

ORDINANCE NO. 17-002

AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR OF THE CITY OF MULLINS, SOUTH CAROLINA, TO EXECUTE, AND DELIVER A LEASE AGREEMENT WITH RESPECT TO CERTAIN REAL PROPERTY WITH RLT HOLDINGS, LLC.

WHEREAS, the City of Mullins, South Carolina (the "*City*") owns certain real property known generally as _____, as further described in Exhibit A attached hereto (the "*Property*"); and

WHEREAS, RLT Holdings, LLC ("*RLT*") desires to lease the Property from the City, and the City has determined to lease the Property to RLT, all in accordance with the terms and provisions set forth in, and substantially in the form of, the Lease Agreement attached hereto as Exhibit B (the "*Lease*"), which Lease contains a purchase option in favor of RLT Holdings, LLC; and

WHEREAS, by virtue of the terms of the Lease, RLT will have an option to purchase the Property during the term of the Lease, as more fully set forth in the Lease; and

WHEREAS, after due inquiry, the City Council of the City, its governing body, has determined that the lease of the Property to RLT is in the best interests of the City and its citizens:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mullins, the governing body of the City:

The City Administrator of the City is hereby authorized and directed to execute, and deliver the Lease in substantially the form attached hereto as Exhibit B, with such changes as he in his discretion deems advisable. The City Clerk of the City is hereby authorized and directed to authenticate the Lease to the extent required by applicable law or practice.

DONE, RATIFIED AND ADOPTED THIS 9th day of May, 2017.

(SEAL)



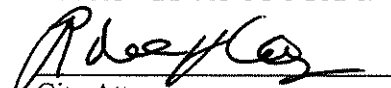
Mayor, City of Mullins

Attest:



Clerk, City of Mullins

APPROVED AS TO FORM:



City Attorney

First Reading: 4-11, 2017
Second Reading: 5-9, 2017

Exhibit A

All that certain piece, parcel or tract of land, with improvements thereon, situate, lying and being on the East side of Cypress Street and the North side of West Lowman Street in the Town of Mullins, County of Marion, State of South Carolina, being bounded generally on the North by a ditch; on the East by the right-of-way of the Seaboard Coastline Railroad Company; on the South by West Lowman Street; and on the West by Cypress Street, and being more particularly described as follows:

Beginning at an iron which is the northeast corner of the intersection of West Lowman and Cypress Streets and running thence North 0 degrees 40' West a distance of 583.5 feet to a ditch; thence along said ditch North 82 degrees 10' East for a distance of 725.15 feet to an iron; thence South 13 degrees 38' East for a distance of 77.2 feet to an iron; thence South 0 degrees 37' East for a distance of 506.75 feet to an iron on West Lowman Street; thence along West Lowman Street South 82 degrees 13' West for a distance of 742 feet to the beginning point, all of which will more fully appear by reference to a plat entitled "Map of property sold by Mullins Textile Mills, Inc., to The Industrial Development Corporation in the City of Mullins, South Carolina", dated October 5, 1967, made by Johnson Engineers, Marion, S.C., and recorded in Plat Book 15 at Page 70 in the office of the Clerk of Court for Marion County, S.C., which said plat is incorporated herein by reference and made a part and parcel of this description.

Exhibit B

[To attach form of lease]

**Raymond Pridgen Auditorium
Wednesday, April 26, 2017
12:00 P.M.**

AGENDA

- 1. Call Meeting to Order & Welcome: Mayor McMillan
Pledge of Allegiance:
Invocation:**
- 2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act:**
- 3. Approval of Agenda:**
- 4. 1st Reading of Ordinance #17-002, "AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTATOR OF THE CITY OF MULLINS, SOUTH CAROLINA, TO EXECUTE, AND DELIVER A LEASE AGREEMENT WITH RESPECT TO CERTAIN REAL PROPERTY WITH RLT HOLDINGS, LLC"**
- 5. Adjournment**

**Minutes
City Council Meeting
Wednesday, April 26, 2017**

The special meeting of the Mullins City Council was held Wednesday, April 26, 2017 at 12:00 P.M. in the Raymond Pridgen Auditorium. The following were notified of the time, date, and place of the meeting: Mayor William L. "Bo" McMillan and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor William L. "Bo" McMillan, Mayor Pro Tem Patricia Phillips, Council Members: Carolyn Wilson, Jo Sanders, Eddie Kitchen, Robert Woodbury, City Administrator David Hudspeth, City Attorney Robert Corley.

1. Call Meeting To Order & Welcome: Mayor McMillan called the meeting to order and welcomed all present.

City Attorney Robert Corley led everyone in the Pledge of Allegiance.

Invocation: The invocation was given by Council Member Carolyn Wilson.

2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act: Mayor McMillan stated the local media had been contacted regarding the time, date, and place of the special meeting for April 26, 2017.

3. Approval of Agenda:

Council Member Wilson made a motion to approve the amended agenda. Council Member Davis seconded the motion.

4. 1st Reading of Ordinance #17-002, "AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR OF THE CITY OF MULLINS, SOUTH CAROLINA, TO EXECUTE, AND DELIVER A LEASE AGREEMENT WITH RESPECT TO CERTAIN REAL PROPERTY WITH RLT HOLDINGS, LLC"

Council Member Kitchen made a motion to accept the 1st Reading of Ordinance #17-002, "AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR OF THE CITY OF MULLINS, SOUTH CAROLINA, TO EXECUTE, AND DELIVER A LEASE AGREEMENT WITH RESPECT TO CERTAIN REAL PROPERTY WITH RLT HOLDINGS, LLC". Mayor Pro Tem Phillips seconded the motion.

Page Two
Minutes - City Council Meeting
Wednesday, April 26, 2017

5. Adjournment: Council Member Kitchen made a motion to adjourn. Mayor Pro Tem Phillips seconded the motion.

William L. McMillan
Mayor

ATTEST:

Felicia S. Turner
City Clerk

**Raymond Pridgen Auditorium
Tuesday, May 9, 2017
6:00 P.M.**

A G E N D A

- 1. Call Meeting to Order & Welcome:** Mayor McMillan
Pledge of Allegiance:
Invocation:
- 2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act:**
- 3. Approval of Agenda:**
- 4. Consent Agenda:**
 - (a) Approval of Minutes – April 11, 2017 – City Council Meeting
 - (b) Approval of Minutes – April 26, 2017 – Special City Council Meeting
 - (c) Approval of Monthly Bills
- 5. Old Business:**
 - (a) Consideration of a request for funding from the Pee Dee Regional Transportation Authority (PDRTA)
 - (b) Second Reading of Ordinance #17-001, "AN ORDINANCE TO AMEND THE POLICE DEPARTMENT STANDARD OPERATING PROCEDURES"

Page Two
City Council Meeting Agenda
Tuesday, May 9, 2017

MANUAL TO CHANGE CERTAIN LANGUAGE REGARDING THE USE OF BODY CAMERAS."

(c) Second Reading of Ordinance #17-002, "AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTATOR OF THE CITY OF MULLINS, SOUTH CAROLINA, TO EXECUTE, AND DELIVER A LEASE AGREEMENT WITH RESPECT TO CERTAIN REAL PROPERTY WITH RLT HOLDINGS, LLC")

7. New Business:

(a) Consideration of a resolution promoting safety in the workplace and compliance with all federal and state safety regulations.

(b) Consideration of a request from the American Diabetes Association and South Carolina DHEC to use the Miles Center for a Diabetes Education Program.

8. Executive Session (if necessary for sale of real estate)

9. Return to Open Session

10. Committee Reports:

Police – Council Member Terry Davis
Fire – Mayor Pro Tem Pat Phillips
Recreation – Council Member Jo Sanders
Street/Sanitation - Mayor Pro Tem Pat Phillips
Finance – Council Member Carolyn Wilson

11. Comments:

12. Adjournment:

**Minutes
City Council Meeting
Tuesday, May 9, 2017**

The regular monthly meeting of the Mullins City Council was held Tuesday, May 9, 2017 at 6:00 P.M. in the Raymond Pridgen Auditorium. The following were notified of the time, date, and place of the meeting: Mayor William L. "Bo" McMillan and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor William L. "Bo" McMillan, Mayor Pro Tem Patricia Phillips, Council Members: Terry Davis, Carolyn Wilson, Jo Sanders, Eddie Kitchen, Robert Woodbury, City Attorney Robert Corley, Police Chief Mike Bethea, Street Supervisor Tarus Gilchrist, Revel Rogers, Carolyn D. Gause, Joe Graham, Chuck McNeil, Public Access TV, and many others.

1. Call Meeting To Order & Welcome: Mayor McMillan called the meeting to order and welcomed all present.

Robert Woodbury led everyone in the Pledge of Allegiance.

Invocation: The invocation was given by Carolyn Donnelly Gause.

Wilson noted Prayer in the Square will be held next month before Council Meeting. Everyone is welcome.

2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act: Mayor McMillan stated the local media had been contacted regarding the time, date, and place of the regular scheduled meeting for May 9, 2017.

3. Approval of Agenda: Mayor Pro Tem Phillips made a motion to approve the Agenda. Council Member Eddie Kitchen seconded the motion.

4. Consent Agenda:

- (a) Approval of Minutes – May 9, 2017 – City Council Meeting
- (b) Approval of Minutes – May 23, 2017 – Special City Council Meeting
- (b) Approval of March 2017 Monthly Bills

Page Two
Minutes - City Council Meeting
Tuesday, May 9, 2017

Council Member Kitchen noted his reasons for not voting for the resolution to designate the City Hall parking area as the site of a public festival or special event at which alcoholic beverages may be consumed.

5. Old Business:

(a) Consideration of a request for funding from the Pee Dee Regional Transportation Authority (PDRTA)

Mayor McMillan recognized Chuck McNeil with PDRTA. McNeil stated PDRTA runs 7 days a week. The route begins in Mullins and makes three stops in Myrtle Beach. The cost to operate yearly is \$251,820.00. Federal and State monies are used but that is not enough to operate. McNeil asked the City to consider funding \$5842.00 for the upcoming year. The City of Marion, and Marion County will also be asked for the same funding. Mayor Pro Tem Phillips stated a 10 ride pass for \$45.00 should be offered to the Mullins riders. Mayor McMillan stated those passes could be sold at Bi-Lo.

(b) Second Reading of Ordinance #17-001, "AN ORDINANCE TO AMEND THE POLICE DEPARTMENT STANDARD OPERATING PROCEDURES

Council Member Wilson made a motion to accept the Second Reading of Ordinance #17-001, "AN ORDINANCE TO AMEND THE POLICE DEPARTMENT STANDARD OPERATING PROCEDURES. Council Member Kitchen seconded the motion. The motion was accepted.

7. New Business:

(a) Consideration of a resolution promoting safety in the workplace and compliance with all federal and state safety regulations.

Council Member Woodbury made a motion to accept the consideration of a resolution promoting safety in the workplace and compliance with all federal and state safety regulations. Council member Kitchen seconded the motion. The motion was accepted.

Page Three
Minutes - City Council Meeting
Tuesday, May 9, 2017

(b) Consideration of a request from the American Diabetes Association and South Carolina DHEC to use the Miles Center for a Diabetes Education Program.

Hudspeth stated a request was made by DHEC for the use of the Miles Community Center for Diabetes awareness. They asked to use the building on Saturday afternoons for a year. They are non-profit so they should not have to pay rental fees.

8. Committee Reports:

Police – Council Member Terry Davis
Fire – Mayor Pro Tem Pat Phillips
Recreation – Council Member Jo Sanders
Street/Sanitation - Mayor Pro Tem Pat Phillips
Finance – Council Member Carolyn Wilson

Hudspeth stated Fire and Police reports were included in the packets. The fire truck should be delivered in June. The Street Sweeper has been delivered and Tarus, Dennis Floyd, and Curtis have all completed the 5 hour training.

9. Comments:

Mayor Pro Tem Phillips stated the City should help with the cleanup in Nichols.

Council Member Davis stated the property on Academy Street needs to be maintained. Hudspeth stated it would be taken care of ASAP. Maintenance on all over grown properties will begin the end of this month.

Council Member Woodbury stated the Back To School event will be held on August 12th at the high school.

10. Adjournment:

Mayor Pro Tem Phillips made a motion to adjourn. Council Member Davis seconded the motion.

Page Four
Minutes - City Council Meeting
Tuesday, May 9, 2017

William L. McMillan
Mayor

Attest:

Felicia S. Turner, City Clerk