

Chester City Council Special Meeting
June 22, 2015, 5:30 pm
Minutes

PRESENT: Mayor George Caldwell; Council Members Linda Tinker, Susan Kovas, Annie Reid, Carlos Williams, Ike McBrayer, Betty Bagley, City Administrator Sandi Worthy, HR Director Carla Roof, City Attorney Megan Gaston.

ABSENT: Councilman William Killian.

Councilwoman Reid made a motion to go into Executive Session for discussion of a Personnel Matter. Councilwoman Tinker seconded the motion. The motion carried unanimously. Mayor Pro Tempore Bagley stated we did not have an agenda and could not go into executive session, Attorney Gaston said that is correct. Councilwoman Reid rescinded the motion. Councilwoman Tinker seconded the motion. The motion rescinded. The meeting was not conducted in in Executive Session.

Councilman McBrayer requested that Mrs. Roof provide Council with a description of the Personnel Handbook pertaining to Mrs. Worthy's duties. Mrs. Roof explained that the duties of the Administrator are detailed in the Code of Ordinances and her job description.

Mayor Caldwell stated that he would like each person's opinion concerning the communication problems between Mrs. Worthy and Chief Williams. This is not personal, we owe this to the citizens the respect and we need to get this behind us. Chief stated that he is micro managed, I am singled out, and she is standing over me waiting for me to fall. Allow me to do my job, if I do not do it, write me up and deal with it. Leave me alone and let me do my job. Let me do my job! Leave the police department to me. She calls the Sheriff, I do not have a problem with her I have a problem with her micromanagement. I have been threatened with write-ups that I have never seen.

Attorney Gaston read the City of Chester Code of Ordinances 2-106 – Department heads answer to the administrator.

Councilman McBrayer stated that Mrs. Worthy does not need to micromanage you. She needs to allow you to do the job.

Mrs. Worthy informed Council from day one she asks could she hold employees accountable for their actions. Council told her yes she would be required to. Mrs. Worthy stated that her first week on the job, she had to deal with the issue of Chief Williams not living in Chester. Mrs. Worthy stated that the issue with the Chief and her started when she provides him with feedback. He always tells me that he does not work for me. That was the shift in our relationship. I have tried to be a leader and give feedback and it is not received. He is not aware of who else I write up, he is not subject to that. I have to do what my job description requires me to do. The write-ups are due to violation of policy. When a write up takes place, he gets defensive. When I email him over in the late evening is not harassment. Many of the emails are miscommunication. I am not against you at all; it is about managing the city, the budget, etc. I have to be a warden over the budget.

How do you want me to handle this situation?

Chief Williams stated that he was leaving the meeting because there are things that have not been addressed, he has an attorney, and he is not saying anything else.

Councilwoman Kovas ask Chief Williams what you think can be done to make things better. Chief stated allow me the opportunity to do my job.

After much discussion, Mayor Pro Tempore Mayor Pro Tempore Bagley made a motion to adjourn at 6:10 pm. Councilwoman Kovas seconded the motion. The motion carried unanimously.

CHESTER CITY COUNCIL MEETING
JUNE 22, 2015
MINUTES

PRESENT: PRESENT: Mayor George Caldwell; Council Members Linda Tinker, Susan Kovas, Annie Reid, Carlos Williams, Ike McBrayer, William Killian, Betty Bagley, City Administrator Sandi Worthy, HR Director Carla Roof, City Attorney Megan Gaston.

CALL TO ORDER: Mayor Caldwell called the meeting to order at 6:30

CALL TO ORDER PUBLIC HEARING FISCAL YEAR 2015-16 OPERATING BUDGET. With no one present to speak, the hearing was closed due to no one present to speak for or against the 2015-16 Operating Budget.

PRAYER: Councilwoman Kovas led in prayer.

Raymond Carter - Citizens Forum - I will stand my ground and I will face my enemy. I will stand and face my enemy. Mr. Carter left the room.

Calvin Gore – Addressed Council concerning the complaints previously discussed concerning Mrs. Worthy and Chief Williams. Why have they not been addressed? Attorney Gaston stated that she could not address the issue because it was a personnel matter. Mr. Gore stated that it appears that there is a problem with the administer only being here two years and the chief four years.

Councilwoman Reid stated that we have a moment of silence in memory of those who lost their lives in the tragic shooting in Charleston. Council paused for a moment of silence.

PETITINERS:

Linda Rodgers – Culp Street addressed Council concerning a recent home invasion at her residence. Officer April Miller and Robert Martz responded to the call. I was told that a detective would be at my house to investigate. No detective reported, no sergeant, nobody. I have not heard anything from you Mayor, who I left a number with and you never called me. The two officers that responded were

wonderful, I got my victim's rights that I cannot even read. I had a home invasion, with two guns to my head. Something needs to be done, please do something; I had a nine year old there. Officer Griffin walked me to my door and told me to never be afraid to call 911. The invaders told me that if I called the cops they would come back and kill me. Boyd's Management, Columbia is the owner of Culp Street Apartments and they need to be contacted about the safety of the apartments. Councilwoman Reid stated that Council would need to investigate this.

DEPARTMENTAL REPORTS

Administrative – Special Recognition

Mrs. Worthy requested that all members of the Police Department come forward. Mrs. Worthy introduced Paul Caldwell, 10 years, Theodore Feaster – 6 years, Gisela Gaither – 2 years, Kim Grafton, 15 years, Tumika McMullen 3 years, Joshua McNeal 1 year. Brooke Sloan was recognized as the new Court Clerk. The Summer Feeding Program is going to be a success. Mrs. Worthy provided branding choices to Council.

Finance Department – Audit Program - The hospitality tax will be implemented and we have set up two meetings for the business owners to come to the community meeting. Councilman Killian had questions concerning the joint tax collections. It was stated that this has already been voted on. Camp, Moring and Brendal reviewed the audit findings. Mrs. Brendal informed Council it took them six months to tie down the money. The findings were a deposit that was not deposited in the same month. The turnover affected the issue as well. The previous finding on the grant being posted in the books was handled. This is a preliminary report. Councilwoman Reid commended Mr. McNeal and the City Administrator for a job well done.

Councilwoman Tinker made a motion to approve as presented. Councilman McBrayer seconded the motion. The motion carried unanimously.

COMMISSION REPORT –

Evergreen Cemetery – No report

Historic Preservation - Councilwoman Tinker motion to accept as presented. Councilwoman Bagley seconded the motion. The motion carried unanimously.

Planning Commission – Mr. Robert Moody, Catawba Cog presented a Comprehensive Plan. Mrs. Worthy stated that she would get with Council to reschedule the training session. Councilwoman Kovas made a motion to approve as presented. Councilwoman Tinker seconded the motion. The motion carried.

ZBA – no report

Housing Authority no report

Recreation – no report

**CITY OF CHESTER
BUDGET ORDINANCE
FISCAL YEAR 2015 - 2016**

AN ORDINANCE TO PROVIDE BUDGET APPROPRIATIONS AND THE LEVYING OF TAXES FOR ORDINARY PURPOSES IN THE CITY OF CHESTER FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, AND ENDING JUNE 30, 2016, BY THE CITY COUNCIL OF THE CITY OF CHESTER, AND TO PROVIDE FOR THE EXPENDITURE THEREOF, THROUGH AN AMENDED BUDGET.

WHEREAS:

- 1) Section 5-11-40 (c) of the South Carolina Code of Laws (1976), as amended, provides the authority to prepare an annual budget for all departments and agencies for the City Government; and.
- 2) the annual budget shall be based upon estimated revenues and shall provide appropriations for City operations and debt service for all City departments, is hereby declared to be a part of this ordinance and is attached hereto; and,
- 3) Pursuant to the above noted section of the Code of Laws, total funds appropriated in Fiscal Year 2015-2016 for the above purposes shall not exceed estimated revenues and mandated carry forward funds available for expenditures in Fiscal Year 2014-2015.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHESTER, SOUTH CAROLINA, DULY ASSEMBLED THAT:

SECTION 1: Funds appropriated herein are to be expended only in compliance with policies adopted by Council, or at Council's direction, as formulated and implemented by the City Administrator, either existing or adopted.

SECTION 2: The City Administrator shall be responsible for the administration of the budget following adoption.

SECTION 3: Council reserves the right to amend any appropriation contained herein during the fiscal year by addition to, deletion of, or transfer of any item; provided, that the total amended estimated expenditures do not exceed total anticipated revenue. Council may increase the total budgeted appropriations by adopting supplemental appropriation ordinances during the year and shall cite the source of revenue and the line item of expenditure in same; and,

SECTION 4: The City Administrator is hereby authorized to arrange for the issuance of tax anticipation notes from time to time in anticipation of receipt of taxes by requesting bids for the issuance of such notes from such financial institutions, as she shall determine. The aggregate

amount of tax anticipation notes authorized here under to be issued by the City shall not exceed \$750,000. The notes shall be issued in compliance with State and Federal law. The notes are designated as qualified tax-exempt obligations under Section 265(b). The City Administrator is authorized to award the notes to the financial institution offering the lowest rate of interest to the City and to name the Paying agent for the issue without further action of the City Council. The note shall be executed by the Mayor and be attested by the Municipal Clerk.

SECTION 5: Appropriations are absolute. Department Heads shall not exceed the line item amounts budgeted without prior approval by the City Administrator. The City Administrator must approve transfers between line items within a department.

SECTION 6: Any and all revenues received by the City, regardless of source, shall be remitted to the Finance Director and must be credited to the general fund to supplement and provide sufficient funding for all ordinary City purposes. The only exceptions being those revenues which are received for a specific purpose and are mandated by State or Federal Law requiring funds to be accounted for separately.

SECTION 7: Such funds as are herein appropriated as a contribution, donation, or support of any agency organization shall be requested in writing by such agency or organization. Council hereby requires an audit from any agency or organization receiving City funds which shall be made by a Certified Public Accountant or a firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City of Chester. A copy of the audit shall be filed with the Municipal Clerk prior to such disbursement.

SECTION 8: Contracts must be approved by the City Administrator prior to commitment of the City.

SECTION 9: Any funds not expended during the fiscal year cannot be carried forward to subsequent years and any excess of revenues over expenditures shall accrue to the fund balance of the general fund. The only exceptions being those revenues which are received for a specific purpose and are mandated by State or Federal Law requiring funds to be accrued and carried forward.

SECTION 10: Any funds not expended from the Fire Department budget shall be invested or transferred to a separate account at the discretion of the Fire District. Should the Fire Department expenditures exceed budget appropriations; the overage will be due from the Fire District to the City.

SECTION 11: Capital assets owned by the City of Chester shall not be sold, rented, leased, or optioned without prior approval of Council by ordinance.

SECTION 12: Any prior Ordinance or any section, paragraph, sentence, clause, or phrase of any prior Ordinance that may be in conflict with this Ordinance are hereby declared to be invalid.

SECTION 13: If any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any Court of competent jurisdiction,

such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 14: The current fiscal year 2014-2015 budget revenue and expenditures are \$5,593,499 for the twelve (12) month period ending June 30, 2015. The projected revenue and expenditures for fiscal year 2015-2016 are \$6,439,250. The projected increase in revenue and expenditures is 15.12%. The current millage rate is 188.

ADOPTED this 22nd day of June 2015.

CAROLINA

CITY OF CHESTER, SOUTH

George Caldwell, Mayor

ATTEST:

Carla R. Roof, CMC, Municipal Clerk

Sandi F. Worthy, City Administrator

Joshua McNeal, IV, Finance Director

First Reading: May 11, 2015

Public Hearing: June 8, 2015

Second Reading: June 22, 2015

Councilwoman Reid read as presented.

Councilwoman Tinker made a motion to approve as read. Councilwoman Bagley seconded the motion. The motion carried unanimously.

July 4th Fireworks – Councilwoman Tinker – Due to vacation already scheduled by our police department officers we do not have enough staff to cover this event. Lieutenant Levister stated that Council previously instructed the police department to use comp time and vacation time we do not have the resources to patrol the event. Councilman Williams stated that he feels that Council needs to address

the joint taskforce on patrolling to help with this event. Councilman Killian requested that we ask the Sheriff's office to help with this event. We need to also look at rest for our officers, as well as the vacation days. Councilman Killian stated that we need something for the children. After much discussion, Councilman Killian requested that Mr. Terri Foster contact the Sheriff. Discussion was tabled. Councilman Killian stated the Sheriff requested that Mrs. Worthy provide a listing of what was needed and he will do everything he can to help.

NEW BUSINESS CONTRACT - Councilwoman Tinker motion to approve the Fire District Contract as presented. Councilman McBrayer seconded the motion. The motion carried unanimously.

STATE OF SOUTH CAROLINA)

) CONTRACT FOR FIRE PROTECTION

COUNTY OF CHESTER)

This contract is entered into as of July 1, 2015, by and between the City of Chester and the Chester Fire District. The parties to the Contract agree as follows:

The parties to this Contract agree that the term of this Contract will begin on July 1, 2015 and end on June 30, 2016. This contract shall commence on the date hereof and shall continue thereafter for an additional term of one (1) year. This Contract shall automatically renew for successive one-year renewal terms commencing with the anniversary date of this Contract, unless either party terminates this Contract upon no less than one hundred eighty (180) days written notice of either party prior to the expiration of the initial or any renewal term. The fees for fire protection services shall be negotiated and agreed upon each year.

In consideration of ONE MILLION, SIX HUNDRED SEVENTY EIGHT THOUSAND, FOUR HUNDRED AND NINETY FIVE DOLLARS (\$1,678,495.00), the City of Chester hereby agrees to provide fire protection services to the Chester Fire District for the term of this Contract.

Fire protection services shall not be construed as inclusive of the purchasing of equipment or assets by or for the Chester Fire District. This amount includes \$64,560.00 allocated for the Administration Fee. This Contract does not include debt service payments, vehicles purchases, insurance, or other payments to be made directly by the Chester Fire District for Fire District property.

The Contract amount will be paid in twelve (12) equal monthly installments, beginning July 1, 2015, and, on the first day of each month thereafter. The City of Chester will provide documentation of expenses for the Fire Department to the Chester Fire District, as requested by the Chester Fire District, but not less than a minimum of one time per year.

At the end of this Contract's term, and, after completion of the audit for the year 2015-2016, all excess funds remaining shall be invested or transferred at the discretion of the Fire District. If the Fire Department exceeds the budget amount, those funds would come from the Fire District and not the City of Chester. The Chester Fire District is solely responsible for any overage in the budget.

Any and all rights of Authority possessed by the City of Chester as to the employees under the Fire District Contract shall be in full force and effect. The City of Chester reserves the right to amend the terms of this contract upon proper motion of Council and majority vote.

This Contract shall be non-transferable and non assignable without the mutual consent and agreement of the parties hereto.

This Contract shall be governed by and construed in accordance with the laws of the State of South Carolina.

WITNESS our hands and seals on the dates indicated below.

Date _____
George Caldwell, Mayor, City of Chester

Date _____
Ray W. Peterson, Chairman, Chester Fire District

East Chester Façade Grant Allocation – Mrs. Worthy updated Council that one home needed a new roof and we have used \$23,000.00 of the \$50,000.00. Do you want the identify more homes to get us closer to the 50,000.00? Three homes have not received any work at all. After much discussion, Mr. Williams and McBrayer will work on this project and will bring back to Council.

Council Retreat at Annual Meeting – It has been since October 2013 that we have discussed the strategic planning. A list was provided for Council to review and we would like to have a breakfast or dinner meeting at the annual Elected Officials Conference.

Resolution 2015 -02 Abolish Standing Committees - The Resolution was read as presented. Councilwoman Tinker made a motion to approve. Councilman McBrayer seconded the motion. The motion carried with Reid and Killian opposing the motion.

Planning Commission Recommendation 134 Wylie Street – R-8 – NCH. The meeting was last August and there are no minutes that could be found. The Planning Commission needs to go back and meet to discuss this and have a record of the meeting and action taken and bring back to council the Planning Commission's recommendation.

Executive Session

Councilman McBrayer made a motion to go into Executive Session at 8:00 pm for the discussion of a Contractual Matter in the Administrative Department. Councilwoman Tinker seconded the motion. The motion carried with Caldwell opposing.

Councilwoman Bagley made a motion to reconvene from Executive Session 8:05 pm. Councilwoman Tinker seconded the motion. The motion carried.

While in Executive Session, Council discussed a Contractual Matters in the Administrative Department. No action was taken.

Councilwoman Bagley made a motion to enter into a contract with Keck and Wood for \$42,840.00, coming from Capital Projects for the Amphitheater. Councilman McBrayer seconded the motion. The motion carried unanimously.

Councilwoman Kovas made a motion to enter into contract with TruVista to provide internet service in the downtown area. Forty thousand dollars will be used from the 1-cent sales tax money and \$400.00 per month from ATAX money. Councilwoman Tinker seconded the motion. Councilwoman Tinker stated this will include the backlot, Gadsden Street and on top of the hill. This will encourage citizens to use the downtown area. The motion carried unanimously.

With no further business, Councilwoman Bagley made a motion to adjourn. Councilwoman Tinker seconded the motion. The motion carried unanimously.

Respectfully submitted,

Carla Roof

