

**CITY OF DARLINGTON  
REGULAR CITY COUNCIL MEETING  
DECEMBER 5, 2017 – 6:30 PM**

**PRESENT AT MEETING:**

Mayor Gloria Hines, City Manager, Mr. Howard Garland and Councilpersons: Elaine Reed, John Segars, Carolyn Bruce, Bryant Gardner, Coleman Cannon and John Milling. Also, present: Mrs. Lisa Rock, City Attorney Kevin Etheridge, Police Chief Danny Watson, Mr. Alex Gainey, Mr. Kinsaul, Fire Chief Pat Cavanaugh, Mr. Roger & Mrs. Audrey Gore, Ms. Sheila Baccus, Ms. Jannie Lathan, Ms. Harriett Hobbs, Mr. Linwood Epps, Ms. Rosena James, Mr. A.D. Jordan, Ms. Joan Alston and a room full of visitors.

**NEWS REPORTERS**

Also present were News Reporters from the News & Press and the Morning

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Cannon did the invocation which was followed by the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**Upon motion of Councilman Cannon, seconded by Councilman Gardner, to approve the Minutes of November 14, 2017, which unanimously carried.**

**APPROVAL OF MEETING AGENDA**

**Upon motion of Councilwoman Carolyn Bruce, seconded by Councilwoman Elaine Reed, to approve the meeting agenda, which unanimously carried.**

**REPORT OF STANDING COMMITTEES**

**A) DARLINGTON DOWNTOWN REVITALIZATION ASSOCIATION – MRS. LISA ROCK**

Mrs. Rock said to encourage people to shop locally they will be having their shop downtown/Shop Darlington contest where people will have a chance to win one of three \$100 gas cards. She said people will submit receipts from

five different Darlington businesses from Thanksgiving to Christmas. Mrs. Rock said entry forms are at different locations around town and also in the newspaper and online. She said individuals are to submit an entry form along with receipts from five different businesses and then they will be entered into the drawing. Mrs. Rock said this Thursday night they will have “Shop Small Downtown Open House” from 5:00 -8:00 PM Thursday, December 7<sup>th</sup>. Danny Lockemy will have music and games, Santa will talk with the children and Darlington Recreation will have the snow machine. She said there will be vendors as well as giveaways. She said American Express donates 200 “Shop Small” tote bags every year and they fill them with information from local businesses. Mrs. Rock said the Market on Darlington Square Committee will have their Christmas Market on Saturday December 9, 2017 from 10:00 AM – 4:00 PM at Trinity United Methodist Church. She said there will be vendors, local performers and a coloring station for the kids. She said Santa will arrive on scene at 2:00 PM. Mrs. Rock said they have a variety of vendors for the event. Mrs. Rock said anyone interested in helping to organize their 2018 season of “Bringing Downtown Alive” free concerts should contact her office immediately. She said the concert committee needs to go ahead and set its dates and start securing bands and sponsors.

**B) GREATER DARLINGTON CHAMBER OF COMMERCE –MS. HARRIETT HOBBS**

Ms. Hobbs said the beginning January, 2018 the Chamber will be installing a new computer system with new fire wall, new hardware, software and telephone system. She said they are in the process of doing a 2017 push for dues. She said they are trying to get most of their 2018 dues paid by the end of 2017. Mrs. Hobbs said they have gained seven new members in the last two months. The Chamber will be having a drop-in On Thursday, December 7, 2017 during the Shop Small event on the Square. She said they will be serving hors d’oeuvres and wine punch for the adults and punch for the children. Ms. Hobbs said a mailbox will be outside of the Chamber so children can mail their letters to Santa. She said if the kids will put a return address on the letters, Santa just might return a letter to them. The Annual Banquet will be held February 1, 2018 at the Darlington Country Club.

**CITIZENS WISHING TO SPEAK BEFORE COUNCIL (5 MINUTES PER PERSON)**

**MRS. ANDREA KNAPP** said she came to City Council two and a half years ago to talk about codes that were not being enforced and fines not being issued and she was told by Council at that time that they would look into it and it's been 2 ½ years. Mrs. Knapp said one building in particular is the "Tyner Building" which they said they were going to look into it. She said some excuses given was that it was Mr. Chapman's fault because he didn't follow up and didn't do this, or he didn't do that. Mrs. Knapp said since Alex Gainey came he's been pretty awesome and things started to get cleaned up, but the "Tyner" building is still a mess. She said she checked the Council minutes and since last December every single month Alex Gainey has come to Council with ideas and propositions about demolition and every single month he's been told that we're going to look into it. Mrs. Knapp told Mayor Hines her very words a year and a half ago was "we should fine them then because that is an eyesore and that's one of my pet peeves". She said the argument she is getting when she reads the minutes is that it's the cost and we can't afford it, yet we are not fining them. Mrs. Knapp asked, Could the fines not be put toward the cost of demolishing the building? She said they pay taxes and it should be a tidy place. She said if it wasn't for the Garden Club who makes the Square look awesome and for Curtis Boyd cleaning up buildings, the town wouldn't look the way it does now. Mrs. Knapp said her question is, what are you doing as a Council? She told Councilman Gardner he tried to get the ball parks so he tried to do something, but what has the other Council members done in the past two years or what has the regular citizens done. Mrs. Knapp asked if anything is being done about getting a hotel in town. Mayor Hines said she's talked to Mrs. Lisa Rock all the time about this. Mayor Hines said concerning the Tyner Building, she has talked to Mr. Gainey about this. Mr. Alex Gainey said he has a court date set up with the owner next Wednesday the 13<sup>th</sup> and they will talk with the Judge and let him make a determination as to what the fines will be. Mrs. Knapp said it's been 2 ½ years since she's asked. Mrs. Knapp said her question to each Council member is what have they done in the last two years to bring new businesses in and to help the citizens appreciate and enjoy living where they live because it could be so much better. She asked Council their plans for the next two years because in two years they all get to vote again. Mayor Hines said she talked to Mr. Gainey and Mr. Garland constantly about taking care of things in Darlington. She said she is not the Codes Enforcement Officer, but she does contact him and the last she was told about the property, she was told it was in Probate. She said this is her first time tonight hearing that he's going to court with it and it's a good thing because it is a sore eye for the City. Mrs. Knapp said, "But

I came to you two and a half years ago and how is it taking two and a half years for you to just hear that it went to court”. Mayor Hines said, “That’s not my call. He’s just telling me that. The only thing I’ve hear about it was that it was in Probate. Mayor Hines said, “That’s not my call on that”. Mrs. Knapp said, “But it comes to you”. Mayor Hines said, “We’re not going to attack tonight, Mrs. Knapp, we’re not going to have that”. Mrs. Knapp asked Mayor Hines what has she done personally for the last two years. Mayor Hines said, “Time is up and come talk to her later”. Someone from the audience said, “Her time is up in two years”.

### **MR. CURTIS BOYD**

Mr. Boyd said he was born in Sumter but has lived in Darlington all of his life and it’s his home. Mr. Boyd said he passed out shirts the other day through “his town” to try and encourage comradery amongst everyone because there’s a lot of aggravation and irritation and everybody is ill at each other. He said his main goal in life and tonight is to make sure that everything that he says and does is always to Honor and Glorify his Lord Jesus Christ. He said every business that he has, he puts this on it. Mr. Boyd said he took pictures yesterday starting at the Walmart to the Square, around the Square, down Exchange Street, Cashua Street and back to where the building they are talking about by Dixie Federal Credit Union and Pearl Street, there are seventy plus buildings that are empty more so than just that one that’s irritating her (Mrs. Knapp). He said there are more than seventy buildings that are irritating him along with the other people here in this room. Mr. Boyd said he’s not here to pass judgement against anybody; what have you done, what have I done. He said he asks himself, what have I done and the Lord said to him if you want something go get it, move it. He said when he wanted a gym, the building on the Square had grass so tall, and nobody on City Council, except one person walked into his building. He said nobody else has walked into his building yet and said, “Thank you for trying”. He said nobody has said, “You’re trying to make the building look better”. Mr. Boyd said nobody said anything when he walked all the way down the side of the street in front of IGA cutting the grass himself trying to clean things up. He said he has cleaned the side of the streets all the way down in front of the Square to where the old NAPA store is, and nobody said anything about that. He said the owner of the building got a letter saying they painted the building the wrong color. Mr. Boyd said his feelings were hurt at that time because he thought he would get the “Pride of Darlington” award. Mr. Boyd said he has ten locations and has grown and he has a vision and he knows there is a vision in this town and somewhere

somebody has got to drop a match. He said in California when you drop a match the whole place catches on fire and he's going to be that match because he knows he can make a difference and with the Lord behind him and with all his friends behind him they can make a difference. Mr. Boyd said there needs to be a difference in this town because he doesn't see any progress, all he sees is us going backward. He said there are buildings here over thirty years old and nobody has confidence in our town because we spend money on it and then we stop and it never happens. Mr. Boyd said, "Well, it's going to happen because I make things happen with the Lord behind my side. Mr. Boyd said he wanted to make sure that he announces publicly that he will be running for Mayor in 2019. Mayor Hines said, "Sometimes when you don't know things that are happening here in Darlington, you don't know what I do you can only say what you heard". She said she's always after Mr. Garland about buildings and always after the Codes Enforcement Officer about buildings, but she can't do that by herself. She said she doesn't know what else is being done about it, but she's been complaining about the buildings for a long time and she knows it's a sore eye for the City and she wish they will take care of them but she can't make them do it. Mayor Hines said she's been behind them about the Tyner Building ever since she's been on Council and every time she's asked about it she was always told it's in probate.

### **MS. ANNA DEWITT – COURTHOUSE**

Ms. Dewitt said recently there were five public meetings to discuss the options of building a new courthouse or renovating the current courthouse and wanted to know if anyone on City Council attended one or more of those meetings. She said she attended the meeting held at the Music Hall and was left with a few concerns such as 1) moving the courthouse out of the City of Darlington. She said she was under the impression the courthouse had to be in the county seat but according to the County Administrator there are loopholes to get around this. She said the Administrator said at the Public Hearing there is still the option of moving the courthouse and they have done some checking and the courthouse may have to be there, the clerk may have to be there, but the rest of the offices do not have to be there. Ms. Dewitt said at last night's County Council meeting a member of County Council stated he wanted to know the legal guard rails on moving the courthouse or parts & pieces of the courthouse outside the City. Ms. Dewitt said she cannot imagine what it would do to our town if the courthouse is moved outside the City Limits or to the City of Hartsville. Ms. Dewitt said her second concern is if a new courthouse is built on the property of the old

dry cleaners, what will it look like. Will it be the same ugly block we have now? Will we tear down the current courthouse or will they leave it to deteriorate in the center of our Square? Ms. Dewitt said she asked the question of County Council if City Council be given an opportunity to look over the designs before the finals are made and she was told by the County Administrator that he could not answer that question. She said although City Council may not have the right to influence location or design of the courthouse project, are they keeping themselves informed. In her letter Ms. Dewitt asked the following questions-Will you be reaching out to your County Councilmen; What will we do if the courthouse is moved to Hartsville and what will we do if the courthouse decides to abandon the current building and leave it to rot.

### **LORIS LILLEY – WATER/SEWER**

Mr. Lilley said he is a 10-year franchise owner (Subway) in the City of Darlington and presently owns the building at the corner of Syracuse & Pearl Streets. He said in July, 2016 a fire truck carrying several firemen was coming to his restaurant and the road collapsed. He said fortunately the fire truck wasn't damaged and none of the workers were hurt. Mr. Lilley said they ended up closing the road for several days. He said there's problems in Darlington and they just heard a few of them. He said they want to try and get Council's approval for more money for the Southwest Storm project. Mr. Lilley said when the water runs down he knows where it goes; it goes in the back of his employees' homes that live in that area. He said he employs 14 people and has a \$200,000 a year payroll. He said his employees live in the City and they work in the City and he's here to fight for them and his customer base. Mr. Lilley said he feels this is an issue and that they've come very far with it (engineering, etc.) and all they need is more money because it's a lot more involved than they thought. Mr. Lilley said he lives in Myrtle Beach, but he's a business owner in Darlington. He said when we have people that can write grants and put things in place and we get so close, we need to grow as a town. He said he's a business owner and would want the town to grow and he would want to see more jobs come because it's better for everybody. Mr. Lilley said we've got to deal with the problems that we have and it's going to take money, but we have grants in place, engineers in place and we've spent money already to get this project going and asks Council to approve the extra funding for the project.

### **MS. HANNAH DIXON - STORM WATER DRAIN**

Ms. Dixon said she believes in Darlington as a City and she believes in Council as representatives. She said she is talking on the same subject as Mr. Lilley. She said we can do anything we want to do as long as we believe in it. Ms. Dixon said for several months she has been working with and maintaining involvement with neighbors, contractors, and city officials to develop a plan that will end the storm water problems that are pollutive and smelly in the Chalmers Street neighborhood. Ms. Dixon said it's been educational and satisfying to be involved with the development of a multi-phased plan to get the storm water project finished. She said she is happy to say that with Council's help they are at the second bidding stage of the storm water project. Ms. Dixon said they approved an avenue for assistance that can be available to us, however we still need additional money to get the storm water project completed. She asked for Council's support and approval that is needed to further the progress of the project.

### **UNFINISHED BUSINESS**

### **BID REVIEW/APPROVAL SOUTH WEST DARLINGTON STORM WATER PROJECT**

Mr. Garland said we've taken bids twice on the Southwest Darlington Storm water project and the first time bids the bids came in the low bid was \$2.7 million dollars. Mr. Garland said we bid it out again hoping for a lower bid, but we didn't get that. He said we had three bids in October and the low bidder was Lands Down Earth and Pipe which included the base bid plus all of the alternates 1-5, and the bid was \$2,562,974. Mr. Garland said at this time we do not have the money to complete the entire project, however we have been given assurance from Senator Gerald Malloy that if we start the project he will help us finish it by getting money in the State Legislature this year. He said he also has assurances from our State Representative Robert Williams who is going to be on the Ways and Mean Committee next year which is a very powerful seat and it controls money and he's going to help us fund this project also. Mr. Garland said staff's recommendation is that we move ahead with the Southwest Darlington Storm Water project spending the money that we have on hand (we have \$1,130,000 in our bond fund) and we have a grant from SC Rural Infrastructure Authority for \$445,000. **Councilwoman Elaine Reed made a motion that they approve the bid of the Southwest Darlington Storm Water Project.**

**Councilwoman Carolyn Bruce seconded the motion.** Councilman John Milling said out of the \$1.5 million dollars that we have, we've got engineering costs, supervision costs so how much money do we actually

have to apply to brick and mortar so to speak. Mr. Garland said \$1,450,000. Councilman Milling asked if all of the engineering costs have been paid for. Mr. Garland said, "No Sir, but there's supervision costs that would have to be paid out of that. Councilman Milling asked Mr. Garland how much engineering and supervision costs will be and Mr. Garland said \$75,000. Councilman Milling asked if the rest of the engineering work has already been paid for and Mr. Garland said, "Yes". Councilman Milling asked what happens if we don't get the money since it's dependent upon the balance of the House and the Senate. Mr. Garland said it comes down to wherever the project is finished that's where it's finished until we can apply for another grant from Rural Infrastructure Authority. Mr. Garland referred the question to Engineer Mr. Mike Hanna and he said when they award the contract to the contractor they would have a contract in place for \$2.5 million dollars. Mr. Hanna said at some point and time they would have to tell them to proceed with what we don't have or to stop in place. Mr. Hanna said the contractor has a right to go ahead and order all of the materials for the entire project up front, but we could ask them up front to order a certain percent of the materials and then we come back to them five months from now. Councilman Milling said in reality, if we approve the bid we will have to pay the contractor \$2.5 million dollars whether we get the money from the Legislature or not. Mr. Hanna said, "Yes, unless you change order something out of the contract and have that agreement with him up front. Councilman Milling said that would require that the City give him something different because while we can do change orders that would add but if he's looking to get a \$2.5 million contract we wouldn't do change orders after we've authorized the bid that would reduce the amount. Mr. Hanna said it's not normal to do that, but that's why they bid the project in a base bid and five alternates so that they will have some options. He said to maintain the grant of \$448,000 they have to do all five alternates because that's the area that the grant was intended to serve. Councilman Gardner told Mr. Hanna when he spoke with him a number of months ago he specifically asked if the project could be done in stages and he told him that we couldn't do the project in stages because in his experience when you start digging at the top of the hill and start digging at the bottom, it's hard to meet in the middle because you don't know if they will meet. Councilman Gardner said he's concerned to award the project because we don't have all of the money; then we'll be spending over 80% of our storm water fund and our own engineering firm said this isn't something he would advise us doing. Councilman Gardner asked Mr. Hanna what's changed? Mr. Hanna said the whole project is buildable the way it is, you start at the bottom and

they work their way up top to the area they are trying to fix. Mr. Hanna told Councilman Gardner the context of the question he asked is, "Can we start at the top and go down as far as possible and then stop. Mr. Hanna said the idea is they are upsizing all of the storm drainage in that area and if he's starting at the top and building 36-inch storm drain and it's changing to a 48 inch, he can't say, "let's stop the 48 inch and dump that into a 24 inch. He said it doesn't work that way it would overflow there after every rainfall. Mr. Hanna said what's he saying, "Let's start at the bottom on Fleming Street, laying a 60-inch storm drain and work their way back up the hill changing to a 48-inch, change to a 36-inch, and then to a 24-inch. Mr. Hanna said it's got to built from the outfall up and they can't really skip parts in the middle. Councilman Gardner said, "Isn't the grant for the top section". Mr. Hanna said, "Yes. The grant is for the top section". Councilman Gardner asked what happens if we don't make it to the top and if we run out of money, does it mean we have to give the \$400,000 back to the State. Mr. Hanna said that would be up to the State, but he would assume that would be the case because we are no longer building a project for the intended purpose of the grant. Councilman Gardner said to the contractor who gets awarded the bid, we would owe him \$1.4 million dollars additional that we don't currently have in funds. Mr. Hanna told Mr. Gardner he is not sure of that number, but Mr. Gardner said it's pretty darn close. Mr. Garland agreed that it's close. Mr. Garland said he has talked with the contractor several times and the reason we're having to put this out tonight is because his bond is only good for about \$3 million dollars and this project is \$2,562,000 so it's tying up his bonding capacity. Mr. Garland said he told him the situation with the cash and he's willing to work with us. Mr. Garland said he's ready to start as soon as possible. Councilman Gardner said if he's interested in work that bad maybe he will lower his fees a little. Councilman Gardner said they've got a situation where ///the grant and the facility where we're doing a project that's not even in our storm water master plan and because of that whenever they started looking into the project it blew up from a \$400,000 to a \$2.5 million project. He said 75 extra acres were unaccounted for in the original assessment. He said it's just disheartening and we have to start doing things around this City that's smart. He said we're not even operating with a full storm water plan and this is not even covered under our Master Storm Plan. Councilman Gardner said he's afraid we are spending way too much money without a clue of where we're going. Councilman Gardner said this is something that is needed and we've gotten the Senator's support on this and Representative Williams, so he understands they are going to help us and he pray they are able to help us in

the future otherwise we've got a heck of a bill we we're going to have to pay and not be able to afford to pay it. Councilwoman Elaine Reed said she appreciates everything that the Councilpersons have said, but this situation is critical. She said she trust that the engineering firm, the grant that was awarded these people saw an absolute need for this regardless of the money. Councilwoman Reed said they knew the grant was not going to be enough to address that problem so they had to go and try and get a bond. She said she doesn't know if everyone knows their area, but right not there are three areas that have collapsed. Councilwoman Reed said Tallulah Street still has a problem which started from what the grant was given for because it was stopped up at the Oil Mill, even though they are closed down. She said they are closed because there are still some operations going on there that's causing them to have between five and ten trucks that are loaded down that come down Milling Street. She said there have been problems on Syracuse Street and every time it rains the families in that area have water flow to their homes and the bottoms of their houses are rotting out. Councilwoman Reed said she is not saying she is not concerned about how we are going to finish, but let's start. She said we didn't know we were going to get the grant, but we got it. She said they were saying it was impossible, but they awarded two in the State and Darlington was one of them because the need was so great that they gave it to us. Councilwoman Reed said we've got the commitment from the Senator who has already demonstrated in this County what he can do in funding and funding projects. She said Representative Robert Williams now being appointed to the Ways and Means Committee have given his commitment to see this through. She asked Council to vote for the project because we will get the money. Councilman John Segars said when we started this project it was a health hazard in that ditch that was related to toxic waste that was pumped from the Oil Mill into that ditch through their production process. Councilman Segars said they are no longer producing anything at that mill. He said it is used for warehousing and storage only. Councilman Segars said there is nothing leaving the mill going into that ditch. Councilwoman Reed said it was stopped up and that's why they tore up Tallulah Street so something is being disbursed that caused it to stop. Councilman Segars said we started this project on a \$400,000 grant and as you can see we have vastly passed that and we still don't have but little over half of the money to complete this project. Why in the world would you consider starting a project that you can't finish and how are we are going to pay for it. Councilman Segars said we've got more issues in this City that we can use that storm water money and solve more issues in the City than that one ditch (Councilwoman Reed started to speak and

Councilman Segars told her he has the floor). Councilman Segars said we've just purchased a track hoe and we're in the process of purchasing equipment we can use to satisfy other issues in the City and we can also use our employees to work on this ditch project to clean out the underbrush, the trees which will help the water flow a lot better. He said with the vac truck that the City talked about purchasing, we will can clean out some of the silted in pipes that are not draining. Councilman Segars said he thinks the bond money should be used for the whole City rather than one section because it is not going to solve all the problems in that area to begin with. Councilwoman Carolyn Bruce said she's listened to lots of citizens come before them that have addressed issues in their area as it relates to flooding and issues as it relates to other areas in their neighborhood. She said she can remember several months ago when Hanna Engineering came before Council and talked about what the need was and what needs to happen. She said the most vivid thing she remembered is that there were a lot of citizens that live in that neighborhood that came before them and talked about how they can't even sit on their front porch because of the smell. Councilwoman Bruce said the Oil Mill is gone, but because the Oil Mill is gone, does that fix that problem? She said, "No it doesn't, so there has to be consideration about people's health". Councilwoman Bruce said, "Ask yourself, if you lived in that neighborhood, what would you fight for". She said this is not something that just happened two years ago when she got on Council, but we've been dealing with this thing for years. She said at some point when do they give a relief. Councilwoman Bruce said we talk about taxpayer money, those folk over there pay taxpayer monies too. She said when talk about we need to make sure we are taking care of the whole City, at what point have these people been taken care of over the numerous years this thing has been brought before Council. Councilwoman Bruce asked why are they and that area being overlooked. She said the gentleman from Subway stood before them tonight because this is affecting his business. Councilman Cannon said no money can fix a health issue so it would be wise for them to approve this project and let them go ahead and start and whenever the money is gone we will work on trying to get more money. Councilman Cannon said your health means more than money, so take the money and fix the problem and we can move on. Councilman Gardner said for forty years we've been putting stuff off no matter where you are in the City. He said he played on the same baseball fields as his grandmother and his father played on. He said the playground next City Hall is over thirty years old and they haven't update them or done anything new for quality of life in I don't know how many years. Councilman Gardner said they keep mentioning these

cave-ins, but that's are even storm water, that's our sewer system. He said it's an issue that goes around and doesn't matter which department you're in, but we've got a lot of issues throughout the City. Councilman Gardner said this is something we need to do, but he thinks we need to be smart with our dollars. He said he wants to go forward with the project but we need to talk with the engineering firm, the construction company and be smart with spending our money. Councilman Gardner said what he does know is that we've got to get a Storm Water Master Plan because we have just started taxing all of our citizens on the belief that we were going to work on the MS4 program. He said we are now going to spend up to 80% of those funds as soon as that vote is over on one ditch. He said not even what Jannie Lathan asked them to do the initial tax tour. Councilman Gardner said in the future when we are going to use money and tell their citizens we are going to tax them, we need to do what we say we are going to do and do it right. Mayor Hines told Councilman Gardner that we have a storm water master plan and he said, "No we don't". He said our storm water master plan does not include any citizen that lives on the other side of Swift Creek from where he sits (He said that means the Country Club, Oakdale, Spring Mart hotdogs, anything opposite of the Library). Councilman John Segars said, "You mentioned that the Senator has promised us that he's going to come up with some more money. The Senator has promised us on several other occasions he was going to come up with some more money to finish other projects and to this date I don't think he's come up with one dime". Councilman Segars said if you will recall when we remodeled the City pool, he promised us money for that and we ended up having to spend about \$250,000 to redo that pool without any help from him. (Ms. Lathan said from the audience, "that's not true"). Councilman Segars said we had to find or borrow the money to complete the project so I wouldn't put a lot of faith in the Senator coming up with any extra money for this project. (Ms. Lathan said again from the audience, "that's not true". Mayor Hines struck gavel and Councilman Gardner said, "Please put her in order"). Councilman Segars said, "I can't believe that you would consider starting a project when you don't have the money to pay for it. **Councilpersons Reed, Bruce, Cannon, Gardner and Mayor Hines voted for the motion. Councilmen Segars and Millings voted against the motion. Motion passes.**

### **NEW BUSINESS**

#### **A) PAINTING WATER TANKS BID APPROVAL**

Mr. Kinsaul said they bid out painting North Main Street Water tank and the bid came in about \$75,000 lower than they had estimated. He said the low

bid was \$164,300. Mr. Kinsaul said his recommendation is that Council approve the low bid. Mr. Garland said this is approximately \$120,000-\$130,000 less than what they had budgeted. **Upon motion of Councilman John Segars, seconded by Councilman John Milling, to accept low bid of \$164,300 from Utility Services, which unanimously carried.** Mr. Kinsaul said they will put the City logo on the tank.

### **B) REVIEW NEW SURVEY OF VIRGIL WELLS STADIUM SITE**

Mr. Lee Andrews said they met with the school district the Friday before Thanksgiving and he presented them with our first survey and they didn't like that. Mr. Andrews said they walked the area and they showed them what they could up so they had a second survey done and it has been sent to Council as well as the school board. He said they will be meeting this coming Monday so that piece of property should be going forward depending on what the vote is on Monday night. Mr. Garland asked Mr. Andrews to let Council know how many acres we are working with now. Mr. Andrews said we lost about 1 ½, so we now have 13 ½ acres to work with.

### **C) 2015 -2016 AUDIT PRESENTATION – MRS. JENNIFER MILLER WEBSTER -ROGERS**

A copy of the financials was given to each Councilmember. Mrs. Jennifer Miller said an audit is a long process and any time you change audit firms there's a learning curve as well on both sides. She said an audit is just a sample of transactions, they do not look at 100% of the transactions of the City and if they did. She said what they do on a sample basis they look at transactions and from that sample they can conclude that the entire population is materially correct. Mrs. Jennifer Miller said on page 1 is their Independent Auditor's Report which has the Management's Responsibility for the Financial Statements, the Auditor's Responsibility, the Opinion and Other Matters. Mrs. Miller said the City of Darlington did receive a clean opinion which is the best opinion you can get. Mrs. Miller went over page 3-Statement of Net Position; Page 4 – Statement of Activities; Page 5 – Balance sheet; Page 7 – Statement of Revenues, Expenditures & Changes in Fund Balance; Page 14 – Notes to Financial Statements; Page 36-Notes to Financial Statements. Mrs. Miller said there were some misstatements from our prior year financial statements and the detail of those is on page 37. She said there were some errors that were discovered by management. Page 38 – Budgetary Comparison Schedule for the General Fund. She said this shows the total revenue and expenditures; Page 43 – Report on Internal Control

Over Financial Reporting and on Compliance and Other Matters. She said this is another report that Webster-Rogers provides because you have to have a report on internal control over financial reporting and on compliance and other matters. She said this is the part of the report where there are some things you can improve on and by working with management and council you can make some changes and get some things improved. She said these types of findings will decrease over the years once those changes are made. Page 50 & 51 – Schedule of findings and Questioned Costs; Page 51; Mr. Garland told Mrs. Miller to explain to Council about next year’s audit and how long that should take. Mrs. Miller said the goal would be to have a smaller window. She said ideally the year end is June 30<sup>th</sup>, if you could have the books and records closed out by September 30<sup>th</sup>, we could get the auditors in before December 31<sup>st</sup>. She said that would be the ideal situation. Mrs. Miller said we have until March 31<sup>st</sup> to do that. She said the goal for next year would be to get somebody in here sooner, get the audit firm in here sooner and get this wrapped up. Mayor Hines asked Mrs. Miller when does she think she needs to start to get us on track for 2017. Mrs. Miller said she doesn’t think we will be going to get there to be issued by March 2018 because the books are not closed out yet and we’re already in December. Mrs. Miller said the other issue is scheduling from the audit side trying to get an audit firm in here during that window of January to April is pretty difficult. She said they wouldn’t be able to get in here until April, 2018. Councilman Segars said this was a pretty lengthy process and asked Mrs. Miller during that process did she get full cooperation with all city staff. Mrs. Miller said, “Absolutely, I had great response from everybody and they were willing to help”. Mr. Garland said as a reminder to everyone we haven’t change auditors in thirty-four years. Mrs. Miller said that first year they have to get all of the policies and procedures documented and that’s all documented now so next year, unless policies have changed they will just be doing a walk through on those. Mayor Hines thanked Mrs. Miller for the presentation. **Councilman Bryant made a motion to approve the 2015-2016 audit. Councilman Coleman Cannon seconded the motion. All approved the motion.**

**D) SECOND READING ON ORDINANCE 2017-30 TRESPASSING ORDINANCE UPDATE – CHIEF DANNY WATSON**

Chief Watson said there are no significant changes from the last time that they spoke. He said the instead of notifying persons every six months the actual warning would be indefinite. **Upon motion of Councilman Milling,**

**seconded by Councilman Cannon, Second Reading on Ordinance 2017-30 Trespassing Ordinance Update, which unanimously carried.**

**E) SECOND READING ON ORDINANCE 2017-31 PURCHASE REAL ESTATE FOR PLAYGROUND (164-15-02-055; 164-15-02-056-164-15-02-060 FOR \$80,500 LOCATED AT 207 SISKRON STREET**

Councilman Segars wanted to know if we are clear on how they can incorporate this as far as using hospitality tax money to pay for this project. Mayor Hines told him we can't use hospitality tax money for a playground, it has to be recreational. Councilwoman Bruce said if we purchase the land where is the money going to come from to build the playground. Mr. Lee Andrews said it's his understanding that we will make that a welcome center or part of the trail complex that they are looking at building in the future. He said as far as just building a playground, we can't build a playground with hospitality tax money and we have to tie it in to something that's tourism driven. Mr. Andrews said it would have to be something bigger than the playground which he thought was the central for the trail. Councilman Gardner said once it's attached to the trail it will be tourism related. He said if we have a welcome center it will be tourism related. Councilman Gardner said when we put all of the other multi-use amenities around the trail and around the playground it can all be used with hospitality funds.

Councilwoman Bruce said we keep calling this thing a playground but then we said we can't take the money out of hospitality tax so we need some clarity on what is this thing going to look like. She said we keep saying a playground, but what are we actually building. Mr. Andrews said for that piece of property that we're purchasing, it will be a playground. He said we cannot spend any hospitality tax money on anything that is not tourism driven. He told Councilwoman Bruce to answer her question we can't just build a playground so we have to tie it into something that's tourism driven which is either a welcome center or the trail system itself. Councilman Segars asked if we are far enough along on this trail system that we can tie this property in now? Mr. Andrews said this is a centrally located piece of property for that trail and if by chance it is sold to somebody else we'll have to try and figure out how to get to the property we already own. He said the only trails we have right now are at Williamson Park. He said we have rights-of-way on a couple of pieces of properties. He said the County owns a railroad bed that goes from City property to Smith Avenue. Mr. Andrews said the question is, "Can we tie all this together right this second". He said we could, but the problem that he foresees is that we've go to maintain that piece of property. He said he's been told get will get more employees, but

he will not be able to maintain something that's one to three miles long with the three employees he has now. Councilman Gardner asked Mr. Andrews if he would be able to maintain the new baseball fields with the three employees. Mr. Andrews said they are doing that now. He said they are doing the ten fields that they have now in different locations and if by chance he could get everything in one location he could do a lot more than they do now. Councilman Gardner asked Mr. Andrews if he thinks this would add tourism value to our City, does he think it's something we need to move forward on and does he think it's time that we invest in a playground and Mr. Andrews said, "Yes". Councilman Gardner asked Mr. Andrews to estimate how many years it's been since we've invested in a playground or any quality of life improvement like this. Mr. Andrews said, "Brand new, it's been a long time". Mr. Andrews said the City of Darlington puts more money into recreation than any other place he has worked. He said the City of Darlington service our children and our seniors. Councilman Milling said, assuming that for some reason we did not tie this in with a trail, but we put a welcome center there, can we use the hospitality funds for that"? Mr. Andrews said if we can tie it in to something that's tourism driven, which means we're people from a distance of 50 miles away then we can use hospitality tax money. He said a playground is not going to do that. Mr. Andrews said if we tie a trail system in to it such as the one in Williamson Park then we can use the hospitality tax money. Mayor Hines asked where would the \$80,500 come from. Mr. Andrews said if we are tying this into the trail system, we can use hospitality tax money. Mayor Hines said if we get this trail wouldn't it have to be tied in to other trails or else a person would walk a distance and then stop when the trail ends? Mr. Andrews said, "Yes, it would have to be tied in". Mr. Andrews said we need to at least show the plans and move on the plans. He said we couldn't say we're going to build a playground and three to five years from now nothing else has been done. He said we can't do that. Mayor Hines said then we're going to have to maintain the park and you say you don't have any help to do that. Mr. Andrews said he has his three workers and there are two people that are supplied by the Williamson Park Committee that oversee Williamson Park and they would do the best job that they could with what they have. He said something would fall off if they had to maintain it with three people with everything else that they have. Councilman Milling asked if sidewalks constitute a trail. Mr. Andrews said they very well could on a path to get you to another part of the trail. Councilman Milling said on the sidewalks on Spring Street and Columbian Street getting over on Hampton Street. Mr. Andrews said the trail that runs behind the Library and ties into the Bristow

property and shoots over to City property and then hits another piece of trail that goes all the way to Smith Avenue that the County owns. Councilman Gardner said we already have right-of-way to do all of that route and we can do all that tomorrow. Councilwoman Reed asked if there is any of that trail in South Darlington anywhere. Mr. Andrews said the trail actually would begin there. Mayor Hines asked Mr. Andrews if he has the cost in doing the preparation additional trails. He said he has an estimate on the Siskron property, but he does not have an estimate on anything else. Councilman Gardner said, "I'm fine for assumptions, but if we're going to make assumptions about all these what ifs then shouldn't we have been doing that with the storm water project because if we're not being conservative with our funds shouldn't we do it across the board"? Mayor Hines said, "We just asking questions like you asked questions about the other one". Councilman Gardner said, "I am too as well. I'm just asking because if we're going to be conservative funds we need to be very smart with every dollar wherever we use it not pick and choose depending on the politics. Mayor Hines said the other one was more of a health issue. She said this is a quality of life issue. (Mayor Hines & Councilman Gardner went back and forth with words). Mayor Hines told Councilman Gardner she was explaining to him that it was a different issue, but it's a good thing. She said she is not against it, she's just asking the question. Mayor Hines told him you said you have the easements for all of that, but we've got to have money to finish it all out. Councilman Gardner said, "As does the storm water project". Councilman Gardner said we actually have the bond to finish this project out. He said, "But we actually have the bond to finish this project out, it's the \$1.9 million-dollar bond". He asked were they planning on spending the whole \$1.9 million dollars on the girls' softball facility and when we were looking at Lawson Road spend \$1.5 million on the boys and the girl's facility? Councilman Gardner said whenever some of them voted for that bond they assumed that it was going to be going for the trail system and the girls' softball facility and if something has changed, he would like to know as a Councilperson. Councilwoman Reed said, "You keep comparing a trail to a storm water project that the only reason we have it is because there is a need. Mayor Hines told Councilwoman Reed we are finished with that discussion. Councilman Milling asked Mr. Garland if we have \$80,500 that could be utilized to purchase this property even if we can't do anything with it at this point. Mr. Garland said, "If it comes out of the hospitality account, yes; If it comes out of general fund, "No". Councilman Gardner said, "So the general fund that we were going to use \$400,000 last week for the Chalmers Street, that money disappeared this week?" Councilman Gardner said we have the

general obligation bond that we were discussing using for the Chalmers Street ditch. Mr. Garland said I don't think the general obligation bond can be used to purchase property; it can be used specifically for what we got it for-repairs to existing municipal buildings. Councilman Gardner said at some point we are losing 20% of our population every 20 years. He said some of his friends have to travel outside of the City Limits of Darlington to go do any activities with their kids whether taking their kids to a playground, a movie, to dinner or go walk on a piece of grass. He said he would like his kids to be able to do that in the City Limits of Darlington and he would like this Council to support a quality of life improvement that is a playground for kids and we're arguing over a technicality of where this money is going to come from and if it should be in the hospitality fund and the legalities of that and we don't have any problem spending \$2.5 million dollars having no clue where we're going to get the other \$1.5 million. Councilwoman Reed said her friends and family don't travel, but their kids are playing right here in Darlington with what we have. She said that is the reason for supporting the recreation wherever it may be. Councilwoman Reed said they now found a place which is at Virgil Wells where they can have everything (they can have a playground, ballfields, tennis courts, pool & the gym), but you don't want to rally around that because it's not where you want it to be. Councilwoman Reed said, "what is the holdup now. We've got the plans here now for all the children". Councilman Gardner told her he wished she advocated so much for the kids when it wasn't in her district. Councilwoman Reed said, "I did". Mayor Hines had to call order because Councilpersons Reed & Gardner were talking back and forth at each other. Mayor Hines said Mr. Garland has said we don't have \$80,500 for the playground by itself without it being tied to recreation in order to use hospitality tax money. Mayor Hines told Council they need to either vote it up or vote it down. Councilman Milling propose that we see if we can get an option on the property by placing \$1,000 down and see if we can do something over the next year. He said to see if this is feasible to the property owner. Councilwoman Bruce said she likes the option Councilman Milling proposes. She said there needs to be a lot more clarity on this, so we need to go back and look at this again. **Councilman Milling made a motion to pay \$1,000 for a one-year option to give us an opportunity to tie the property up and see if we can come up with the \$80,500. Councilman Segars seconded the motion. All approved the motion.**

**F) ROBERT KILGO - NOT PRESENT**

**G) RECOGNITION OF MAYOR PRO-TEM COLEMAN CANNON – MR. A.D. JORDAN**

Mr. A.D. Jordan read a letter from Senator Tim Scott to Councilman Coleman Cannon for twenty-one years on Darlington City Council. Mr. Jordan also presented Councilman Cannon with a Certificate from Senator Tim Scott. (Pictures were taken)

Mayor Hines presented Mayor Pro-Tem Coleman Cannon with a “Key to the City” for twenty-one years on City Council. (Pictures were taken)  
Councilman Cannon thanked everyone for allowing him to serve these past twenty-one years.

**H) NEW CHRISTMAS DECORATIONS – MRS. LISA ROCK**

Mayor Hines said last year Council allotted Mrs. Rock \$40,000 to get Christmas decorations, she they discussed that they would go further down Pearl Street, Cashua and N. Main, but somehow, they never made the motion for her to buy additional lights. Mrs. Rock said the Beautification Board recommended a plan at a cost of \$22,081 for 33 decorations to add 15 decorations from Pearl Street to city Hall; 8 decorations- (4 at each of the corners at the lights where Burger King is & the light where 340 (Washington Street comes off the By-Pass); 6 decorations on N. Main Street to the Library and 4 on Cashua Street going down Woods Street. Mayor Hines asked if this price included putting power on the poles and Mrs. Rock said, “Yes”. Councilman Gardner wanted to know where the money was coming from for this. Mrs. Rock said she assumes from hospitality tax funds. Councilman Gardner said he’s fine with it and he assumes it brings people into our community, but can we actually prove this will bring people from 50 miles. Mrs. Rock said no one has ever challenged such a thing. She said any traffic from the By-Pass coming through town would definitely qualify for hospitality funds. **Councilman Milling made a motion to approve spending \$22,081 for Christmas decorations. Councilwoman Reed seconded the motion.** Councilman Gardner said we use to have music on the Square and he would like for us to add \$500.00 or however much it costs to bring the music back as well. **Councilman Bryant Gardner amended the motion to add audible Christmas music (at a cost of \$500 or however much it costs) to our Square again, starting at Thanksgiving and ending around Christmas/New Year’s. Councilman Milling seconded the motion. All approved the motion.**

**COUNCIL COMMENTS**

**Mayor Hines** wanted to thank everyone that had something to do with the lights downtown, the workers, the Pilot Club, the Garden Club and whomever else may have been responsible for making Darlington look good.

**Councilman Segars** read a statement he wrote: He said Darlington is a small town with a limited budget and we've been blessed to have quality department heads and employees dedicated to coming to work daily and taking pride in completing their responsibilities in a satisfactory manner. He said, "With all due respect Madam Mayor, this has changed. You brought a toxic atmosphere and element to the City Administrative workplace. You have bypassed department heads and interacted directly with first line employees. This contrary to our form of government. Department heads are constantly looking over their shoulder, morale is down, some have suffered health issues and some family lives have been affected. As these dedicated quality and experienced department heads seek other employment or retire, it will be increasingly difficult to hire quality replacements. The word is out about the working conditions at city Hall. We are better than this and can do better. I ask you to respect our employees and allow them to do their jobs that they were hired to do. Mayor Hines said, "I'm confused, I don't know what you're talking about". Councilman Segars said, "Yes you do, you know".

**Councilwoman Bruce** told Councilman Cannon it has been a pleasure working with him the last 2 ½ years. She wished the best for his future and know that he will be missed on Council and will continue to come around.

**Councilman Cannon** said he has been assigned to another task-he has been placed over 28 churches so he will have his hands full. Councilman Cannon thanked all of the City employees and everyone for allowing him to do this. He thanked each Councilmember, Mr. Garland and myself.

### **REMINDERS**

Friday December 22, 2017, Monday December 25, 2017 & Tuesday December 26, 2017 Christmas Holidays-All City Offices Closed;  
Monday, January 1, 2018 New Year's Day Holiday – All City Offices Closed;  
Tuesday, January 2, 2018 at 6:30 PM - Regular Monthly City Council Meeting

### **EXECUTIVE SESSION**

*Upon motion of Councilwoman Carolyn Bruce, seconded by Councilman Bryant Gardner to go into Executive Session at 8:21 PM to discuss (Economic Development-Genesis Health Care Building Improvements Corner Oak Street/Cashua Street; Police Department – Personnel Chief of Police. The City of Darlington may or may not vote after executive session.*

*I left the meeting right after this.*

Mr. Garland said there was no action taken after coming out of executive session.

**ADJOURNMENT**

*Upon motion of Councilwoman Carolyn Bruce, seconded by Councilman Segars, the meeting adjourned at 8:55 PM.*

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk & Treasurer