

**CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING AT 6:30 PM
TUESDAY – JUNE 4, 2019**

PRESENT AT MEETING:

Mayor Gloria Hines, Councilpersons: John Segars, Carolyn Bruce, Sheila Baccus, Bryant Gardner, Elaine Reed and John Milling. Also, present: City Manager, Mr. Howard Garland Mrs. Lisa Rock, City Attorney Kevin Etheridge, Police Chief Kelvin Washington, Building Official Alex Gainey, Mr. Kinsaul, Mrs. Betty Jackson, Ms. Jannie Lathan, Mrs. Rosena James, Mr. Steve Abbott, Mr. Curtis Boyd, Winifred & Brenda Harrington, Mr. Linwood Epps, Ms. Rita Buck, Mr. Will Isgett, Eva Mae Evans, Anna Dewitt, Ernest Boston and other visitors.

NEWS REPORTERS

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Upon motion of Councilman John Milling, Seconded by Councilwoman Elaine Reed to approve the *Minutes of May 7, 2019*. All approved the motion. Upon motion of Councilwoman Carolyn Bruce, seconded by Councilwoman Elaine Reed to approve *the Minutes of May 9, 2019*. All approved the motion. Upon motion of Councilwoman Sheila Baccus, seconded by Councilwoman Carolyn Bruce, to approve the *Minutes of May 16, 2019*. All approved the motion.

APPROVAL OF MEETING AGENDA

Councilwoman Elaine Reed made a motion to approve the meeting agenda for June 4, 2019. The motion was seconded by Councilwoman Carolyn Bruce. All approved the motion.

REPORT OF STANDING COMMITTEES

A) DARLINGTON DOWNTOWN REVITALIZATION ASSOCIATION – MRS. LISA ROCK

Mrs. Rock said The DDRA’s “Bringing Downtown Alive” Concert series will kick-off Thursday, June 27, 2019, from 7:00 PM – 10:00 PM with Radio Vibe performing, Darlington Cruisers Car show, vendors and more. Mrs. Rock said the evening is sponsored by Pepsi, Wilson Senior Care and Cumulus Broadcasting Radio Station. She said they will be tweaking a few things this month such as moving the band to the street and they will be providing free Pepsi and water to those who attend. She said they still have spots available for vendors and sponsors who make these events possible. She said these events continue the fourth Thursday of the month through September except during Race Week when it will be on a Friday night. Mrs. Rock said businesses, individuals, civic groups and churches are invited to join the DDRA as members. Mrs. Rock said members can give them a call or send them an email info at buildupdarlington.org and they will feature their news, employee recognitions, sales, new products, special hours and other events with people interested in Darlington as well as TV stations, Radio stations, and newspapers through their text and email news alert. She said membership is \$150 for most businesses; \$100 for civic groups, churches and nonprofits and \$50 for individuals. The application can be downloaded at buildupdarlington.org or just send her an email and she will get it to them or give her a call. Mrs. Rock said the monthly Breakfast is at 8:00 AM, Wednesday, June 26, 2019 at Takis Diner. She said the breakfast is free for members and \$5.00 for others to go toward the meal.

B) GREATER DARLINGTON CHAMBER OF COMMERCE – MRS. ANNA DEWITT

Mrs. Anna Dewitt said Ms. Harriett Hobbs could not be at the meeting, so Ms. Dewitt gave the report for her. Mrs. Dewitt said the Carolina Brotherhood is a group of first responders from South Carolina & North Carolina that will do a 600-mile bike ride through South Carolina in memory of the fallen first responders and two canine officers that lost their lives in 2017. Ms. DeWitt said they will be riding through our city on June 27th at lunchtime. She said the City of Darlington and first responders must welcome these courageous riders with signs and flags. She said Curtis Boyd will generously volunteer to feed the bike riders at Fitness World Gym located at 1032 Pearl Street. She said the riders will get to our city at approximately 12 noon on the 27th and will be fed and get some rest. Darlington Raceway has invited them to take a lap around “the Lady in Black” and take pictures. Ms. DeWitt said if you would like to volunteer

your time or food items, please call Ms. Harriett Hobbs at the Chamber of Commerce. Freedom Fest will be June 29, 2019 from 5:00 -10:00 PM at the Darlington Raceway. They will have live music, food and merchandise for sale and amusement rides & bouncy houses for the children. Ms. DeWitt said the cost of admission is free; however, this year parking will cost \$1.00 per car. The evening will end with a great firework show.

ANYONE WISHING TO APPEAR

None

UNFINISHED BUSINESS

A) SECOND READING ORDINANCE 2019-09 DUKE ENERGY QUARTERLY FRANCHISE FEE

Councilman Bryant Gardner made a motion to approve Second Reading on Ordinance 2019-09 Duke Energy Quarterly Franchise Fee. Councilwoman Carolyn Bruce seconded the motion. All approved the motion.

B) SECOND READING ON ORDINANCE 2019-10 (101 EXCHANGE STREET)

Councilwoman Elaine Reed made a motion to approve Second Reading of Ordinance 2019-10 - 101 Exchange Street. Councilman Bryant Gardner seconded the motion. All approved the motion except Councilman Milling, who abstained due to a potential conflict of interest.

NEW BUSINESS

A) MR. WILL ISGETT – MISS DARLINGTON USA PAGEANT

Mr. Isgett said he has taken on a new since being out for one year after having brain surgery which is the Miss USA/Miss Universe organization. Mr. Isgett said he hopes to be able to start it here in Darlington on the local level. He said he has worked with Miss South Carolina and Miss America organization about 20 years as a volunteer, but now he has gone into the Miss USA/Miss Universe. He said he is hoping to be able to start here in Darlington. Mr. Isgett said he has assembled a team called Team ELITE which is comprised of business owners and people from Darlington and Florence. He said, “What we’ll do for you is: 1) Hold the pageant on August 17th at Trinity Burnes Collegiate School; 2) Promote and raise all the funds for the event; 3) Recruit all contestants; 4) Obtain qualified judges, house

and provide them meals; 5) Conduct the interviews at Darlington Raceway Museum and provide a first class production; 6) Provide the queens with the opportunity to appear at many events throughout the year in the City of Darlington and throughout the State of South Carolina promoting our great City; 7) Be solely responsible for preparing the winners for the Miss SC USA & Miss SC Teen USA Pageant. Mr. Isgett said what they want the Mayor and City Council to do is: 1) For Mayor Hines to be present and give the welcome and help crown the new queens; 2) Asking for all City Council and City Admin to be present with free admission provided to all city employees; Asking for the City of Darlington to provide Team ELITE with \$1,000 to help support the pageant.

B) ALLISION CARRAWAY – D AVENUE/SOUTH MAIN STREET PARK

Mr. Curtis Boyd & Mr. Daniel Blathers appeared before Council for Mrs. Allison Carraway because he said she was unable to be there. Mayor Hines asked Council what they thought about Mr. Boyd standing in for Mrs. Carraway since he wasn't on the agenda. Councilman Milling said he had no objection to Ms. Carraway's son and Curtis being speaking and hearing what they have to say. Mr. Boyd had drawings of the memorial park. He said they asked last month if Council would in be interested in supporting the memorial park on D Avenue. Councilman Milling asked Mr. Boyd if they have the 501c 3 and Mr. Boyd said, "Yes Sir, she got everything approved". Councilwoman Bruce said at the last meeting there was a concern about Ms. Carraway having her 501 c 3 designation and Curtis said she has that. Councilman Gardner said we can always vote to approve it without the 501 3 c. Mayor Hines said we'll take it for information tonight. Councilman Milling said, "Lisa previously advised us that it meets all of the City's plans". Mrs. Lisa Rock said, "Yes". Councilwoman Bruce asked Mrs. Rock if everything was in compliance and she said, "Yes". Councilman Gardner said, "We've never asked to see a person's 501 c 3, we've just taken it at face value that they had one and wrote them a check". Mr. Garland said, "We've asked for that before". Councilwoman Baccus said she remembers certain times we've asked people to bring them, so we can see it. Mayor Hines said, "we'll take it for information tonight and Mr. Garland will have to tell us what we have in the account". Councilman Milling said, "Would there be any problem about once the 501 c 3 certificate comes in, having Mrs. Carraway email it or bring it by Mr. Garland's office so it will be available if anybody wants to view it"? Mr. Garland said he will make a copy of it and give it to everybody. Councilman Gardner said,

“Historically, I’ve never had a 501 c 3 certificate presented to me at a council meeting. Councilman Gardner said, “We’ve had this on the agenda two times now and if it’s alright we can go ahead and vote on the subject matter if we won’t to give them the funds and then she can present the 501c 3 to Mr. Garland and he can approve it and cut the check.” Mr. Garland said, “Whatever amount Council approve, if they vote to approve it”.

Councilman Gardner said he would like to make a motion to approve a \$5,000 donation. Mayor Hines asked if we have the money? Mr. Garland told Council what was recently given to the Cotton Mill, Freedom Fest and the Veteran’s Memorial. Councilman Gardner said, “We have \$300,000 plus dollars coming in to hospitality tax money, so we have enough to approve \$5,000”. Mr. Garland said, “With our next budget we’re going back to the way we did things in 2017 where each councilmember had control over some funds (\$500.00) and if they wanted to give money to an organization, they could”. He said this will start with the new budget July 1st. Councilwoman Reed said, “Because we’ve had, and we have not discussed that since we have had a little bit of opposition, but to vote on it without all of the things that was in question, let’s see that and then go back”. Councilwoman Reed said, “It won’t be that we have to wait to the next meeting because we have meetings all the time”. Mr. Curtis Boyd said, “Ms. Reed, you’re the one that asked me to come”. Councilwoman Reed said, “Yes, that’s what I’m just acknowledging and I’m acknowledging as I am saying tonight I am one that like things to be done and I have to pay attention to, particularly those that I represent, and we have not dealt with it”. Councilwoman Reed said, I want all of the information and since there’s been some opposition I want to see if that address it as what you said that you would, and I haven’t seen that yet along with the 501 c 3”. Mr. Boyd said the opposition was the basketball court. Councilwoman Bruce said, “There were two things that we asked and #1- the basketball court and that’s fenced in”. Councilwoman Bruce said, “The question was asked tonight if the specs meet all of the city ordinances and according to Lisa, it does”. Mrs. Rock said, “A public park, which is the majority primary use based on the fact that 75% of the property is just a public park; that is allowed in the GC (General Commercial) District”. Councilwoman Bruce asked, “So those two things have been met”? Mrs. Rock said, “Yes”. Councilwoman Bruce said, “The last thing mentioned was about the 501 c 3 license. You said she was in the process of getting it all approved”. According to Mr. Blathers and Mr. Boyd those things have been approved. Councilwoman Bruce said, “I along with Councilman Gardner have never seen an organization present us a 501 c 3 license. She said we can table it with the intentions of getting

the license, but if the license is not there then everything is voided rather than having them come back and forth. Councilwoman Reed said, “You keep saying now that it’s a public park, it was a memorial and that’s the mindset”. Councilwoman Reed said, “For this to happen, it seems like there’s a lot of changes that has to be made and that’s why I am where I am”. She said, “As you’re saying, it’s a memorial to Terrance Carraway and that was a little different because the community does not want the basketball court there.” She said that was the opposition she got. Councilman Milling said, “We don’t have a right to tell somebody what they can do as long as they are in compliance and we’ve already been told that by Mrs. Rock”. Councilwoman Reed said, “So we’re going to ignore the 200 people on the list in that neighborhood who did not want the basketball court”? Councilwoman Reed said, “It was not in opposition to the memorial.” Councilman Baccus said, “Those citizens have to live in that neighborhood and deal with the noise of the basketball court and the traffic of it”. She said, “It’s in their backyard, and not your backyard”. Councilman Milling said, “What is our basis for ignoring an application that meets the terms of our ordinance”? Councilwoman Baccus said, “We’re not ignoring it”. Councilman Milling said, “All we’re deciding on is to fund it for some dollar amount or whether we’re not going to fund it”. He said, “They have a right to solicit private funds to utilize that property for that purpose, so either the city funds it or they don’t. Councilman Milling said we don’t have any other issues. Councilwoman Reed said, “The issue came when there was opposition”. Councilwoman Baccus said, “There was an issue when the citizens objected to the basketball court”. Councilman Milling said, “If you have a legal basis for ignoring an application that’s proper...He said we either vote to fund the money or we vote not to fund the money and we don’t stop the project”. Mayor Hines called to question. Councilwoman Baccus said, “We’re just having an opinion”. Mr. Daniel Blathers said this is not a recreation park, it is a memorial park that happens to have a small basketball court. Councilwoman Reed said, “We just opened the basketball court on Southern Pine Street and I’ve already had three complaint calls, so I’m just bringing these issues to you because that’s what I’m receiving from the residents.” Councilwoman Reed said, “I cannot in good representation as an elected city council, ignore what 200 names signed on the petition that Mrs. Jackson brought, say they would not like the basketball court, not the memorial”. She said, “For that to exist over there it’s now a public park”. Mrs. Lisa Rock clarified why she used the term “public park”. Mrs. Rock said what our zoning codes listed in the ordinance, the closest thing to a memorial park was a public park. She said

memorial park was not specifically listed, so the closest thing to it, based on the NAICS, was the public park. She said the basketball court is the secondary use. Mr. Curtis Boyd said he and Allison came up with ideas for the memorial. He said his first thought was to have a full court, but which would attract big guys coming in to play, but this is a quarter court in a fenced in area on the back corner of the property”. He said they have a court on the other side of town and thought this would be good for the children on this side of town. Mr. Boyd said the only reason for putting the court there is because Terrance loved working with kids so that was their full purpose and thought behind it. He said their goal is to make something beautiful for Darlington. He said he had not intended to come and ask the City for any money, but Councilwoman Elaine Reed suggested that he do so”. Councilwoman Bruce said, “From the Mayor and The City’s standpoint; those 200 names that Mrs. Jackson provided, (because those folks don’t come to the meeting), but in order to put their minds at ease, maybe have a meeting on the property and invite those folks in that community to come and talk with him and that might settle all of this”. Mr. Boyd didn’t have a problem with doing this. Mayor Hines asked, “Can we do this on contingency after you meet with the citizens, that if there’s any money to donate, we do it after that”? **Councilman Gardner made a motion to approve \$5,000 for the purposes of the Terrance Carraway Memorial contingent on them producing the 501 c 3 to Howard Garland”. Councilwoman Elaine Reed seconded the motion. All approved the motion.**

C) MAYOR HINES – RECOGNITION CEREMONY

Mayor Hines said about a month or so ago a mother called her and asked what she could do in recognizing her son who had been accepted into the Air Force Academy. Mayor Hines said this young man has done well for getting into the Air Force. She said he has worked with the Eagle Scouts and he has received letters of recognition from Tim Scott, Lindsey Graham, Henry McMaster and a couple more dignitaries. Mayor Hines presented a small “Key to the City” to Mr. Ernest B. Buck, III for his accomplishments and for being accepted into the Air Force Academy.

D) FIRST READING ON ORDINANCE 2019-11 – BUSINESS LICENSE FEE

Upon motion of Councilman Milling, seconded by Councilwoman Elaine Reed, First Reading on Ordinance 2019-11 -Business License Fee, which unanimously carried.

**E) FIRST READING ON ORDINANCE 2019-12 – TAX LEVY
(134.6125 MILS)**

Mr. Garland said this is the increase that Council talked about during the budget work session. He said the consumer price index is 2.44% this year. He said our current millage is 131.4125; the millage increase is 3.2; a mill in the city of Darlington is worth \$17,929 so if you wanted to raise this just for paving the streets, you could raise 3.2 mils and it would bring in over \$57,000 with all of the money going to pave city owned streets. He gave Council a list of City-owned streets that need to be paved and categorized in A, B, C order with “A” being the most critical. Mr. Garland said most of the streets are owned by SCDOT, but there are 43 that the City owns part of or all of. He said what he would propose to do if they vote on the millage increase is all of the streets that are categorized with “A”, they will get bids on it and bring it back to Council and let them decide what will be paved. Mr. Garland said based on the size of our streets, we will be able to pave 3 or 3 1/2 streets with \$57,000. Mr. Garland said the owner of a home valued at \$100,000 would pay approximately \$13.00 more a year on their property taxes. He told Council if they don’t want to do it, that’s fine, but he will have to readjust the budget. Mr. Garland told Council this is something that they brought to him and he was answering some of their questions that were raised during budget work sessions. Mr. Garland said we still have to have First Reading on budget and what they would have to do is amend the ordinance and go back to the current millage rate which is 131.4125.

Councilwoman Reed made a motion to approve First Reading on Ordinance 2019-12 Tax Levy (134.6125 mils). There was no second.

Councilman Milling asked if could have a First Reading of 134.6125 mils and if they change their minds by the time we have second reading change it to 131.4125. Mr. Garland told Councilman Milling they can’t do that. It has to be the same across the board. He said if they don’t have first reading tonight, then we have to have first reading at a later date and you have to wait at least 15 days before your second reading. Mr. Garland said we’ll go past July 1st without a budget. He told Councilman Milling they can vote to amend the agenda if 5 of 7 of them vote to amend it. **Councilman John Milling made a motion to amend our agenda. There was no second.**

Councilwoman Elaine Reed asked for clarification on exactly what impact the increase would have on the budget. Council discussed among themselves whether they should or should not approve the millage increase in order to pave city streets. **Councilwoman Elaine Reed made a motion to approve First Reading on Ordinance 2019-12 -Tax Levy (134.6125**

mils). Councilwoman Carolyn Bruce seconded the motion. All approved the motion.

F) FIRST READING ON ORDINANCE 2019-13 – TAX ANTICIPATION NOTE

Upon motion of Councilman John Milling, seconded by Councilwoman Carolyn Bruce, First Reading on Ordinance 2019-13, which was unanimously approved.

G) FIRST READING ON ORDINANCE 2019-14 – WATER/SEWER FEE INCREASE

Mr. Garland said during budget work sessions last year Council voted to increase the water and sewer rates 3% each year for five years.

Upon motion of Councilwoman Elaine Reed, seconded by Councilwoman Carolyn Bruce, First Reading on Ordinance 2019-14 (Water & Sewer Fee Increase). Mr. Kinsaul said water and sewer will increase six cents. All approved the motion.

H) FIRST READING ON ORDINANCE 2019-15 SANITATION FEE INCREASE

Mr. Garland said the sanitation fee will increase from \$21.50 to \$22.50.

Upon motion of Councilwoman Carolyn Bruce, seconded by Councilwoman Elaine Reed to approve First Reading on Ordinance 2019-15 Sanitation Fee Increase, which unanimously carried.

I) FIRST READING ON ORDINANCE 2019-16 (2019-2020 BUDGET APPROVAL)

Mr. Garland said we have to have a Public Hearing at the Second Reading. Mr. Garland said the earliest we can have the meeting is June 19th. Upon motion of Councilwoman Reed, seconded by Councilman Gardner, First Reading on Ordinance 2019-16 (2019-2020 Budget), which unanimously carried.

J) BOARDS/COMMISSION APPOINTMENTS MUNICIPAL JUDGE

Mrs. Rock said there are several boards that have terms expiring and need to be filled. She said staff recommends that Mr. Steve Abbott be appointed to the Historic Landmarks Commission for another term. Upon motion of Councilman Bryant Gardner, seconded by Councilman Milling, to reappoint Mr. Steve Abbott to the Historic Landmarks Commission for

another term, which unanimously carried. Upon motion of Councilman Bryant Gardner, seconded by Councilwoman Carolyn Bruce to reappoint Ms. Rosanne Brasington to the Historic Landmarks Commission for another term, which unanimously carried.

Mrs. Rock said the Board of Zoning Appeals has two seats available. **Upon motion of Councilwoman Carolyn Bruce, seconded by Councilman Bryant Gardner to reappoint Mr. Parker Howle to the Board of Zoning Appeals for another term, which unanimously carried. Upon motion of Councilwoman Elaine Reed, seconded by Councilman Bryant Gardner, to reappoint Mr. Calvin King to the Board of Zoning Appeals for another term, which unanimously carried.** Mrs. Rock said there is still a vacant seat on the Board of Zoning Appeals. Mrs. Rock said there are several terms that are expiring on the Planning Commission that needs to be filled. She said staff recommends reappointing Mr. Francis Parnell, Ms. Rosalind Baokye and Mrs. Lou Kirchen. **Upon motion of Councilman Gardner, seconded by Councilwoman Elaine Reed, to reappoint Mr. Francis Parnell to the Planning Commission to another term, which unanimously carried. Upon motion of Councilwoman Elaine Reed, seconded by Councilwoman Sheila Baccus, to reappoint Ms. Rosalind Boakye be reappointed for another term to the Planning Commission, which unanimously carried. Upon motion of Councilman Bryant Gardner, seconded by Councilwoman Elaine Reed, to reappoint Mrs. Lou Kirchen to the Planning Commission for another term, which unanimously carried.** Mrs. Rock said there are still two seats open in the Planning Commission.

MUNICIPAL JUDGE

Councilman John Milling made a motion that Judge Robert Stucks be reappointed for another two-year term for the City of Darlington. Councilwoman Carolyn Bruce seconded the motion. All approved the motion.

REMINDERS

Tuesday July 2, 2019 at 6:30 PM - Regular Monthly Meeting Darlington City Council

Mayor Hines said we need to go into executive session to discuss recreation: Purchase of Property for ballfields, Political Sign Ordinance) The City of Darlington May or May not vote after Executive Session.

EXECUTIVE SESSION

Upon motion of Councilman Bryant Gardner, seconded by Councilwoman Elaine Reed to go into Executive Session at 7:40 PM to discuss recreation: Purchase of Property for ballfields, Political Sign Ordinance). The City of Darlington May or May not vote after Executive Session. All approved the motion.

(5 MINUTE BREAK)

EXECUTIVE SESSION ENDED

Councilman Bryant Gardner made a motion to go out of Executive Session at 8:48 PM, which was seconded by Councilman John Segars.

ADJOURNMENT

Upon motion of Councilman John Milling, seconded by Councilman John Segars, the meeting adjourned at 8:49 PM.

Mayor

ATTEST:

Clerk & Treasurer