

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

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

Breedin Assembly Room  
City Hall

**Members Present:**

Mayor Johnson  
Councilmember Davis  
Councilmember Georgia  
Councilmember Pack  
Councilmember Welle  
Councilmember Witherspoon

**Members Absent-**

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

Mayor Pro-tem Gordon– E

- I. Welcome/Introductory Remarks:** Mayor Johnson welcomed all present and stated that the media was notified. Mayor Johnson stated that Mayor Pro-tem Gordon had an excused absence. Next, Mayor Johnson acknowledged the following:

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

- II. Invocation:** Councilmember Ervin Davis.

- III. Pledge:** Councilmember Clayton Pack.

**IV. Approval of Agenda:**

A **motion** was made by Councilmember Welle 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, August 25, 2009.**

A **motion** was made by Councilmember Georgia and was seconded by Councilmember Welle to approve the minutes of the Regular Meeting of City Council, August 25, 2009, as presented. 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. Mayor Johnson congratulated the Main Street Manning Committee for a successful event held during their Annual Meeting on September 15, 2009. In addition, Mayor Johnson also thanked Councilmember Welle for attending and representing the city and everyone who attended and took part in the event to benefit the downtown area.

Next, Mayor Johnson stated that he participated in an ETV Broadcast for the Municipal Association's Educational Institute. Mayor Johnson stated that the panel and that one topic of discussion was a quote made by the late Walter Winchell stating that Manning is matchless for beauty and hospitality. Mayor Johnson stated that this slogan should be used as a pitch of attracting people to Manning and asked the Administrator to check into what could be done.

IX. Finance Director's Report:

Mrs. Prince stated that the finance reports were included in Council's packet as information. Mrs. Prince reports on the following:

- Real property taxes would not be received by the city until January, 2010.
- Year-to-date fines collected have increased 17% and the figures are on target with the budget.
- Fixed services collected year-to-date are at 17% and on target with the budget.
- In August, 2009, penalties have increased on delinquent accounts. The city has collected approximately \$4,800.00 for the month of August which is up by \$1,000.00 from last month.
- The number of customers on the water cut-off list has increased significantly. Mrs. Prince stated that she feels that this may be due to the economy. In July there were 645 customers on the cut-off list. In August there were 739 customers and only 72 were commercial accounts.

**Finance Report for the month ending August, 2009**

<b>General Fund unrestricted:</b>	<b><u>\$1,707,183.00</u></b>
<b>Total unrestricted GF</b>	<b>1,707,183.00</b>
<b>General Fund restricted:</b>	<b>\$ <u>117,889.00</u></b>
<b>Total restricted GF</b>	<b>117,889.00</b>
<b>Interest Earned (GF):</b>	<b>\$ 1,737.00</b>

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<b>Utility Fund unrestricted:</b>	<b>\$ <u>989,090.00</u></b>
<b>    Total unrestricted UF</b>	<b>\$ <u>989,090.00</u></b>
<b>Utility Fund restricted/reserved:</b>	<b>\$ <u>1,112,697.00</u></b>
<b>    Total restricted/reserve UF</b>	<b><u>1,112,697.00</u></b>
<b>Interest Earned (UF)</b>	<b>\$ 739.00</b>
<b>Special Fund:</b>	<b>\$ <u>69,802.00</u></b>
<b>    Total Special Fund</b>	<b>\$ <u>69,802.00</u></b>

We have completed 16% of the budget and are on target with collections.

Mayor Johnson stated that many of the accounts on the cut-off list are those who are repeatedly on the list month after month. In addition, Mayor Johnson stated that there may be more accounts on the list due to plant closings and job losses. Mayor Johnson stated that the city would work with customers on a case-by-case basis, as much as is reasonably possible.

Councilmember Welle asked what other options were available to customers that may be facing hardships. Mrs. Rhodes stated that agencies such as the United Ministries and the Wateree Community Actions, Inc. provide assistance for those in need. Mayor Johnson asked that the staff be mindful of those types of situations and to help as much as is reasonably possible.

**X. Administrator's Report:**

- 1) Wastewater Treatment Plant Upgrade** –Hybrid Engineering, Inc. has completed the Preliminary Engineering Report (PER) and has submitted it to SC DHEC for approval.
- 2) Fire Department Grant-** A request has been submitted for approval to put the project out for bids. A meeting with representatives of USDA was held in Columbia on September 15<sup>th</sup> to clarify any concerns. According to the new cost estimates, the money obtained from the loans, the grant and the city's commitment would be enough to complete the project.
- 3) CDBG Habitat Village-** The city is awaiting approval from the Department of Commerce for the recent change orders that have been submitted. Once approval is received, construction will begin.
- 4) CDBG Parking Lot at Mill and Rigby Street-** The grant has been submitted and a response is anticipated in November.
- 5) Judicial Courtroom Renovation-** The contractor has begun working on the renovation.

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**6) New City Hall Building-** Mrs. Rhodes encouraged Council to visit the new location to see what has been done so far on the building. In addition, Mrs. Rhodes asked Council for direction on the approval of the various upgrades for the building, such as the phone system and security system. Mayor Johnson asked Council whether they would want the Administrator to execute those contracts on behalf of the city. A **motion** was made by Councilmember Davis and was seconded by Councilmember Pack to authorize the Administrator to execute contracts for the City Hall renovations on behalf of the city. In discussion, Mayor Johnson stated that the documents would be signed in a timely manner and the Administrator would not have to wait until the next scheduled Council Meeting to get approval. There was no further discussion. All favored the motion.

Mrs. Rhodes stated that between the grants that are in progress and those applied for are as follows:

- USDA- \$5.5 million (for the Fire Department, the Paxville Project and the Have Faith Project.
- Wastewater Treatment Plant Upgrade- \$19 million.
- CDBG- \$1.5 million -for the Habitat Project and the Mill Street Parking Lot Project.
- Narcotics Task Force Grant (NTF)- Approximately \$121,000.00.

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

**XI. New Business:**

**A. Ordinance No. 2009-08 (First Reading). An ordinance to annex a portion of County Tax Map No. 169-00-02-010, owned by Gerald L. Alsbrook, etal., located on Silver Road, Pursuant to Section 5-3-110, Code of Laws of South Carolina (1976 as amended).**

Mayor Johnson stated that the owner wishes to annex his property where the city limits ends going towards Raccoon Road.

A **motion** was made by Councilmember Welle and was seconded by Councilmember Pack to approve the ordinance for first reading. In discussion, Mrs. Rhodes stated that this annexation is for a 20' wide strip of property from where the city limits ends to the property directly across and located on block 03, lot 003, in which Mr. Ralph Liscio proposes to build a subdivision.

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Mrs. Rhodes stated that the SCDOT owns the property located on block 03, lot 05.

Mr. Liscio was informed of the lengthy process involved in annexing state property.

Mr. Alsbrook agreed to annex a 20' strip into the city limits so that it would make Mr. Liscio's proposed subdivision contiguous to the city limits. There was no further discussion. All favored the motion.

**B. Ordinance No. 2009-09 (First Reading). An ordinance to annex a portion of County Tax Map No. 169-00-03-003, located on Silver Road, Pursuant to Section 5-3-110, Code of Laws of South Carolina (1976 as amended).**

Mayor Johnson stated that the property requesting to be annexed into the city is where the proposed subdivision would be located.

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

**C. Ordinance No. 2009-10. (First Reading). An Ordinance To Make Certain Findings and Determinations; To Adopt Certain Definitions; To Prohibit The Wearing of Certain Attire; to Provide For Enforcement, Violations and Penalties; And Provide For A Public Education Program.**

Mayor Johnson stated that this ordinance is also known as the "saggy pants" ordinance. A **motion** was made by Councilmember Pack and was seconded by Councilmember Witherspoon to approve the ordinance for first reading. There was discussion. All favored the motion.

no

**D. Resolution Authorizing the Mayor, and/or, as appropriate, His Designee, the City Administrator, to enter into an agreement with Clarendon County for the purpose of establishing a Multi-Jurisdictional Narcotics Task Force (NTF).**

A **motion** was made by Councilmember Davis and was seconded by Councilmember Georgia to approve the resolution as presented. In discussion, Mrs. Rhodes stated that Mr. Steve Harrington, Grants writer for Clarendon County Council, had provided Manning City Council with a copy of the revised draft agreement for the NTF Grant. The change was listed on Page 5 clarifying liquidated assets and how the money would be distributed. Mrs. Rhodes stated that under the grant that the was received by the County, the city would be part of the joint task force and would receive money for an officer, a vehicle, equipment for the vehicle. After the expiration of the grant, the city would be able to keep the vehicle and equipment and would also have the option of hiring the officer. There was no further discussion. All favored the motion.

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Mayor Johnson thanked Mr. Harrington and the Clarendon County Council for applying for the grant and stated that the city looks forward to working with the county on drug enforcement.

Mr. Harrington stated that the County appreciates the cooperation of the Councilmembers within Clarendon County.

**E. Request by Clarendon County to release a portion of the City's water and wastewater service area.**

Mayor Johnson stated that this is the portion of area on Highway 260 that the city originally asked the County to release to the city to serve the area. Mayor Johnson stated that the County has now received grant funding to serve that particular area and that would now like to city to release the area back to the County. Mrs. Rhodes stated that the area is located on Highway 260 on the left and right of Oak Grove Church Road. The area would take in the Hickory Ridge subdivision and a small portion of property on Oak Grove Church Road. The County received a USDA grant that covers the area and needs to ask the city to release the portion back to them to service that line. Mrs. Rhodes stated that the county would be buying water from the city to serve that area and that the city has no plans for that area at this time.

A **motion** was made by Councilmember Witherspoon and was seconded by Councilmember Pack to approve the request by Clarendon County to release a portion of the City's water and wastewater service area along Highway 260 to Clarendon County. There was no discussion. All favored the motion.

**F. Discussion of contractor award for I-95 Waterline Project.**

Mrs. Rhodes stated that information was included in Council's packet concerning the bid award held August 27, 2009. Mrs. Rhodes stated that the apparent low bidder was CNA Construction, Inc. In addition, Mrs. Rhodes stated that this company was also awarded the bid for the sidewalk improvements for the Habitat sidewalk project. Mrs. Rhodes stated that the base bid was \$212,950 and the additive was \$57,400 which resulted in \$270, 350, which is below the \$300,000 that was budgeted for the project.

A **motion** was made by Councilmember Pack and was seconded by Councilmember Welle to approve the bid award to CNA Contractors, Inc. for the I-95 Waterline Project There was no discussion. All favored the motion.

Mrs. Rhodes commended Council for moving forward with the project to bring water to the Town of Paxville.

Mayor Johnson thanked Mrs. Rhodes for her hard work on the project.

**XII. Councilmembers' Comments:**

**Mayor Johnson**

Mayor Johnson reminded Council of the Annual Chamber Dinner which will be held Thursday, November 5, 2009. Mayor Johnson asked that the registration forms be submitted to the Clerk by the first week of October and that Council submit to the Clerk their personal checks for their spouse/guest registration fees.

**XIII. Executive Session:**

- 1) Judicial Department: Personnel Matter.
- 2) Public Works Department: Contractual Matter.

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

After Executive Session, the following action was taken:

A **motion** was made Councilmember Georgia and was seconded by Councilmember Witherspoon to approve a clerical position in the Judicial Department funded by transferring funds within the judicial department line items. There was no further discussion. All favored the motion.

A **motion** was made by Councilmember Davis and was seconded by Councilmember Georgia to authorize the Administrator to apply for funding with USDA to go toward the Alcolu sewer project. In discussion, Mayor Johnson stated that the funding would used to build a lift station and do underground boring in that area. There was no further discussion. All favored the motion.

**XIV. Adjournment:**

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

**Time: 7:30 p.m.**

**Respectfully submitted,**

Daun Davis  
Administrative Services Coordinator/Clerk