



City of Camden
South Carolina

MINUTES

CAMDEN CITY COUNCIL MEETING

Tuesday, February 14, 2012

6:30 P.M.

Council Chambers-City Hall

Mayor Jeffrey R. Graham; Councilmember Patrick D. Partin Councilmember Walter M. Long, Jr., Mayor Pro-Tem Alfred Mae Drakeford, and X. Willard Polk(absent); City Manager W. Kevin Bronson; City Clerk Brenda Davis; Assistant City Manager Mel Pearson; City Attorney Charles Cushman, Chronicle-Independent Reporter Martin Cahn and interested citizens.

PLEDGE OF ALLIEGENCE

INVOCATION

Councilmember Alfred Mae Drakeford opened the council meeting with invocation.

CALL TO ORDER

Mayor Jeffrey R. Graham called the Camden City Council Meeting to order at 6:30 p.m.

APPROVAL OF PROPOSED AGENDA

Council, on motion by Councilmember Long, seconded by Councilmember Partin, voted to amend the proposed agenda for February 14, 2012, City Council meeting at 6:30 p.m. adding a third matter for consideration to the Executive session – a contractual matter was added to the Executive Session. After further discussion, Council voted unanimously to approve the proposed (amended) agenda for February 14, 2012

APPROVAL OF MINUTES

Council, on motion by Councilmember Drakeford, seconded by Councilmember Long, voted unanimously to adopt the Camden City Council Regular Meeting Minutes of January 24, 2012.

Councilmember Partin abstain himself from voting due his absence at the January 24, 2012 meeting.

SPECIAL PRESENTATION

Ms. Ann August, SWRTA Executive Director

Ms. Ann August, Executive Director of Santee Wateree Regional Transportation Authority, presentation to Council addressed the need for the City of Camden to contribute and share/split with Kershaw County local financial support in the amount totaling \$118,000 to the Santee Wateree Transportation Authority. Ms. August stated that without the additional financial and local support- the SWRTA is unable to access



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available State and Federal Grant Funds to cover the costs of its transportation operation in the Camden/Kershaw County area. Ms. Ann August noted that within the 27 years of SWRTA operations, SWRTA has never sought local funds because of received residual funds from the South Carolina Department of Transportation and Medicaid contracts.

There was lengthy discussion and questions from Council regarding this matter. Please see Ms. Ann August attached presentation **RE: Santee Wateree RTA Presentation to Camden City Council.**

PROCLAMATION

Councilmember Drakeford made a motion seconded by Councilmember Long, followed by discussion to proclaim the month of February as Black History Month. Councilmember Drakeford invited the public to join Council for the unveiling of the Monroe Boykin Historic Marker to be held February 24, 2012 at 11:45 a.m. in Boykin Park. After further discussion, Council voted unanimously to approve the motion.

PUBLIC FORUM

Joanna Craig, 1604 Sarsfield Ave, Executive Director of the Historic Camden Revolution War Site spoke during the public forum. Thanking Council and past Council for their funding and in-kind contributions to Historic Camden and for supporting the Southern Campaign National Heritage Corridor Study and the Battle of Camden National Park Study. Ms. Craig invited Council Members, administration and others to Public Tour of the Battle of Camden – Sunday, March 11th at 3:00 pm at the battlefield on Flat Rock Road.

ORDINANCE # 12-002 2nd Reading

Councilmember Partin made a motion, seconded by Councilmember Long, to approve second reading of an Ordinance providing for the issuance and sale of a not exceeding two million six hundred sixty thousand dollars (\$2,660,000) combined Public Utility System Refunding Revenue Bond, Series 2012A of the City of Camden, South Carolina, and other matters relating thereto. After comments from Assistant Manager Mel Pearson and Bond Counsel Margaret C. Pope, followed by general discussion, Council voted unanimously to approve the motion. See attached Memo dated February 14, 2012 **RE: Refunding 2002 Bond** for the results of the bid process.

ORDINANCE #12-003 1st Reading

Councilmember Drakeford made a motion, seconded by Councilmember Partin, followed by comments from City Manager Kevin Bronson, to approve an Ordinance changing the meeting times of City Council.

Councilmember Drakeford made a motion, second by Councilmember Partin, to amend the Ordinance to cancel the March 13, 2012 meeting due to two Council Members having



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conflict with the March 13, 2012 meeting date; the regular meeting of Council on the second and fourth Tuesday of each month beginning at 6:30 p.m. will become effective on March 27, 2012. Council voted unanimously to approve the motion.

Mayor Graham then called the question on the original motion to approve changing the meeting times of City Council to the second and fourth Tuesday of each Month – to be held at 6:30 p.m. Council voted unanimously to approve the original motion.

ORDINANCE #12-004 1st Reading

Councilmember Long made a motion, seconded by Councilmember Partin, followed by comments from City Manager Kevin Bronson and City Attorney Charles Cushman, to approve the first reading of an Ordinance placing the construction of a recreation facility as a referendum question on the ballot for the next general election of November 6, 2012.

City Attorney Charles Cushman came forward and addressed questions from Council in regards to adding construction cost and/or the city's hospitality tax to the referendum question. Mr. Cushman indicated the state code allows for the petitioners to present the petition and put a question before the voters. That question must either be adopted by Council or Council must adopt an ordinance substantially similar to the petition question. Mr. Cushman stated that none of the previous petitions presented to Council mentioned cost therefore he recommended that such language not be included in the petition.

After further discussion and comments from Council, Council voted unanimously to approve the motion.

ORDINANCE #12-005 1st Reading

Councilmember Drakeford made a motion, seconded by Councilmember Long, followed by comments from Assistant City Manager Mel Pearson, to approve the first reading of a Series Ordinance approving the financing of the construction, upgrade and expansion of a wastewater treatment facility of the City of Camden, South Carolina, through the borrowing of not exceeding thirty-six million five hundred five thousand eight hundred and seventeen dollars (\$36,505,817), plus capitalized interest, if any, from the State Water Pollution Control Revolving Fund, by agreement with the South Carolina Water quality Revolving Fund Authority, pursuant to Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended: providing for the agreement to make and to accept a loan, the execution and delivery of a loan agreement between the City of Camden, South Carolina and the South Carolina Water Quality Revolving Fund Authority, the execution and delivery of a promissory note from the City of Camden, South Carolina to the South Carolina Quality Revolving Fund Authority; and other matters relating thereto. After further discussion and comments from Council, Council voted unanimously to approve the motion.



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RESOLUTION #12-003

Councilmember Partin made a motion, seconded by Councilmember Drakeford, followed by discussion, to accept a joint Resolution of Kershaw County and Camden City Council to support the establishment of the Camden Battlefield and Historic Camden Revolutionary War Site as a unit of the National Park System. Council voted unanimously to approve the motion.

RESOLUTION #12-004

Councilmember Long made a motion, seconded by Councilmember Drakeford, followed by discussion, to accept a Resolution authorizing consumption of beer and wine at the Annual Meeting of the Hobkirk's Hill Society. Council voted unanimously to approve the motion.

RESOLUTION #12-005

Councilmember Drakeford made a motion, seconded by Councilmember Long, followed by comments from City Manager Kevin Bronson, to accept a Resolution to provide for the local matching funds required for the Community Development Block Grant Village Renaissance Program Phase II. After discussion, Council voted unanimously to approve the motion.

RESOLUTION #12-006

Councilmember Partin made a motion, seconded by Councilmember Long, followed discussion, to approve a Resolution to adopt a Strategic Plan and intends to use it as guidance throughout the upcoming year. After further discussion, Council voted unanimously to approve the motion.

RESOLUTION #12-007

Councilmember Partin made a motion, seconded by Councilmember Drakeford, followed discussion and comments from Assistant Manager Mel Pearson, to approve a Resolution approving financing terms for one new Pierce Saber Fire Truck Engine. After further discussion, Council voted unanimously to approve the motion.

BID AWARD

After comments from Deputy Public Works Director, Sam Davis and Assistant Manager Mel Pearson, followed by discussion, Council on motion by Councilmember Partin, seconded by Councilmember Drakeford, voted to award bid to State Utility Contractors, Inc., Monroe, NC in the amount of \$34,635,000 for the construction of a new City of Camden Wastewater Treatment Plant.



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During a lengthy discussion from Council, Councilmember Partin expressed concern and questioned Public Works Director Sam Davis on the contract and change order process/negotiations in reference to the \$4.635 million difference in cost that will be deducted from the project cost once a change order is executed.

After further comments from Public Works Director Sam Davis, City Manager Kevin Bronson, and Assistant Manager Mel Pearson, Council voted to award bid to State Utility Contractors, Inc., Monroe, NC in the amount of \$34,635,000 for the construction of a new City of Camden Wastewater Treatment Plant. Those voting in favor of the motion were Mayor Graham, Councilmember Drakeford, and Councilmember Long. Those voting in opposition of the motion were Councilmember Partin. The motion passed.

FAÇADE GRANT

Councilmember Drakeford made a motion seconded by Councilmember Long, followed by discussion, to accept the façade grant application in the amount of \$424.74 with a City match of \$212.37 for 2302 Broad Street, Flowers Naturally. After further discussion, Council voted unanimously to approve the motion.

EXECUTIVE SESSION

Council on motion by Councilmember Long, seconded by Councilmember Partin voted unanimously to enter into Executive Session at 8:35 p.m. to receive legal advice concerning pending litigation, to receive information concerning a personnel matter and a contractual matter.

REGULAR SESSION

Council unanimously agreed to re-enter regular session at 9:00 p.m. No action was taken during Executive Session however, action needed to be taken.

Councilmember Partin made a motion, seconded by Councilmember Long, to direct City Attorney Charles Cushman to bring a declaratory judgment action regarding the third petition that has be filed to determine if it complies with State Law.

Councilmember Long then asked City Attorney Charles Cushman what impact this motion have in regards to the referendum that Council previously voted on earlier in the meeting.

City Attorney Charles Cushman stated that the state law requires one to either adopt an ordinance in exact compliance with the petition that was presented or to adopt an ordinance that's substantially similar, noting that Council adopted a similar Ordinance early in the meeting. Mr. Cushman noted that based on case law from Supreme Court- a court will likely strike down parts of the petition that deals with forming commissions and/or commission members. Cushman also stated he worded the referendum question to



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exclude those matters. Cushman further noted that the petition basically asks for three things; do you construct, do you partner and do you form a commission. A court should advise if the wording in the citizen's petition asking for the creation of a committee to determine alternatives to council's proposal is legal. However if the court does not advise then it will be necessary for Council to amend the question going on the ballot (before) November – making certain that the question put to the voters stands any legal challenges in the future. After further discussion, Council voted unanimously to approve the motion.

ADJOURN

There being no further business, Council on motion by Councilmember Drakeford, seconded by Councilmember Paritn voted unanimously to adjourn the Council Meeting at 9:05 p.m.

Jeffrey R. Graham, Mayor

Attest:

Brenda Davis, City Clerk