

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

Tuesday, February 16, 2016
6:30 p.m.

Council Chambers
Manning City Hall

Council Present:

Mayor Nelson
Councilmember Georgia
Councilmember Gordon
Councilmember Pack
Councilmember Welle

Members Absent:

E= Excused; U= Unexcused:

Mayor Pro-tem Davis= E

I. Welcome/Introductory Remarks: Mayor Nelson welcomed all present.

News Media present: *Konstatin Vengerowsky, The Item.*

II. Invocation: Pastor Rosa Fulton, The Master's Place Ministries, Manning, SC.

III. Pledge: Councilmember Clayton Pack.

IV. Approval of Agenda:

Mayor Nelson asked Council's permission to amend the agenda to move the presentation of the Manning Junior High Basketball team after Item V. Approval of Minutes.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Gordon to amend the agenda as noted. There was no discussion. All favored the motion.

V. Minutes:

Minutes of the Regular Meeting of City Council, January 19, 2016.

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Pack to approve the minutes of a Regular Meeting of City Council for January 19, 2016. There was no discussion. All favored the motion.

VI. Presentation to Manning Junior High School Basketball Team:

Mayor Nelson asked the Coaches, Captains and players to come forward. Next, Mayor Nelson presented the team with a Certificate of Recognition for being named the Champions of the 2015-2016 Basketball Season with a record of 10 wins and 2 losses. Mayor Nelson also congratulated the parents for their support of the team.

VII. Citizens' Comment:

Mrs. Sharon Thames, 100 Capital Way, Manning, SC 29102

Ms. Thames stated that three years ago, she placed a building on property located at 200 Capital Way. Prior to purchasing and placing the building on the property, she came before Mrs. Adger to make sure it was ok. Ms. Thames stated she was given a permit stating the building would be permitted and what would need to be done to receive approval. Next, Ms. Thames stated that three weeks ago Mr. Tanner came by her store to say that the building was a temporary structure and had to be removed. Ms. Thames stated that she showed Mr. Tanner all of the documentation she received from the city and the county. She stated that two days later she received a letter from Mr. Tanner stating that the building needed to be removed from the property.

Ms. Thames stated that she requested to speak to Council to let them know that she disagrees with the decision and that she followed all of the city's guidelines. She noted that a copy of the city's zoning permit that was issued listed under the conditions that approval must meet buffering requirements and setback requirements of 4 feet. In addition, Ms. Thames stated that she was also told that she would need to see Mr. Buck Taylor at the County Planning and Zoning Department who issued her a Certificate of Completion and a Certificate of Occupancy.

Ms. Thames states that now the building that was supposed to be a permanent structure is just a temporary structure. Ms. Thames stated that she would not have bought the building if it was going to be a temporary structure. Ms. Thames stated that she had water and sewer connected to the building, and followed regulations with the SCDHEC. Now she will have to hire a contractor to move the building. Ms. Thames asked for the city's assistance with this situation.

Mayor Nelson asked if there were any questions from Council. There were none. Mayor Nelson stated that she would ask Mr. Tanner to give her the format for appealing to the Board. Next, Mayor Nelson explained to Ms. Thames that once she goes through the process of the appeal and is still not satisfied with the decision, then she would request to come before Council. Ms. Thames stated that she has already spoken to Mr. Tanner, and none of the documents she has states it's a temporary structure, she's not sure if the appeal would be worth it. Mayor Nelson asked Ms. Thames that, if she's understanding her correctly, that since she followed the rules, if she felt that she should be given special consideration because she was not given the right instructions? Ms. Thames confirmed that is what she felt.

Councilmember Pack asked if the building was up for sale. Ms. Thames stated that the building was up for sale and the the building has been there for three years and no one had contacted her to remove the building until the “for rent” sign was placed on the property.

Councilmember Welle asked if at any time in your discussions, was it mentioned that it was a temporary structure? Ms. Thames said no, not verbally or written. Ms. Thames referred back to the zoning permit indicating that there was nothing written stating it is a temporary structure. Mayor Nelson asked Mr. Tanner about the conditions and would the wording of temporary structure been noted on the zoning permit. Mr. Tanner stated that it should have been placed on the permit before it was approved. Mayor Nelson stated the Council would meet, get advice on which direction to take and will get back to her. Ms. Thames stated she also has a tax bill for a full year’s use of the property. In addition, Ms. Thames asked to present to Council documentation on all the costs incurred in placing the building on that property. Mayor Nelson stated that Council will get back with her and thanked her for providing the information.

Mayor Nelson also acknowledged Judge Ricardo Sims in the audience.

VIII. Committee Reports: None.

IX. Public Presentations:

1) Employee Service Recognitions.....Mayor Nelson

Major Douglas A. Ridgeway.....Manning Police Department

On behalf of Council, Mayor Nelson presented a plaque to Douglas Ridgeway for 28 years of service. Major Ridgeway thanked Mayor Nelson, Council and Chief Shaffer for their support.

Donna Walker.....City Hall Administration Department

Ms. Walker was not able to attend the meeting. In her absence, Mayor Nelson recognized Ms. Walker for 8 years of service.

2) Proclamation for Cities Mean Business Month.....Mayor Nelson

Mayor Nelson noted that a proclamation is issued each year proclaiming February as Cities Mean Business Month. In addition, Mayor Nelson acknowledged importance of small businesses here in Manning and encouraged everyone to shop local.

**Update on Waterworks/Sewer Refunding Revenue Bonds....Mr. C. D. Rhodes III
Pope Flynn, LLC**

Mr. Rhodes stated that he would like to give Council an update on the refunding revenue bonds and to seek Council’s decision on issuing the bonds. Mr. Rhodes stated

that the bonds were sold at a very good rate to Whitney Bank at a rate of 2.15%, with a term of 12 years. Mr. Rhodes stated that, after all is done, the city will save a little over \$1 million dollars and pay the bonds off seven years early. Mr. Rhodes thanked Council for the quality of the utility system and the rate.

Mr. Rhodes explained that when going into the open market, the city will have a trustee, who will handle paying the bond holders directly. The Trustee also holds the debt service reserve money. The City has three remaining USDA Bonds outstanding. The Trustee requires that if they hold one of the debt service funds, they would have to hold them all. Another requirement is that they have to be held at one entity which, in this case, is U.S. Bank. The Trustee makes sure the debt service gets paid and is in compliance with the bond ordinance. The cost associated with having a Trustee is approximately \$5,100 yearly. Mr. Rhodes asked if there were any questions.

Councilmember Pack asked if all bonds have to be with the Trustee. Mr. Rhodes stated that all Revenue Bonds (Alcolu, Paxville and WWTP Phase II) must be with the Trustee.

Mr. Tanner stated that, now we have reserve funds in Certificate of Deposits at the Bank of Clarendon, which roll over every 6 months. However, now those reserve funds will be held at the Trustee, who provides a certain amount of security to the bond holders and, in the event of a default, the Trustee dispenses the funds accordingly.

Mayor Nelson asked if all revenue bonds would be handled in the same manner from now on. Mr. Rhodes stated that any utility revenue bond would be subject to same requirements. In addition, Mr. Rhodes stated that Mr. Tanner had asked how the city would fund new debt service reserve funds. Mr. Rhodes stated that the city would handle it the same way as before.

Mayor Nelson asked what would be the savings to the city right now. Mr. Rhodes stated that the savings is \$1,011, 291.70. Next, Mayor Nelson asked what would be the amount of savings if the city continued to hold the 1994 at the rate of 5 ¼%. Mr. Rhodes stated that over the life of the bonds, paid off in 2035, would have an annual debt service of approximately \$176,000 over the next 19 years. Under the new bonds, the annual debt service would be approximately \$170,000 a year over 12 years. The bonds would be paid off early and the city would save interest costs.

Following, Mayor Nelson stated that Mr. Tanner thought it was important to make Council aware of what would be signed. Mayor Nelson stated that her initial understanding was that it was just for the 1994 Bond. Mr. Tanner stated that basically the city will transferring \$338,000 currently held in the three reserve accounts, to reserve accounts with the Trustee, which is U.S. Bank, located in Columbia, SC. Mayor Nelson asked Council if there were any questions. There were none.

Mr. Tanner asked Mrs. Mary Prince if she had any questions or concerns. Mrs. Prince asked Scott to confirm the amount to be transferred to the Trustee. Mr. Tanner stated that the figures came from Mr. Huck at USDA, and that he would follow up with him to confirm the amount.

- X. Finance Director’s Report:** Mrs. Prince stated that we are 7months into the budget year at 58%. Next, Mrs. Prince reported the following.

Finance Report for month ending January 2016

REVENUES

Type of Fund	Percent Collected
General Fund	44% \$600,000 received after the report
Utility Fund	85%

EXPENDITURES

Type of Fund	Percent Spent
General Fund	53%
Utility Fund	59%

Bank Balances and Notes Payables Balances

General Fund Unrestricted	Balances
Checking (A/R, A/P, Payroll, Cemetery)	\$ 3 million
Interest Earned (A/R, A/P, Payroll, Cemetery)	\$ 2,600
General Fund Reserve	
Police, Juror, Drug, Equitable, Fire, Farmers Market, Reserve	\$ 144,000
Fire Station Extension CD	\$ 50,000
Utility Fund Unrestricted	
Checking (A/R & A/P)	\$ 1.7 million
Interest Earned	\$
Utility Fund Restricted Account CD’s	\$ 2.1 million
Utility Fund Notes Payables Balance	\$ 12.1 million
Special Fund Reserve	
Checking (Victim’s Right, CDBG)	\$ 114,000

XI. Mayor's Report:

Mayor Nelson stated that she received a thank you note from Ms. Kelly Brown's Third Grade Class at Laurence Manning Academy. The students were very appreciative of the donation of winter coats they received. Mayor Nelson thanked Ms. Tiffany Johnson, Macy's, Clothes for Souls and Soles for Souls for making the opportunity available to the City of Manning.

Council will have their Annual Retreat next month. Mayor Nelson asked Council to submit issues they would like to be discussed at the retreat. In addition, Mayor Nelson stated that she would be preparing a SWOT Analysis and asked that each Councilmember participate in this process individually. This analysis asks each Councilmember to identify the strengths, weaknesses, opportunities and threats we have as a city. Then Council will come together collectively to discuss the analysis.

XII. Administrator's Report:

- 1) Keitt St. Water Tank-The exterior painting of the tank is underway. There have been multiple delays. Hopefully substantial progress will be made.
- 2) Alcolu Water & Sewer Extension- We should be in the process of issuing a Change Order to complete this project. Mr. Tanner thanked Mr. Hardy for doing work that will save money and keep the project within budget.
WWTP Phase II- This project is progressing. They are pouring additional concrete.
Huggins Street Sidewalk Project- This project has been bid out. A request will be made later on the agenda seeking Council to approve the bid award for \$108,000 to B&B Construction.
- 3) Fleming Neighborhood Demolition Project- This project is scheduled for bid on Feb. 23rd to demolish 6 homes. The city will be doing additional asbestos testing and mitigation on the remaining homes.
- 4) Council Retreat- The Retreat is scheduled for March 18th thru 20th at Wampee Conference Center. Please let the Administrator know of items for discussion. Also, let him know if you're going and if you will be bringing a guest.
- 5) Business After Hours- This event will be held on Thursday evening, 5:30 pm at the Manning Times.

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

XIII. Old Business:

- A. Zoning Ordinance No. 2016-01M (Second Reading). An Ordinance to re-zone a portion of vacant properties located on the east and west side of 2155 Paxville Hwy., Tax Map # 169-07-00-002-00 and Tax Map # 169-07-00-001-00, owned by Clarendon School District 2, from Office Commercial (OC) to General Commercial (GC).**

Mr. Tanner stated that this is the school district's property concerning their request for re-zoning for billboards. Mr. Tanner stated that, in his research, he found that the contract between Clarendon School District 2 and Adams Outdoors is for a 10-year term to be re-negotiated. If the contract is not re-negotiated, the School District can ask Adams Outdoors to remove the billboard, which must be done within 90 days of their request.

A motion was made by Councilmember Welle and seconded by Councilmember Pack to re-zone Tax Map # 169-07-00-002-00 and Tax Map 169-07-00-001-09, owned by Clarendon School District 2, from Office Commercial (OC) to General Commercial (GC). There was no discussion. All favored the motion.

B. Council Appointments to Boards (replacements needed):

Tree Board

Fill Term Ending

Lee Stogner

November 30, 2016

There were no nominations. Discussion on this item was postponed until next month. Mayor Nelson noted that a seat on this volunteer board is open, and asked if anyone is interested, to please call their Councilmember or contact City Hall.

Planning Commission

Fill unexpired Term

Stephanie Black

June 30, 2019

Mayor Nelson nominated Mrs. Effie Hilton, who has served on this board in the past. Mayor Nelson asked if there were any other nominations. There were none.

A **motion** was made by Councilmember Pack and was seconded by Councilmember Georgia to nominate Mrs. Effie Hilton to the Manning Planning Commission. There was no discussion. All favored the motion.

XIV. New Business:

A. A Resolution Supporting the City of Manning Safety and Wellness Program.

Mr. Tanner stated that this Resolution is done annually as part of the city's minimum requirements for our insurers.

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

B. A Resolution Providing for the Transfer of Certain Debt Service Funds and Debt Service Reserve Funds to U.S. Bank National Association to Maintain and Control; and Other Matters Relating Thereto.

Mr. Tanner stated that this Resolution authorizes the City to make the transfers and set up the reserve accounts with the Trustee.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Gordon to approve the resolution. There was no discussion. Those in favor of the motion were: Councilmember Welle, Councilmember Georgia and Councilmember Gordon. Those opposed were Councilmember Pack. The motion passed in favor of the Resolution by a vote of 3 to 1.

C. A Resolution to Amend the City of Manning Police Department Police Policy and Procedure Manual to Adopt Policy Number 09.500.41 Use of Body Worn Cameras.

Mr. Tanner stated that the city must have a policy in place for the use of body worn cameras. The state has a grant program available to all agencies that have an approved policy in place that would provide funding for body worn cameras. This policy must be reviewed and approved by the Academy. Chief Shaffer stated that every agency must have a policy in place by March 7th. Once the policy is approved, the agency will be able to purchase the cameras through the grant program. Mr. Tanner stated that the policy is adapted to one that the Municipal Association is recommending for all agencies to adopt. Chief Shaffer indicated that there were two changes that he made to the policy. One change was made to page 6, letter L: In-line supervisors would view at least one body camera recording every 10 days as opposed to every 90 days. The other change on the last page concerned training. Chief Shaffer noted that training on the use of body-worn cameras would be added to the his department's annual training.

Mayor Nelson asked how long would a video recording be available. Chief Shaffer stated that if an arrest is made or any situation, the recording would remain indefinitely. For normal incidents the recording would be purged after 90 days. Mayor Nelson asked Chief Shaffer to include that information in the next newsletter so that the public would be aware of how long the recordings are stored. In addition, Mayor Nelson stated that the city would need to develop a policy on how recordings are released and who would be able to view it. Councilmember Welle recommended that the Public Safety Committee review and possibly amend some aspects of the policy at a later date.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Gordon to amend the City of Manning Police Department Policy and Procedure Manual to Adopt Policy Number 09.500.41 Use of Body Worn Cameras and to have the Public Safety Committee review the policy and make amendments at a later date. There was no discussion. All favored the motion.

D. A Resolution Authorizing the Mayor to enter into Agreements with Santee-Lynches Regional Council of Governments for Technical Assistance for the Upgrade of the City of Manning Comprehensive Zoning Plan and for Annual Technical Assistance with Planning and Zoning.

Mr. Tanner stated that this was discussed at the last meeting. This is an agreement with Santee-Lynches Council of Governments to update our comprehensive plan in the amount of \$15,000 for the initial update and \$3,250 to provide technical assistance, to advise the Planning Commission and Board of Appeals and City Council on matters related to planning and zoning. Mr. Tanner stated that the agreement would be in effect for 1 year after the comprehensive plan is completed.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Pack to enter into Agreements with Santee-Lynches Regional Council of Governments \$15,000 for technical assistance for the upgrade of the City of Manning Comprehensive Zoning Plan plus \$3,250 for the technical service agreement for one year. There was no discussion. All favored the motion.

E. Approval of Bid Award for Huggins Street Sidewalk to C. Simmons Construction in the amount of \$107,155.

Mr. Tanner stated that after evaluation by our engineer, they realized a mistake and found that the low bidder was actually B&B Construction Company, in the amount of \$110,755. Mr. Tanner asked Council to award the bid to B&B Construction Company.

A **motion** was made by Councilmember Pack and was seconded by Councilmember Gordon to approve the Bid Award for the Huggins Street Sidewalk to B&B Construction Company in the amount of \$110,755. There was no discussion. All favored the motion.

XV. Councilmembers' Comments:

Mayor Nelson

Mayor Nelson stated that Mayor Pro-tem Davis was out sick and had an approved absence.

Councilmember Gordon

Councilmember Gordon stated that the Memorial Street Park needs basketball nets on the basketball goals.

Mayor Nelson

Mayor Nelson stated that she had received a letter about pot holes in Pine Knoll and that she has contacted Mr. David Epperson, County Administrator, asking when the pot holes would be repaired. Mr. Epperson stated that they would be repaired in a couple weeks or as soon as the weather breaks. Mayor Nelson also stated the City does not maintain roads or streets, but would make the proper referrals to get the roads repaired.

Councilmember Pack

Councilmember Pack asked Mr. Tanner for an update on the list of roads to be repaired with C Funds from the County. Mr. Tanner stated that he would get an update on the availability of C Funds.

Councilmember Welle

Councilmember Welle asked Mayor Nelson if the County addressed the roads situation in the area of Pickwood Drive. Mr. Tanner stated that he believes that it is a state road.

XVI. Adjournment:

A **motion** was made by Councilmember Welle and was seconded by Councilmember Gordon to adjourn.

There was no discussion. All favored the motion.

Time: 7:44 pm

Respectfully submitted,

**Daun Davis,
Administrative Services Coordinator/Clerk**