MINUTES
MARION CITY COUNCIL REGULAR MEETING
COUNCIL CHAMBERS AT CITY HALL
TUESDAY, APRIL 9, 2019; 6:30 P.M.

MAYOR/COUNCILMEMBERS PRESENT:

Mayor Ashley Brady
Mayor Pro-Tem Emerson Hunt
Councilman Ralph Atkinson
Councilman Ronald Atkinson
Councilman Michael Baker
Councilman Joseph Frazier
Councilwoman Tassie Lewis

STAFF PRESENT:

Alan Ammons, City Administrator
Ainsley Sanders, City Clerk
Patricia Brown, City Treasurer
Cliff Wilbanks, Recreation Director
James Brogdon, City Attorney
Tony Flowers, Chief of Police

1. MEETING CALLED TO ORDER

Mayor Ashley Brady called the meeting to order at 6:32 p.m. and welcomed all guests.

2. PRAYER/PLEDGE OF ALLEGIANCE

Denley Caughman led the opening prayer, and Mr. Alan Ammons led the Pledge of Allegiance.

3. WELCOME CITIZENS, GUESTS & PRESS

Mayor Brady welcomed citizens, guests, and the press (Hometown TV 8).

4. APPROVE MINUTES OF REGULAR MEETING MARCH 12, 2019

A motion was made by Councilman Joseph Frazier, seconded by Councilman Ronald Atkinson, to approve the minutes of the Regular Meeting held on March 12, 2019. The motion carries unanimously.

5. MARCH EMPLOYEE OF THE MONTH

Michael Abrams of the Public Works Department was named ***March Employee of the Month.*** Mayor Ashley Brady thanked Michael Abrams for all he does for the City and for doing a fantastic job. Mayor Brady presented Michael Abrams with a gift certificate.

6. 12 U BOYS STATE BASKETBALL CHAMPIONS

Mayor Brady announced that the 12U Boys won the State Championship for the second year in a row. He then preceded to give presentation which included putting medal to go around each 12U boy champion's neck followed by a hand shake. Mayor Ashley Brady again reiterated how proud of the boys he was.

7. BIDS ON BANK FINANCING VACCUM TRUCK

Mayor stated "we put the Vacuum truck out to bid last month to look at financing the truck. The next item on the agenda is the actual bids on the truck. There was a $250 thousand dollar lease-purchase." Mayor mentioned that five banks were notified and two of the banks did not respond. Anderson Brother's Bank, First Citizen's and Pee Dee Federal and the low bidder on it was First Citizen's Bank. ***Councilman Ronald Atkinson made a motion to accept First Citizen's at 2.92% financing, seconded by Mayor Pro Tem Emerson Hunt. Councilman***

Ralph Atkinson abstained from the motion since the bank he works for did the financing. The motion was carried unanimously.

8. BIDS ON VACUUM TRUCK

Mayor Brady stated that the name of the previous Vacuum truck was named Vactor it was a used truck 2012 with 22,000 miles on it. Mayor also mentioned that it went out for bids and specs and had another company name Southern Vac to put up bids on two other trucks. Furthermore, Mayor explained that handouts show that the first truck that was looked at was 235 thousand dollars, Southern Vac at 205 thousand dollars, and another truck which is a larger truck at 270 thousand dollars. The Mayor's recommendation would be to go with Public Works Equipment and Supply the original truck that the Council looked at. Mayor went on to say that the Southern Vac truck did a great job cleaning out drains that have not been cleaned out in years, but unfortunately the truck broke down in the middle of the road. Mayor expressed that the deal may not be the best deal for us. Once more, Mayor Brady reiterated his recommendation as being the Public Works Equipment and Supply at 235 thousand dollars due to the fact that the other truck is no longer in service. Councilman Ralph Atkinson addressed that there is a big discrepancy in the years of the trucks and the prices. ***Councilman Ralph Atkinson made a motion to accept based on the recommendation of the Mayor the 235 thousand dollars bid for the 2014 Vactor 2100, to come back and discuss buying jets and cameras at the next meeting, seconded by Councilman Ronald Atkinson.*** The motion was carried unanimously.

Attorney Brogdon interjected that we need to go back to the financing motion that was made. Attorney adds that we need to amend that 250 thousand dollars and make it to the full amount of 261 thousand dollars. Attorney Brogdon

advises that he thinks that where we should be. Mayor Brady reiterated that the initial financing was at 250 thousand dollars at First Citizens bank at 2.92 rate. Mayor states that we know the truck is at 235 thousand dollars and once we add the accessories and the tax it would be 261 thousand dollars. ***Councilman Ronald Atkinson made a motion to accept First Citizens for 261 thousand dollars, seconded by Councilman Michael Baker.*** Councilman Ralph Atkinson stated that the discussion would be that provided First Citizens to loan the other monies they would have to accept the willingness (Councilman Ralph Atkinson is abstaining) to increase the financing to that amount. Councilman Ralph stated that he is offering this for conversation, Councilman Ralph Atkinson abstains again. The motion carries.

9. <u>REQUEST TO TRANSFER FUNDS WITHIN THE HOSPITALITY BUDGET</u>

Mayor Ashley Brady begins with the request to modify our budget within the Hospitality Budget to take funds out of our contingency fund to replace the heating and air system at the Depo. Mayor made mention that the Depo has two air conditioning systems in it. He expressed that in reviewing the power bill last month it was extremely high, and so he asked Zeman's to go around to check it. Mayor states that come to find out there were two units that have holes in the condensers which is not economically repairable. Mayor went on to say the two units use the old R-22 refrigerant which is very expensive and not environmentally friendly. Mayor went on to add, Zeman's gave us a bid to replace the two twenty year old units. He mentioned that we have a request here to transfer funds to pay for the new heating and air systems at the Depo. Of course we would have to put it out for bids, but the estimate that we have is 18,160, Mayor Brady added. ***Councilman Ralph Atkinson made a motion to approve the request of the transfer of funds within the Hospitality budget to pay for repairs to the heating and air at the Depo up to 20 thousand dollars,***

seconded by Mayor Pro Tem Emerson Hunt. The motion was carried unanimously.

10. KAREN CHRISTMAS - "NATIONAL DAY OF PRAYER"

Mrs. Karen Christmas addressed the Council and Mayor Brady with her National day of prayer by thanking them for allowing her to come. Mrs. Christmas mentioned that when she felt impressed to come to council meeting and contacted Ainsley and she let her know the form she needed to fill out. Mrs. Christmas expressed that she do not have anything that needs to be rectified or a problem. She in fact is at council meeting to encourage the County Council and City Council members to be a part of the prayer. She announced that three weeks from Thursday night, May 2nd at 7 p.m. is the prayer and is in hopes that council and the Mayor will be able to attend. Mayor Ashley Brady encourages everyone to be at the Marion Baptist Church on May 2nd at 7 p.m.

11. PEE DEE COALITION – AGAINST DOMESTIC AND SEXUAL ASSAULT

Mrs. Wendy Charles thanked the Council and the Mayor for allowing her to speak. What Mrs. Charles spoke on was sexual assault and April being the Month for domestic and sexual assault. Mrs. Charles stressed that the goal is to educated and have public awareness about sexual assault and the need for additional volunteers. Mrs. Wendy Charles briefed the council on the lack of shelters in the area and that she had a case where mother who was displaced by the storm and wasn't a sexually assaulted victim but just fell on hard times with three children. Mayor Pro Tem Emerson Hunt added that the story is a tragic story in the storm and so forth. He added that we feel her pain over the last couple of storms.

12. ELLEN BALDWIN – BACK TO SCHOOL GIVEAWAY

Mrs. Ellen Baldwin begins by thanking the Mayor and City Council. She states that she is at the council meeting to ask for help with the children back to school. Mrs. Baldwin added that the kids really need it. She ask that that anybody that wants to come and volunteer they can, she added that you won't get no pay but can come and help. Mrs. Ellen says that the giveaway will be on August the 10th from 12p.m. -3 p.m. Mayor Ashley Brady thanks Ellen for all she does and states that he knows that the children really appreciates it as well.

13. ADMINISTRATOR'S REPORT

A. Stormwater Maintenance Program

Administrator Alan Ammons states that we have been talking about it over the last three or four months now, and really since Florence about what we are going to do with some of this flooding and several months ago we did our first reading on the Stormwater maintenance fee. Mr. Ammons pointed out that he has a proposal from last time concerning the residential fee of five dollars and commercial fee of six dollars per month would be implemented probably July 1st, possibly August 1st with approval from Council for the second reading. Mr. Ammons also adds the proposed and says that it can be changed as the council sees fit, before the second reading. Mr. Ammons mentions that the new construction five thousand square feet or less fee is five hundred and commercial five thousand and one square feet is one thousand. Mr. Ammons asserts that all this will be prepared for the next council meeting. Mr. Ammons states the pictures were from last Tuesday or and he adds that Liberty Street was for about a day and a half closed and that's all due to lack of Stormwater maintenance. He adds that they were able to get out the next day along with DOT and get it all cleared up. Mr. Ammons states that 76 was shut down, and in two lanes for one complete day. He also adds that it is definitely a need for this. Mr. Ammons stresses that we have talked about this

before that ninety nine percent of the storm water system in the City belongs to DOT, and this is something to help them and keep it clean. Mayor Brady added that the reason for the assessment fee on all new construction is so when someone is building that new home, apartment complex, commercial building, roof, and the storm water is going in the street the fee can cover some of the cost such as part for the truck, servicing the truck, buying a piece of pipe. Mayor also adds that the funds will go into special fund that Ms. Patricia said will only go to stormwater maintenance projects such as buying supplies and piece of pipe.

B. C- Fund Update

Mr. Ammons stated that "I know that you have seen some sidewalks, and drive ways paving's going on. We are complete with that now." Mr. Ammons went on to say we have one more project to work on with C-Fund and that's the drainage project, the Park Ave. Mr. Ammons stated that "As we know Council approved the bid last month, it is in their contract to be done by next month June 1st. They had to be through by hurricane season. I have noticed that they have had the right away marked and everything flagged, took some survey shoots and have some stacks down so hopefully in the next couple of weeks once they get started. Once they have started it probably will take them a couple of weeks." Mr. Ammons stated that we will be able to go back for C- Funds in the fall. Mayor Brady emphasized that we have hit them hard on the C- Funds.

C. Recreation – Pilot Basketball Program

Mr. Ammons stated that we are finally getting around to the adult recreation basketball gym at night. Mr. Ammons went on to say "as you can see we've picked three nights a week Tuesday, Wednesday and Thursday, from 6p.m. - 9p.m." He also states that as was talked about earlier admission three dollars and a bottle of water. He also added that the gym will have attendant that will be responsible for opening and closing the gym and also for keeping the gym clean, and monitor all

the behavior of the participants. Mr. Ammons stated that the funds that are collected will be how he is reimbursed and how the water and stuff is bought. Mr. Ammons says that hopefully in the next week or so it will get started. Mayor Brady added that Reverend Benny Davis is very familiar with our council and he is going to be overseeing the adult play at the gym. He also informs that Reverend Davis is very active with the youth and he appreciates Reverend Davis and all that he is doing.

14. CITY ATTORNEY'S LEGAL UPDATE

Attorney Brogdon's update includes two things as he mentioned. Attorney Brogdon starts with the Pepsi Cola land that we are buying with the hospitality tax money. Attorney quoted that "every man must know his limitations and that goes for Lawyer's as well." Attorney Brogdon also emphasized that he is not a commercial real estate lawyer and he also advises that he thinks the council needs to retain the services of one. Attorney went on to say that there are things like phase one environmental law and that is something that he does not do nor does he do commercial real estate. He added that he would be doing a disservice if he attempted to do that. Attorney Brogdon indicates that it would be wise to hire a commercial real estate attorney with the Mayor and Council's approval. Attorney thinks that they should make a motion to allow the Mayor, Administrator and Attorney to retain the service of one.

Attorney Brogdon's point two is that there were unfortunately several law suits against filed against the City recently. One of them is just a procedural thing, says the Attorney. The Attorney commented that there was an incident that happened out at the county administration building obviously our police force responded and was some body cam footage out there and body cameras are exempt from FOIA, and we only produce it when there is a lawsuit filed, Attorney commented. Attorney states that this gentleman retained attorney and filed lawsuit just to get

the bodycam. Attorney Brogdon says that he has been in touch with the gentleman and once he gets the bodycam he thinks that it will go away. Attorney also says that there was another incident that someone was injured on a bench a while back at the Withlacoochee Park. ***Mayor Pro Tem Emerson made a motion for the council to hire a commercial real estate attorney to handle the closing of Pepsi Cola property. Councilman Ronald Atkinson seconded the motion.*** The motion carried unanimously.

15. DISTRICT AND CITY UPDATE FROM COUNCIL AND MAYOR

Mayor states that there has been some question about what we can do to change out our street lights to LED lights. He also says that we have contacted Duke Energy and they gave us a list of all our lights and is currently working on a proposal of what it would cost in five years to retrofit, change out all of our lights. Mayor states that we may have to do it in phases as far as switching out street lights to LED lights. Mayor Ashley Brady states the LED lights are much brighter. Mayor mentioned that he sent a letter or email to Senator Lindsey Graham inquiring about some assistance in catfish creek, and what we need to do in getting some assistance on it. Mayor added that it is not as easy as he thought it would be because he spoke with various officers and was referred to the Columbia office. Councilman Ralph Atkinson wants to make mention and remind the Mayor to let everyone know that he has met with Senator as well and has had Senator down here and he has rode Senator around to see issues we are having even around in Sellers, and behind Blumenthal. Mayor states that senator even made the comment "that looks like a mess." Mayor Ashley Brady mentions about infrastructures and the fact that he received a call on Sunday morning concerning a sink hole. Mayor states that the sink hole was on Wilcox and Woodland Drive. Mayor stated that the sink hole developed big enough to put a small car in. He added that the infrastructure probably developed over the years and Hurricane Matthew, from

leaking stormwater drains, and rain water from the recent rain. Mayor stated that he showed councilman and it's a hole big enough that he jumped down in it and looked underneath the street and it's huge. Mayor Ashley Brady stated that the street is blocked off and the DOT has been contacted and they are due to come in and find out what we have got. Public works department is getting geared up with cutting grass says the Mayor. Mayor informed everyone as a reminder that TV's and tires need to be taken to the recycling center on Senator Gasque Rd. Mayor made mention that TV's were gathered by the City, and the County helped out.

Councilman Michael Baker no comments as this time.

Councilman Joseph Frazier wanted to know what it cost to have the election today. Mayor Brady answered with not sure to be honest. Councilman Frazier wants to know why we have the off season election. Councilman Joseph Frazier wants to know the reason behind it. Councilman Ralph Atkinson answered with the comment that the staggered terms in the early nineties. Councilman Ralph Atkinson also commented that the term was recommended locally and in Columbia that the City elections be in the odd years instead of the even years. Councilman Ralph Atkinson added city wide referendums that didn't have anything to do with National or State elections, but that we'd have a better turn out on local issues. Councilman Atkinson also stated that it all had to do with when we changed over with Home rule. Councilman Ralph Atkinson expressed that was his best explanation. Councilman Ralph Atkinson adds that it was determined at the time that was the best interest of the City. Councilman Frazier states that we need to think about it and re address that because Mullins used to have the same thing but they have changed theirs back like everybody else's. Councilman Frazier states that the turnout is poor. Councilman Ralph Atkinson states that "regardless of when

you have it you going to have a low turnout. " Mr. Ammons states that "we will get you some information on that"

Councilman Ronald Atkinson have no comments at this time.

Councilman Ralph Atkinson have no comments at this time.

Councilwoman Tassie Lewis wants to thank Mrs. Christmas for coming. Councilwoman states that prayer is the key and faith unlocks the door! She also states that we all need prayer, and that is so true! Councilwoman also thanks Mrs. Charles for coming, and she states in relation to that Councilwoman Tassie Lewis will be the Speaker for the Eighth Annual Denim Day – Domestic Violence, Sexual assault. She is asking for prayer as she gives this presentation. Also Councilwoman would like to thank Mrs. Baldwin. Councilwoman Lewis mentions that she has been very instrumental to the community, and has a big heart. Councilwoman is planning on helping again this year. Councilwoman thanks Reverend Hemingway for all that he does, and thanks him for the continental breakfast she emphasized that she's sure the kids do appreciate it and she appreciated it as well. To Councilwoman Tassie Lewis's classmate Chris Davis she says thank you and it's important that everyone gives back to our youth locally and nationally.

Mayor also would like to bring attention also on April 13th the Survivor of the 2015 Charleston shooting Jennifer Pinckney will be at C.D. Joyner Auditorium. Councilman Ralph Atkinson added that she spoke at the Municipal Association and did a really good job.

Mayor Pro Tem Emerson Hunt would like to say to Mr. Frazier, and Mr. Atkinson congratulations on your win today. Mayor Pro Tem thanks everyone that came out and Mrs. Wendy, Mrs. Ellen, and Mr. Chris. Mayor Pro Tem states that they grew up in the same neighborhood and they were all out playing football and Chris wants to be the teacher!

Mr. Ammons added that he'd like the Mayor to make mention of the street lights so the public will know, he also added he like the Mayor to tell how many street lights we have. Mayor added that we have one thousand and ninety street lights in Marion. Mayor added that he encourage to take a picture of the street light and send it to us because there are so many street lights.

16. EXECUTIVE SESSION

Mayor Pro Tem Emerson Hunt made a motion to enter Executive Session for the purpose of SRO agreement, Solid Waste agreement Councilman Ralph Atkinson seconded the motion. The motion carried unanimously.

17. POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS

Returning from Executive Session Councilman Ralph Atkinson made a motion to return to open session, seconded by Councilman Ronald Atkinson. The motion carried unanimously. Mayor Brady stated that no action was taken in Executive Session.

Councilman Ralph Atkinson made a motion to agree to transition the Resource Officer program that the schools transition from Police

Department to County Sheriff Department, seconded by Councilman Ronald Atkinson and motion carries.

Councilman Michael Baker made a motion to extend contract for AWS for an additional three years, seconded Councilman Joseph Frazier. The motion carried unanimously.

18. ADJOURNMENT

With nothing further to discuss, ***Councilman Ronald Atkinson made a motion to adjourn, seconded by Councilman Michael Baker.*** The motion carried unanimously.

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Mayor Ashley Brady

Ainsley Sanders, City Clerk
Taped: April 9, 2019