

## SPECIAL MEETING

MONDAY, MARCH 6, 2017 AT 6:00 PM

The City of Darlington held a Special Meeting on Monday, March 6, 2017 at 6:00 PM in the Courtroom/Council Chambers located at 400 Pearl Street. Those in attendance included: Mayor Gloria C. Hines, Council Members: Mayor Pro-Tem Coleman Cannon, Councilpersons Carolyn Bruce, John Segars, Elaine Reed, Bryant Gardner, and John Milling. Others attending included: City Manager, Howard Garland, City Attorney Kevin Etheridge and his wife Savannah, Mr. Chevron Scott and Mr. Robert Stucks.

Mayor Hines called the meeting to order at 7 PM and Mayor Pro-Tem Coleman Cannon did the invocation.

### **EXECUTIVE SESSION**

**Councilman Bryant Gardner made a motion to go into Executive Session at 6:01 PM to interview candidates for the Municipal Judge's position. Councilwoman Elaine Reed seconded the motion. All approved the motion.**

**Upon motion of Councilwoman Reed, seconded by Councilman John Milling, to end Executive Session at 7:02 PM.**

### **NEW CITY MUNICIPAL JUDGE**

**Councilman John Milling made a motion to select Chevron Scott to be the new City Municipal Judge commencing July 1, 2017.**

**Councilwoman Carolyn Bruce seconded the motion. Councilpersons Bruce and Milling voted in favor of the motion. Councilpersons Segars, Gardner, Reed, Cannon and Mayor Hines voted against the motion. (Motion Failed)**

**Councilwoman Elaine Reed made a motion for Attorney Robert Stucks to be the City Municipal Judge beginning July 1, 2017 to June 30, 2019, seconded by Councilman Coleman Cannon. All approved the motion. Mayor Hines asked Mr. Garland to call Mr. Stucks and let him know that he**

was selected and when to start. Mr. Garland said he will start working with Judge Dan Causey for six weeks beginning on May 15<sup>th</sup>.

**MR. GARLAND**

Mr. Garland made copies of “How to Conduct Effective Meetings” and passed them out to Council. Mayor Hines said she thinks Council voted on the time limit and Mr. Garland said it was in December, 2014. Mayor Hines said she thought the time limit was five minutes, but she was told later it was two minutes so that’s why she has been giving people two minutes. She said if we base the speaking time on five minutes and we have 10 or 15 people that want to speak, we could be here all night. She told Councilman Gardner if they need to change the ordinance and make it two minutes rather than five minutes, they can do it. Councilman Gardner said sometimes the meetings can run long, but sometimes two minutes isn’t enough time for him to get his point across. He said if it’s all possible, keep the time limit at five minutes. Councilwoman Elaine Reed highlighted #1, 5, 6, 8, 10, 13, 15, 17, and 21. Ms. Pridgen asked that #12 be included in the list (motions be stated clearly, distinctly and loudly).

Mr. Garland said he is concerned about Councilmembers going directly to employees almost on a weekly basis asking for things and sometimes he doesn’t know what’s going on. He said he asked that Council not do this and under our form of government they are supposed to go through the City Manager. He said this bothers him to no end because we had this problem with the previous Council. He asked Council to respect that and if they have a concern bring it to him and he’ll take it to the department head or to the employee. Councilman Bryant Gardner asked what kind of timeline should he expect because he will ask sometimes and may not get a reply. He said he is working to do his job and by the law he is allowed to inquire and investigate. Mr. Garland told Councilman Gardner that the interpretation he has of that, he disagrees with that. Councilman Gardner told Mr. Garland if he has a disagreement with the language he can talk with our City Attorney. Councilman Milling told Councilman Gardner to not have Howard talk with Council which indicates he had a different conversation with Council. He said a request of Council goes through the City Manager or through the Mayor and not from Council to the City Attorney. Councilman Milling said the request for legal information needs to go through Howard so that he can present it and Kevin can have a chance to study it and bring a report to Council. Councilwoman Elaine Reed wanted clarification on who Council can talk with. Councilman Gardner said Mr. Garland was talking about

Council going to the City employees and he was saying he understands if they were going to talk with an outside entity, but if you're talking to your own employees he would expect to get an answer to us in some timeline. Councilwoman Bruce said she thinks she understands that Councilman Gardner is saying he has no problem with going to Mr. Garland first vs. going to the city employees. Councilman Gardner said there are a lot of items on the agenda tomorrow and he doesn't feel like he has enough time and business days to come to his administration and ask questions. He said he's asked a million times, but since this is the subject we're talking about he wants at least five business days before to get his agenda. He said he would love to get it at least two weeks beforehand to get his agenda. Councilman Gardner said sometimes they get their packets and then a day or two later they will get an update when an agenda changes and he's fine with an agenda changing within a 24-48-hour period, but he should expect that Mr. Garland can manage his government enough to get him the majority of the agenda 5-10 business days before the council meeting. Councilman Gardner asked Mr. Garland to ask City Attorney Kevin Etheridge to give Council a legal understanding of what their role as council is. Councilwoman Reed said she doesn't see any reason why she would need to talk to an employee. Councilman Gardner said he skip Howard sometimes because if he calls Howard five times a day he can't get anything else done. Councilman Reed asked Councilman Gardner did he go through Howard to get the information he got from the Sanitation workers. He said he went and got the information from them, but he would like for any information that a Councilmember gets, be distributed to all Councilmembers. Mr. Garland said he never saw the list until we had the work session that night. Councilman Gardner told Mr. Garland he specifically talked with him on this subject a week ago. Mr. Garland told Councilman Gardner that he never gave him the list. Councilwoman Bruce said her experience has been that she's received information that another Councilmember has asked for and Mr. Garland forwarded it to the other Councilmembers so they all would have the same information. Mr. Garland was offended by the statement Councilman Gardner made and he said he didn't appreciate being called a liar. Councilman Gardner told Mr. Garland he didn't appreciate being lied to. Councilwoman Elaine Reed asked Councilman Gardner if he gave Mr. Garland the list and Councilman Gardner said he did not give him the list, but he spoke to him a week before. Councilwoman Elaine Reed told Councilman Gardner that Mr. Garland said he did not see the list until that night, which was the truth because he didn't give him the list. She said you may have had conversation with Mr. Garland, but what Mr. Garland said

was he did not see the list until the night of the meeting. Councilman Gardner said that may be true and Mr. Garland may not have set eyes on the list, but he spoke specifically on that subject and he asked him about the list and he was familiar with that list and told him he needed to get the list from Carolyn. He said he doesn't know how the list got into the work session, but as our City Manager he would assume he got the packets together or had something to do with it. Councilman Gardner apologized to Mr. Garland for calling him a liar, but he cannot stand to feel like he's being lied to and he will stand up like I would stand up to a boy. He said he will always stand up if he sees an injustice. He apologized that it brought the passion out of him and he apologized again for calling Mr. Garland a liar. Councilman Gardner said if it happens, he's going to address it in the future. Councilwoman Bruce said if all of Council stay in their lane, then we won't have this and if we have an issue or concern, then they should ask the City Manager and he can look into it and give them a response or answer in a timely manner. She told Councilman Gardner he's passionate and he want things done "yesterday" and that's not always the case, but they need to make sure they are respectful of each other and remember their role as council. I (Gloria Pridgen) told Council we didn't get around to discussing laptops for councilmembers at the work session, but Mr. Garland has the information and prices which he will discuss at a later date. That way, all information can be shared with each councilmember electronically. Councilman Segars reminded Council that what was spoken about tonight didn't just happen this week, or months ago. He said this has been going on with Mr. Garland for about 8 or 9 years where Councilmembers have been trying to be too diligent, too active and trying to rebuild the world. He said Mr. Garland and staff have a full-time job already and Council doesn't need to keep bombarding them with little things that will take care of itself. Mr. Garland said he doesn't like the drama and if there's something they want to request, he will get it to them as soon as he can. He said if there are policy issues, they can discuss those robustly among themselves. Mr. Garland said this is a healthy thing, but he's tired of shouldering and taking abuse from Council whether it's deserved or not.

### **INFO – MR. MILLING**

Councilman Milling said there was another courthouse meeting today in Hartsville and the County is going to be looking at funding and needs, but the concept at this time would be that it would be a unified facility for all of the offices they have now as well as a new judicial facility. He said one of the questions that will come up will be if the City of Darlington will want to

be a part of this. Councilman Milling said the way that it had been going in the past we didn't have a dollar figure to consider (rent, buy, etc.).

Councilman Milling said the earliest the penny sales tax would be the general election in 2018.

Mr. Garland said he want us to sell the Stone House because we can't afford to keep it.

Mayor Hines went over some of the agenda items for tomorrow night's meeting (March 7<sup>th</sup>).

**Upon motion of Councilman Bryant Gardner, seconded by Councilman John Segars the meeting adjourned at 7:53 PM.**

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Mayor

ATTEST:

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Clerk & Treasurer