

**CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING – 7:00 PM
TUESDAY – JANUARY 3, 2017**

PRESENT AT MEETING:

Mayor Gloria Hines, City Manager, Mr. Howard Garland and Councilpersons: John Segars, Carolyn Bruce, Bryant Gardner, Ms. Elaine Reed and John Milling. Also present: Mrs. Lisa Rock, Fire Chief Pat Cavanaugh, Ms. Jannie Lathan, City Attorney Kevin Etheridge, Ms. Sheila Baccus, Mrs. Betty Jackson, Police Chief Danny Watson, Building Inspector Mr. Alex Gainey, Mr. Lee Andrews, Mr. Freddie Kinsaul, Mr. Norm Steadman, Mr. Lawrence Outerbridge, Mr. James Brunson, Mr. Mike Sprott, Mr. Roger Gore, Mr. Robert Thomas, Mr. Reginald Bruce and other visitors.

NEWS REPORTERS

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

PRAYER

Councilman John Milling did the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Upon motion of Councilman Bryant Gardner, seconded by Councilman Councilwoman Carolyn Bruce, to approve the minutes of the regular City Council meeting on Tuesday, December, 2016 which unanimously carried.

AGENDA CHANGE

Councilman Bryant Gardner made a motion to move Item 8G to 5C, which was seconded by Councilwoman Elaine Reed. All approved the motion.

APPROVAL OF MEETING AGENDA

Upon motion of Councilwoman Elaine Reed, seconded by Councilwoman Carolyn Bruce, to approve the City Council Meeting Agenda, which unanimously carried.

REPORT OF STANDING COMMITTEES

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

Mrs. Rock showed everyone the DDRA's new website. She said this is their big project which will launch in February, 2017. She said an E-News Notification system will allow people to sign up for calendar additions and news by text or e-mail notification. She said members will be allowed to submit and have their news and sales through this system as well. Mrs. Rock said the DDRA has a slate of events scheduled for 2017 with several free concerts on March 17th, April 29th, June 9th, July 21st & September 1st. Their Annual Golf Tournament will be April 5th, The "Taste of Darlington" on April 13th; the Market on Darlington Square on the first Saturday in May through October, 2017. The Yam Jam Concert will be the second weekend in October; Scare on the Square will be the Thursday before Halloween; and the Shop Small Downtown Open House on the first Thursday in December. Mrs. Rock said DDRA has the Improvement Incentive Grant which is a 50/50 matching reimbursement grant allows businesses to make improvements to their facades such as painting or repairs or to install new signage or awnings. She said the DDRA had the Shop Darlington Contest to encourage people to shop in town between Thanksgiving & Christmas and the winners will be called this week and you will be able to see the winners in the News & Press in the next week or two.

**B) GREATER DARLINGTON CHAMBER OF COMMERCE –MR.
NORMAN STEADMAN**

Mr. Steadman said he is grateful for Manheim Darlington because the Chamber has a fresh coat of paint on their office walls courtesy of Manheim Darlington. Mr. Steadman said the Chamber Awards Banquet will be February 9, 2017 from 6:30 to 9:00 PM. He said nominations for the awards are open until January 8, 2017 in the following categories: Lifetime Achievement, Citizen of the Year, Community Pride, Educator of the Year, Future Business Leader and Small Business of the Year. Mr. Steadman said the Chamber will have a Legislative Breakfast, date to be announced soon; Freedom Fest on July 1, 2017 and the "Toast of Darlington on October 5, 2017.

KEY TO THE CITY – MAYOR GLORIA HINES

Mayor Hines present Mr. Ray Early with a "Key to the City" for his accomplishments in football. Mayor Hines said this was brought to her attention by Councilman Bryant Gardner.

CITIZENS WISHING TO SPEAK BEFORE COUNCIL

Mr. Lawrence Outerbridge said there are nine railroad crossings in town and they are all in bad shape. He said the tracks on S. Main Street, Chalmers Street, Chestnut Street, Broad Street and all the way out to W. McIver are really bad and in the 50 plus years he has been living in Darlington and this is the worst he's seen them. He asked if anything can be done. Mayor Hines told Mr. Outerbridge that this has been reported before, but the City has no control over the railroad, but Mr. Garland will write the company. Mr. Garland said two railroad companies are responsible Wyoming & Genesee and CSX. He said we will certainly make inquiries and also ask DOT to chime in as well and provide some support with this.

Mr. Chuck McNeil – PDRTA

Mr. McNeil passed out a brochure to Council of the new route in Darlington. It shows the bus route with every stop at the different landmarks. The brochure also includes departure times for each location and the arrival time back to Bi-Lo. The new system map features the Florence Transit system, but it includes everything about the service they operate in Darlington as well. He said 5,000 brochures were printed and they are being distributed throughout the Florence and Darlington area. He said it gives people information about how to ride the bus from Florence to Darlington using the commuter bus that connects downtown with Florence-Darlington TECH three times every weekday. Mr. McNeil said Florence-Darlington TECH and PDRTA did partner and they are trying to enhance their educational programs with some of their satellite campuses. He said they started with Lake City and they want PDRTA to start commuter service twice a week from the Lake City campus of TECH to Florence to allow students from there to get access directly with the Professors. Mr. McNeil said Florene-Darlington TECH has indicated that they want to pursue doing this as well with the Hartsville campus as well as their Mullins campus.

Mr. Roger Gore – Codes Inspector

Mr. Roger Gore said in order for the City to move forward, we should have a Code Inspector and wants to know what is the status of obtaining for employment a Codes Inspector for the City of Darlington. Mr. Garland said the Codes Inspector is sitting in the back of the room and his name is Alex Gainey. Mr. Gore said thank you.

UNFINISHED BUSINESS

A) Grievance Committee Report – Mr. Howard Garland

Mr. Garland gave Council a list of Grievance Committee Members. He said at present, we have seven members that have agreed to serve and their terms of office are staggered. Mr. Garland said he plans to ask two more employees to serve once they get back from vacation.

B) Green Bulb Lighting – Mr. Michael McClain

Mayor Hines said they were not sure if Council voted for Green Bulb Lighting to install new LED lighting, so she asked Mr. Garland to get the minutes from the June, 2015 meeting and in that meeting the motion was made by Mr. Cannon and seconded by Mayor Hines to allow Green Bulb in install the LED in the City buildings. Mayor Hines said since this has already been voted on, we don't have to vote again. Mr. Garland said we will carry this out this calendar year. He said he was on the phone with Mr. McClain this afternoon to arrange for this company to come back later this month. Mr. Millings said based upon the dollar amount, while we may have made a commitment based on a 2015 action, we're going to be giving second reading to our bid requirements and this was not bid out. He said anything that requires an expenditure over \$5,000 needs to be bid out so in the future he would request that we pay careful attention to how they take action. Mayor Hines asked Mr. Garland if there was more than one company that approached us about doing a lighting project and Mr. Garland said Green Bulb was the only one at the time. Mr. Garland said if we have any money left over once we repair our roofs and do some work with the HVAC in this building, we will put that money toward this project so we can get it paid off sooner.

NEW BUSINESS

A) FIRST READING ON ORDINANCE 2017-01 ECONOMIC DEVELOPMENT INCENTIVES- MRS. LISA ROCK

Mrs. Rock included a 14-page proposed ordinance in the Council packets. Mrs. Rock said changes were made as per council's request and added some language. She said a suggested change was made in the discount for building permit fees based on job numbers and investment amount from \$150,000 & \$300,000 to \$500,000 & \$1,000,000. Mrs.

Rock said this is the only portion of the incentive package that specifically mentions the amount of capital investment; everything else is job space. Mrs. Rock said the Planning Commission thought \$150,000 & \$300,000 would be sufficient, but Codes Enforcement feels it should be higher and she agrees. She said \$500,000 - \$1,000,000 was the base number for most of the municipalities that she looked at. Mrs. Rock suggested we go up to \$500,000-\$1,000,000, but she can change this back if Council wants to leave it as \$150,000-\$300,000. She said also included in the language is the requirement that the contractor obtains a business license. Mr. Milling wanted to know if there would be language that provides the contractor would pay everything up front and later get a refund. Mrs. Rock said, "Yes". She said the next thing they can get an incentive for is Hospitality Tax- if they were creating 20 jobs or more they would get a 50% discount for a year and if it's 50 jobs or more they would get 100% of the money back for a year. She said this would apply for a new restaurant or a hotel that had a small restaurant. Accommodation Tax – a discount of 50% of accommodations taxes collected if you create 20 or more jobs for one year or 50 or more jobs would be 100% of accommodations taxes for three years. Business license fees – 20 jobs would be over a 3-year period from 100% decreasing a third each year. For a business that creates 50 jobs or more a discount over a 5-year period from 100% to a 20% discount in year five. Mrs. Rock said most ordinances that she researched had their incentive area designated to say where these businesses were located so she chose to insert language to specify zoning districts that are commercial or industrial. Mrs. Rock went over other language that was added to the ordinance and eligibility requirements. Mrs. Rock said to meet the job creation threshold adding a credit of five jobs for every executive that is required to live within the City Limits and to make that assurance we would be requiring them to have a written and dated policy to turn in for the initial first year incentive to get the reimbursement and every year after they have to provide proof of residency. Councilman Milling asked if this was patterned after some other municipality. Mrs. Rock said she could not find one that had this in it. Councilman Milling said he is not sure any industry or employer can require an executive to live in any location. Mrs. Rock said she has seen it done from the industry standpoint, requiring people to live in particular cities. Mr. Garland said maybe we can make an effort as a staff, when someone new moves in, to show them around. Mrs. Rock said if the incentive package passes, the business owner would come to her or the City Manager and work out the details and present the agreement package to Council and they will have to approve the package with first and second readings. She

said there would be no construction until this process is complete. Each July the contractor will be required to apply for reimbursement. Mrs. Rock said for multi-year incentives, such as business license fees, hospitality taxes and accommodations taxes, each year in July they must send a request and if it's not received by July 31st, they forfeit getting their incentive. She said no incentives will be disbursed unless they have a certificate of occupancy and a business license. She said if a company reduces their work force by 20 or more jobs or leave the City within five years of getting these incentives, they will get a bill from us; and if possible, this could be assessed to the property. Mrs. Rock told Council all of these changes were made as per their request. She said the City Council will have final approval on all incentive agreements. She said multiple incentives are available if it applies to them. Mrs. Rock said she wanted to make sure we referenced in our ordinance The Abandoned Buildings Act, the Textile Revitalization Act, the Retail Revitalization Act, and the Property Tax Credit that's available for installation of fire sprinkler systems. She said there's language in the ordinance that says Council may approve other incentives at its discretion on a case-by-case basis. This covers us for the Façade Grant. Mrs. Rock said the Planning Commission will meet on January 17th to draft the guidelines for the Façade Improvement Grant and once they have written it, it will be brought to Council. She said the Board that will approve the Façade Grant will consist of a member of Council, a member of the Planning Department, the City Manager, a member of Codes Enforcement and a member of the Beautification Board. This will be a 50/50 grant match up to \$5,000 for new and existing businesses. Councilman Milling asked if any thought was given yet about how we're going to book this on our ledger so that we don't spend the money that we may have to give back. He said he wants to make sure we have checks and balances in place. Mr. Garland said we can do a pre-questionnaire for businesses and if they anticipate doing this, then we can set this money aside. Mayor Hines asked if we can put the money into a separate fund. Mr. Garland said we'll just put this in an account until time passes. Councilman Gardner asked a question about Section 22-104(B) (Incentive to the City). He said the numbers listed in that section seem a little high to him. He said he thinks the number of jobs need to be reduced to 50 and 100. Mr. Garland said the only industry or retail that had these type jobs was the new Wal-Mart, Georgia Pacific and the Oil Mill. He said something else we need to think about is Georgia Pacific adds a lot of equipment but not any changes to the building. Councilman Gardner said wouldn't that be covered under there. Mrs. Rock said it would be covered under building permits fees. Mr. Garland said it might be related to jobs,

because he was thinking about equipment that was brought in from another location. Mrs. Rock told Council they can change any of these numbers that they want to. Mr. Garland told Council they have control over all of this and they have the final say so as to whether we move forward with any of this. Mrs. Rock said she has gotten positive feedback on this initiative. She said she met with the Director of SIMT Incubator and given her some of this information. Mrs. Rock said this is a promising relationship they are working on. **Upon motion of Councilman Gardner, seconded by Councilwoman Reed, First Reading on Ordinance 2017-01 Economic Development Incentives, which unanimously carried.**

B) FIRST READING ON ORDINANCE 2017-02 PROCUREMENT POLICY UPDATE - MR. HOWARD GARLAND

Mr. Garland said this is an update for our Community Development Block Grant (CDBG) applications. He said if we don't pass this before the next time we apply for CDBG, they won't allow us to put in a grant application. **Upon motion of Councilman Bryant Gardner, seconded by Councilwoman Elaine Reed, First Reading on Ordinance 2017-02 Procurement Policy Update, which unanimously carried.**

C) FIRST READING ON ORDINANCE 2017-03 (MONTHLY COUNCIL MEETING TIME CHANGE FROM 7:00 pm TO 6:30 PM

Mayor Hines said at the last meeting Councilman Milling said he would like for us to have our council meetings at 6:30 PM rather than 7:00 PM and she said it would be on tonight's agenda for discussion. **Councilman Milling made a motion to approve First Reading on Ordinance 2017-03 moving our monthly council meeting from 7:00 PM to 6:30 PM. Councilwoman Elaine Reed, seconded the motion. All approved the motion.** (This will start with the March meeting).

D) HURRICANE MATTHEW FEMA REPORT – MS. JANNIE LATHAN

Ms. Lathan said they have submitted the Project Work Sheet (PWS) for Category A which deals solely with debris removal. The total amount that they are able to account for is \$77,913. She said this has been submitted and they are waiting for review and approval. Mr. Garland said it doesn't matter what they tell us or how many times they tell us "No", we are going to keep submitting just like we did last year. Mr. Garland said we submitted information five different times last year and we've already given them three sets of information this year. He said we will not take "No" for an answer.

Ms. Lathan thanked Mr. Garland, City Clerk/Treasurer and all departments because everyone has been diligent and worked to help assemble all information needed to substantiate the \$77,913. She said they will start work on Category B-Emergency Protective Measures which is everything the City has had to expend that is not directly related to debris removal. She said in the next several weeks FEMA will direct them with submittals for Categories E & G. Mayor Hines asked if FEMA will pay for any of our equipment, such as the cherry picker, that went down during the Hurricane. Ms. Lathan said they might and they may not. Fire Chief Cavanaugh said FEMA usually gives us a choice of applying for equipment repairs or we can apply for the hourly rate of the vehicle being used. He said they what they did was compare the two and took the greater of the two. Mr. Garland said we have an opportunity to apply for a Hazard Mitigation Grant to replace some of the equipment. Councilwoman Bruce asked how soon does she think we will receive an answer from FEMA on approval and what would be some of the things that would cause them to deny us. Ms. Lathan said in answer to question 2, a lack of proper documentation or if we cannot clearly demonstrate that the submittals were directly related to debris removal. In answer to her first question-shoe is not certain, but she is hopeful we will hear something back in the next couple of weeks. Councilwoman Reed wanted to know where the breakdown is with FEMA that they don't reimburse for it. Mr. Garland said FEMA is always changing personnel. He said nobody is full-time staff and once someone new comes in, we end up having to resubmit information over again because the information we previously submitted was misplaced or not given to the new person. Mr. Garland said we still haven't received checks from the flood of 2015.

FIRE TRUCK LOAN EXTENSION/PURCHASE – FIRE CHIEF PAT CAVANAUGH

Chief Cavanaugh said he has two thirty-year-old fire trucks (a 1984 & a 1986). He said he came across a deal where we can take the two trucks offline and purchase a brand-new fire truck. Chief Cavanaugh said ISO came in and told him he has one too many vehicles than they actually need and they are not getting credit for it. He said the upkeep and repairs for the older trucks is expensive. He said he found a 2016 Fire Truck with HME for a little over \$350,00. He said last year Hartsville brought the same truck for \$750,000. Chief Cavanaugh said he had two other comparisons for the same fire truck, one for \$400,000 and another for \$500,000. He said we have five more payments left on our current fire truck at \$37,000. He said we can take the amount we owe on this truck and roll it into the cost of the new fire truck

because the discount is so much. He said we will save approximately \$40,000 on interest over the next five years. He said his payments will increase approximately \$5,000 a year, but he has some things that he's working on to help generate revenue to offset the cost. Chief Cavanaugh told Council he has plans to present at next month's Council meeting, information about a Hazard Mitigation Reimbursement Company that will come in and help us recover some of these costs. He said if he can sell the two older fire trucks in the next 60 days, we will recover the \$5,000 extra we will have to pay. He said the payment for the current fire truck was due yesterday, but they can offset that payment until February. Chief Cavanaugh told Council he has the new truck downstairs in the fire station if they would like to see it. Chief Cavanaugh said getting this new fire truck should set him up for at least 15 years on major vehicles. Chief Cavanaugh said by getting rid of the two 30-year old vehicles will help our ISO Rating because they look at the age of the vehicle and they recommend that you don't use the vehicles after 30 years. Councilman Milling asked how long will the commitment be and Chief Cavanaugh said this is a 15-year loan at 3.99% interest. Councilwoman Bruce asked about the warranty on the fire truck. The owner of HME said there's a 5-year warranty on the engine, 5 years on the transmission, and 12 months on the entire truck. Councilman Milling asked if we have the \$40,000 plus dollars to make the first payment and the other money to make the second payment? The owner of HME said they tried to tie the payment with when we receive the cash. Mr. Garland said the old payment was in December so they said we could move the current payment to February we will make a payment for the new truck in July. **Upon motion of Councilman Bryant Gardner, seconded by Councilwoman Elaine Reed, to purchase the 2016 fire truck, which unanimously carried.**

BOARD COMMISSION APPOINTMENTS – MRS. LISA ROCK

Mrs. Rock said there are seats available on the Beautification Board, The Design Review Board has five seats available, Historic Landmark Commission has 2 alternate seats available, Williamson Park Commission has 2 alternate seats available and the Tree Board has 3 seats available. She told Council they have an application for board nominees that were included in their packets. Upon motion of Councilman Bryant Gardner to nominate Ms. Amy Weaver to serve on the Beautification Board. Councilman John Segars seconded the motion. All approved the motion. Mrs. Rock told Council if anyone is interested in serving on any of the boards, they can direct them to her and she will explain to them what the different boards do.

COUNCIL COMMENTS

Councilwoman Elaine Reed wanted to know if there's any update on the B.A. Gary Park and Recreation. Mr. Garland said within the last two weeks he met with Dr. Ingram, Superintendent and requested that we extend the lease on that property to 2040. Mr. Garland said Dr. Ingram seemed to be agreeable to this, but we will need to write a letter requesting this.

Councilman Gardner asked Mr. Garland if he and Dr. Ingram had a chance to talk about the 100' easement (between N. Main Street & Wells Street) . Mr. Garland said Dr. Ingram said he would talk to Jay James and get him to get with City Attorney, Mr. Kevin Etheridge. Councilman Gardner asked City Attorney, Kevin Etheridge to give Mr. James a call.

REMINDERS

Monday, January 16, 2017 – Dr. Martin Luther King Day-city Offices Closed;

Wednesday, February 1, 2017 – MASC Legislative Action Day, Columbia, SC;

Tuesday, 2017 at 7:00 PM -Regular Monthly City Council Meeting

ADJOURNMENT

Upon motion of Councilman John Segars, seconded by Councilman Bryant Gardner, the meeting adjourned at 8:30 PM.

Mayor

ATTEST:

Clerk & Treasurer