenue.

Mrs. Prince stated that the \$400,000 in property taxes was received last week and not included in Council's Finance Report. Mayor Johnson asked Mrs. Prince how it compared with last year. Mrs. Prince stated that the city is above what was budgeted last year.

Next, Mrs. Rhodes stated that the Finance Department produced a spreadsheet comparing monthly revenue received in the current year versus last year.

Mayor Johnson asked Council if there were any additional questions. There were none.

XI. Administrator's Report:

Mrs. Rhodes stated that information was given to Council by Mrs. Adger stating that the City would not have to have an election. Mrs. Rhodes stated that no one had filed against the incumbent, no one has declared to be a write-in candidate and that the 14 calendar day has passed since the close of the filing period.

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Mayor Johnson congratulated the Councilmembers who were re-elected for another four-year term: Councilmember Diane D. Georgia, Councilmember Ervin Davis, Sr., and Councilmember Gregory Witherspoon. Mayor Johnson stated that the city has many projects that are in progress and that he looks forward to continuing to work on these projects.

- 1) **USDA Grants** –USDA has asked for minor revisions on the PER Report for the Alcolu and Paxville projects.
- 2) **CDBG Project**- The property owner has accepted the city’s offer to purchase the property for the bus shelter. There will be a ground breaking on Saturday, February 20th at 10 a.m. for the second Habitat house. There will also be a ribbon cutting on March 2nd at 1:00 p.m. for the Santee-Lynches Community Development Corporation house.
- 3) **City Hall**- Still waiting on the elevator which is expected to arrive March 15th.
- 4) **Judicial Building**- The renovation of the courtroom should be completed in two weeks.

A) Departmental Reports

- 1) Police Department- Discussion of Police Seizure Funds.

Multi-Jurisdictional Drug Task Force- Chief Shaffer stated that in November, the city joined all other agencies in Clarendon County in a Multi-Jurisdictional Drug Task Force. Since that time, over 100 cases have been made and approximately \$300,000.00 has been seized. Under this Federal Grant, the monies seized must go back through the grant as programmed income for use by the officers under the grant guidelines. Two officers from the city that have been assigned to the task force were able to buy a vehicle which will belong to the City of Manning. When the grant is over in five years, any funds left will be distributed among the jurisdictions.

Federal 1033 program- The U.S. Military has a website where they post equipment they no longer use. Under this program for \$500.00 a year, law enforcement agencies will be able to request the equipment. The city has received equipment valued at over \$130,000 (i.e. generator, trailer, truck with a lift,) at no cost. The only cost to the city would be traveling expenses necessary to pick up the equipment. The expenses have so far approximated \$4,000.00.

box
totaled

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USDA Grant - Chief Shaffer will submit an application for a grant requesting six new vehicles. The amount of the grant is \$180,000 and the city's match would be approximately \$45,000.

Next, Mayor Johnson thanked the Department Heads for all that they do on behalf of the city. Mayor Johnson thanked Chief McElveen and the Fire Department for an enjoyable evening at the "Ladies Night" event held on February 8, 2010.

XII. Old Business:

A. Ordinance No. 2010-01 (Second Reading). An Ordinance to amend the Code of Ordinances of the City of Manning, so as to increase the annual salary of the Mayor and Councilmembers.

Mayor Johnson stated that the ordinance increases the salary of the Councilmembers by \$150.00 per month and would take effect in April, 2010.

A **motion** was made by Councilmember Davis and was seconded by Mayor Pro-tem Gordon to approve the ordinance for second reading. There was no discussion. The vote was made as follows:

<u>In Favor</u>	<u>Opposed</u>
Mayor Pro-tem Gordon	Councilmember Welle
Councilmember Davis	
Councilmember Georgia	
Councilmember Witherspoon	

The ordinance passed by a vote of 4 to 1 in favor of the motion

XIII. New Business:

A. A Resolution Authorizing the Mayor or, as appropriate, His Designee, the City Administrator, to sign an agreement for professional services with Atlantic South Consulting Services for the Alcolu Water and Sewer Project.

A **motion** was made by Councilmember Davis and was seconded by Mayor Pro-tem Gordon to approve the resolution. In discussion, Mrs. Rhodes stated that the U.S.D.A. requires that the agreement between the city and Atlantic South be drawn on USDA forms. In addition, Mrs. Rhodes stated that the city's Attorney reviewed and approved the agreement. There was no further discussion. All has favored the motion.

B. Discussion of road ownership and maintenance in the City of Manning.

Mrs. Rhodes stated that approximately two years ago, the County Planning Commission decided that they will no longer accept for ownership and maintenance any new roads in the city limits. This decision would require that the developer would take care of the road maintenance or that the property remain as a part of the county. In addition, Mrs. Rhodes stated that SC DOT no longer accepts ownership of any new roads.

Mrs. Rhodes stated that if Council wished to have any new residential development or new roads in the city limits, Council would need to decide whether the city would want to partner with the County or take on ownership of and maintenance of roads. Next, Mrs. Rhodes stated that at the direction of Mr. Dwight Stewart, Chairman of County Council, she met with the county's attorney, Attorney David Epperson and reviewed options on maintaining roads. Mrs. Rhodes stated that the county already collects a road maintenance fee from all property owners in Clarendon County.

In their meeting they discussed one option whereby the city receives a portion of the road maintenance fee and then the city would own and maintain any new roads in the city limits. The city's portion of the fees collected would be based on the population in the city limits, based on the last census figures and the last year's collection from the county. The city would get a lump sum check from the county and would then decide how they wish to maintain roads. Based on collections from previous years and the 200 Census, the city's portion would be approximately 13% or \$91,000.00. Mrs. Rhodes stated that the money collected would be placed in a separate fund and used only for roads, drainage, or sidewalks. Next, Mrs. Rhodes stated that should Council decide to take ownership of new roads there would not be a lot of maintenance needed for many years to come. Mrs. Rhodes asked for Council's direction. Mrs. Rhodes stated that the city of Camden, the City of Sumter and City of Florence maintain their new roads.

Mrs. Rhodes stated that currently the county maintains the following new roads in the city limits: the roads in the Pine Knoll subdivision, Kennedy Lane, Capital Way and the portion of Maple Street by the Weldon Auditorium. In addition, Mrs. Rhodes stated that she and Attorney Epperson have discussed the option of the city taking over those particular roads and any new roads in the city limits. An ordinance would have to be enacted, the zoning ordinance would have to be amended, an inspection schedule would need to be developed, and a contract with a civil engineer would be needed for inspecting the roads. Mrs. Rhodes asked Council for direction.

Councilmember Witherspoon asked Mrs. Rhodes about the "C" Funds that the county receives. Mrs. Rhodes noted that the county has stated that 25% of those funds must be used on state roads and since most roads in the city limits are state roads, that 25% is usually used on roads in the city.

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Mayor Johnson stated that the city needs to look at the “C” funds and other points and to look closer at the issue. Mrs. Rhodes stated that she has asked for a copy of the county’s road maintenance ordinance. Mayor Johnson asked the Administrator to obtain copies of the road maintenance ordinance from Kershaw County, Florence and Sumter cities and to bring back the information to Council.

Councilmember Davis asked Mrs. Rhodes if there was a cap on the “C” Funds and if there was a reserve fund? Mayor Johnson asked Mrs. Rhodes to obtain more information.

A **motion** was made by Councilmember Davis and was seconded by Councilmember Welle to authorize the Administrator to move forward to gather information on road ownership and maintenance and “C” Funds and to bring back the information to Council. There was no discussion. All favored the motion.

C. Discussion of Bond Counsel for USDA Projects.

Mayor Johnson stated that the city has several USDA projects totaling over \$26,000,000 and stated that the city would need Bond Counsel to do the bonding work for those projects.

Mrs. Rhodes stated that in the past the city has worked with Ms. Margaret Pope, Attorney at Haynesworth, Sinkler & Boyd for bond counsel. Mrs. Rhodes stated that Ms. Pope has started her own firm, Pope, Zeigler, LLC and asked Council if they would want to continue working with Mrs. Pope or wish to continue working with the firm, Haynesworth, Sinkler & Boyd. Mayor Johnson stated that Ms. Pope is familiar with Manning’s projects and recommended that the city continue working with Mrs. Pope.

Councilmember Davis asked Mrs. Rhodes her recommendation.

Mrs. Rhodes stated that both firms are good; however from Council’s perspective, she understands that Mrs. Pope knows the city’s needs and what the city has been doing in the past.

A **motion** was made by Councilmember Davis and was seconded by Councilmember Georgia that, based on the recommendation of the Mayor, that the city continue working with Ms. Margaret Pope as Bond Counsel for the city’s USDA projects. In discussion, Mrs. Rhodes stated that Ms. Pope would only be working on bond work for these projects. There was no further discussion. All favored the motion

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D. Approval of Bid Award for the Sawmill Water Extension.

Mrs. Rhodes stated that CBG, Inc. was the lowest responsible bidder for this project.

A **motion** was made by Councilmember Davis and was seconded by Mayor Pro-tem Gordon to approve the bid award to CBG, Inc. In discussion, Mrs. Rhodes stated that this is a CDBG grant for \$136,000 that came through the county. The lowest bid was \$102,365. There was no further discussion. All favored the motion.

XIV. Councilmembers' Comments:

Mayor Johnson

Mayor Johnson distributed to Council forms to be completed for the Administrator's evaluation and asked that they be returned to him by March 1st. In addition, Mayor Johnson noted that this would be placed on the agenda as a discussion item at the March meeting. Then, Mayor Johnson stated that he would be out of town for the March 15th meeting and asked Council if they would be willing to re-schedule the meeting for March 22, 2010.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Georgia to move the Council meeting from March 15, 2010 to March 22, 2010. There was no further discussion. All favored the motion.

Mayor Johnson stated that the Councilmembers that were re-elected for another term would be sworn in during the April meeting.

Mayor stated that *Hometown, SC* Legislative Action Day is Wednesday, February 17, 2010.

Following, Mayor Johnson asked Mrs. Rhodes when the city's Comprehensive Land Use was due for an update. Mrs. Rhodes stated that it is due now and that she would talk to Mr. Jim Darby of Santee-Lynches RCOG to see if they would be willing to do the mapping updated for the city while she does the verbiage update.

Mayor Johnson asked about the budget for the coming fiscal year. Mrs. Rhodes stated that she would talk with the department heads and would distribute work sheets to them for completion.

Mayor Pro-tem Gordon

Mayor Pro-tem Gordon asked Mrs. Rhodes when the work would begin on the sidewalks in his District. Mrs. Rhodes stated that she has submitted information to request sidewalks on Depot and Barfield Street and is awaiting approval. In addition, Mrs. Rhodes stated that there was also a little drainage piece that is awaiting a change order approval and the easement for one pole for Progress Energy has been signed and work should begin soon.

Mayor Johnson

Mayor Johnson stated that there has been difficulty in hand delivering Council packets to Council. Mayor Johnson asked Council if they would prefer picking them up at City Hall on the Thursday or Friday before the Council Meeting or have them left at their home if they are not at home. At this time, Chief Shaffer asked Mayor Johnson if he could have one month to try another solution to resolve the problem. Mayor Johnson agreed.

XV. Adjournment:

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

Time: 7:27 p.m.

Respectfully submitted,

Daun Davis
Administrative Services Coordinator/Clerk