

**CITY OF DARLINGTON
WORK SESSION
TUESDAY, SEPTEMBER 25, 2018 AT 6:00 PM**

The City of Darlington held a Work Session in the Old Council Chambers on Tuesday, September 25, 2018 at 6:00 PM. Present at the meeting: Mayor Gloria C. Hines, City Manager Howard Garland; Council Members: Mayor Pro-Tem Carolyn Bruce, John Segars, Elaine Reed, John Milling, Sheila Baccus and Bryant Gardner. Others in attendance included: Mrs. Lisa Rock, City Attorney Kevin Etheridge, Ms. Jannie Lathan, Ms. Anna DeWitt, Ms. Betty Jackson, and several other visitors.

Mayor Hines called the meeting to order at 6:00 PM.

EDA SEWER LIFT STATIONS GRANT APPLICATION – MR. GARLAND

Mr. Garland passed out a letter he received from Mr. Johnny Brown, Executive Director of the Pee Dee Regional COG certifying that they will write an EDA application for four sewer lift and pump stations at no charge to the City of Darlington. If a grant is awarded, the COG will administer the grant at a cost not to exceed \$25,000. Mr. Garland said he takes Mr. Brown at his word because he doesn't know him to be one that would go back on something he has agreed to. Mr. Garland said the application is for the Joe Louis Station, The Verizon/Alltel Station, the Old Treatment Plant Station and the Hampton Street Station behind Grove Hill Cemetery. Mayor Hines said that's only four stations, and asked Mr. Garland why not five? Mr. Garland said because Allen Street is not connected. Councilwoman Baccus asked Mr. Garland if they don't get this grant, where is that going to leave us? Mr. Garland said he prefers to be an optimist and say, "when we get this grant" and get these facilities fixed and that will put us in a much better situation than we are currently. Mr. Garland said any EDA application that he's been involved with has never failed. He said he's known Ms. Bonnie Ammons, the RIA Director for 20 years; he's known the EDA Director Ms. Robin Cooley for a dozen years and he will pull every string and use every trick he knows to get the grant done. Councilwoman Baccus said her question is, "if we don't get this grant still, where do we stand then? What are our options then of applying for a grant? Mr. Garland said it depends on the will of the Council when we have our budget workshops next Spring. Councilwoman Baccus said, "So it will be spring before we can apply again for a grant". Mr. Garland

said, "Yes Ma'am". Mayor Hines and Councilwoman Baccus asked if this would be in March and Mr. Garland said it would have to be RIA or CDBG. He said you can reapply for EDA, but EDA regular grants are 50/50, but the one we are applying for now is 80/20. Councilwoman Reed said some of the reasons for this grant, from what they were told, is the criteria for getting this grant which is based on the hurricane. Councilwoman Reed said right now Darlington doesn't look like they are getting much assistance from the hurricane because we haven't been declared a disaster. She said that's the concern that there may be some reasons that we don't get it because of the hurricane. Mr. Garland said he'll discuss item #4 – Hurricane Florence in a few minutes. Councilwoman Reed she was just saying the EDA grant was connected to the hurricane. Mayor Hines and Councilmembers said they don't think it has anything to do with the hurricane this is economic development. Councilwoman Reed said, "Yes it did". Councilman Gardner said it was a previous hurricane, that's why the money was available. Councilwoman Reed said it was a previous hurricane, she's not talking about this. She said that's what they said in the meeting and that's the reason for all of this. Mr. Garland said the COG brought this grant opportunity to us and we would not have known about it otherwise. Councilman Milling said, "We're in a position now where we're applying for this grant. All we can do is apply for the grant, hope for the best and do the best we can and deal with the outfall if it doesn't come our way". Councilwoman Bruce said I think her question is, in order for us to get this EDA grant that Darlington has to be declared a disaster area, is that what you're asking, and we have not been declared? Councilwoman Reed said, "But it's based on the past and it's Matthew". Ms. Rock said she was at the same meeting with Ms. Reed and Mr. Garland were at and they spoke with the COG representatives about it. Ms. Rock said the reason the EDA grant was opened so that it was not attached to jobs was related to Hurricane Matthew and we were declared a disaster during that time. Ms. Jannie Lathan said if you Google it, the EDA it's three specific Hurricanes that it applies for and it has to be during the year 2017. She said Hurricane Matthew is not one of them. Councilwoman Bruce said, "So someone at the COG presented you with an opportunity, Mr. Garland, for the City of Darlington to apply for an EDA grant that we don't qualify for"? "That makes no sense, why would they give you information that... seem like they would know that". Mr. Garland said, "I would trust the EDA Rep Robin Couley and I would trust the folks at the COG and what they told me". He said Ms. Robin Couley who's worked with EDA for the last dozen years and previously worked at the Central COG office in Columbia, she has never led him wrong. Councilwoman Reed said, "And they said that we would qualify".

Mr. Garland said they told us about the money, they said to put in for it, that we met the criteria. Councilwoman Reed said, “You keep saying like they told you specific, but that was the basis at the meeting, they told everybody that”. Ms. Rock said after the meeting they specifically met with us individually and talked with them about and said that we should put in for this because we will get this money. Councilwoman Reed said, “Ok that’s good enough for me”.

CITY MANAGER CONTRACT CONDITIONS

Councilwoman Reed said her concerns is that since they have already voted to extend the City Managers contract, she would like to be able to develop a job description. She said when they were discussing or trying to get set up for the work session, she threw out some things that she would like to see as far as the administration of the City. Councilwoman Reed said she would like for Council to consider an HR Department and they begin looking into that. She said she would like to see our Grievance Committee actually functioning. She said she knows Mr. Garland said it was established, but she wants to see it functioning. She said we need to have policies set up so that we can work through solutions. Councilwoman Reed said she would like to get a job description with all of Council’s input. Mayor Hines said she would like to see job descriptions because she thinks some people when they are hired do not have the qualifications for the job. Councilman Segars asked, “Are we still talking about the City Manager’s position”? Mayor Hines said, “Yes, about the City Manager’s contract conditions”. Councilwoman Baccus said she thinks we also need to get an engineer. Councilwoman Baccus said she and several councilmembers spent a lot of time during the storm looking for and finding catch basins. She said they nobody knew which ones had been serviced, hadn’t been serviced, where they’re running at and where the water running at. Councilwoman Baccus said nobody knows where the catch basins or where the drain lines are located or which way the water is running. She said we are paying Davis & Brown a fortune and we don’t even know where the water runs at. Councilwoman Baccus said Council people out walking in the water because we don’t know where the drain lines are. Mayor Hines said the vac truck is doing an excellent job. Mayor Hines said all of the catch basins in the City need to be mapped out, so we’re know where they are going. Councilman Segars said, “I think that was the intent when we brought the vac truck was to start servicing catch basins throughout the City, but we’ve only had the darn thing for what, a month”. “You can’t fix a hundred-year’s problem in 5 weeks”. He said the street department is aware of the situations you are talking about and as they can get to those areas, they’ll be working on

them and doing what they can for them. They can't do it overnight. Councilwoman Baccus said, "It has nothing to do with being overnight, the problem is, he doesn't even know which they are going". Councilman Segars said, they need to clean them out. Councilwoman Baccus said they cleaned Chestnut Street out, they cleaned Jessamine Street out and they still don't know which way the water is going. She said it rained again and water sat there in Chestnut Street again. They still have no idea of which way the water goes. Councilwoman Baccus said there should be a map. Councilman Milling said, "Yeah, but nobody has developed a map over the last fifty years, so what we're doing is we now have the equipment that can be utilized to work on these problems and I would think that a mapping for where we are would be something that we could compile". Councilman Milling asked Mr. Garland if we have certain mapping systems that we currently in place that we can begin to develop a city wide mapping system. Mr. Garland said we have a company called WTP who we use to map and do overlays for the Codes Department. He said the Fire Department use them as well. Mr. Garland said if you're going to hire an engineer, what about software. He said the software could just as expensive as an engineer. Mr. Garland said he talked with a local company who just hired someone out of Clemson and the starting salary was \$75,000 plus benefits and they don't even have their certification yet. Mayor Hines asked Mr. Garland if he checked Hartsville. Mr. Garland said Hartsville did have an engineer, but when they did away with their storm water program they fired him, and he went to work for another engineering firm. Mr. Garland said the thing that makes the most sense from a staffing standpoint, is if you're going to get somebody like that it has to be for a limited amount of time (3-5 years, no more). Mr. Garland said from his opinion it's not going to be an engineer that's going to do the physical work, it's going to be someone that's going to help with mapping and working with SC DOT. He said a lot of these are DOT roads. Mr. Garland said and if DOT is not going to fix not so much the catch basins, but how they drain on Chestnut and Jessamine, you're not going to get anywhere. Mayor Hines asked Mr. Garland if he's ever met with them about what's going on in the City to get with them to see what they can do. Mr. Garland said he's spoken with them at different times and they tried to get up with them during the hurricane, but all they did was play phone tag. Councilwoman Reed said several weeks ago she was talking with the construction crew for the southwest storm water project after they hit a water line and could not stop it. She said they didn't have a clue or anyone to guide them as to how to get across the street because they didn't have any drawings or anything. Councilwoman Reed said the construction crew told her they are drawing things out as they go along, and they will pass that information along,

but they didn't have anything to go by. Councilwoman Reed said they may have a different group working on other projects, so these things need to be coordinated. Councilwoman Reed said we need to go forward and do whatever we say and not sit back because evidently that's an extra critical part of the growth of Darlington if we get the mapping system worked out. Ms. Jannie Lathan said the point that Councilwoman Baccus raised is a great one. She said hiring an entry level or junior engineer especially a civil engineer is critical to where the City is at this particular point and time. Ms. Lathan said if you hire someone who's trained and disciplined and degreed as a civil engineer, they can do cost estimates for us. She said that skill set should be resident and inside. They can do on site construction inspections, they can help the City Manager in terms of managing the construction costs. They are also trained on mapping systems. Before they leave with a degree in civil engineering they know how to locate, map all our underground utility systems. Ms. Lathan said they are trained and disciplined in terms of how to come up with comprehensive maintenance plans. Ms. Lathan said if you take the storm drain, we should be starting from the lowest point and cleaning upward. If you start from the high point and clean downward, we're making the problem worse. Ms. Lathan said a degreed engineer would be trained in theory; they would know how to design storm water systems; sanitary sewer systems and they can work and help with the engineering firms that the City hires to make sure everything is properly bid and properly managed. Ms. Lathan said this is something that Council really should consider. Councilwoman Reed asked Mr. Garland if it is feasible to put what's being identified by the project they are working on now, to be put together with WTF? Mr. Garland said he doesn't know, he'll have to talk with Alex or Sheila about that. Councilman Gardner asked if our storm water master plan include all the stuff within the center of the City as far as our piping? Mr. Garland said he'll have to look at it; he said he's not going to sit there and say that it does because he doesn't have it in front of him. Mr. Garland said just as an example: He said every house on Shoshone Drive that was down the hill, flooded extensively. He said what do we do for that street, Hank Haynie Lane, Circle Drive and Oakview? Mr. Garland said a citizen called him Monday night and said a deputy said they needed to evacuate because the dam is going to overtop at Sonoco. He said we didn't know anything about it nor did we have a plan in place. Mr. Garland said Sonoco nor DOT has never met with us. He said after about six hours and meeting with Council three times that day, they finally figured out what would flow and what would not flow. He said that problem had never risen before, so it was for everybody sitting here tonight. Mr. Garland said they desperately need to meet with the County and the other municipalities to

work on better communication between these entities. He said Sonoco did not contact us at any time to let us know what was happening before, during or after this event. He said he didn't let the folks in the Palmetto Fire District know either. Mr. Garland said they had to do multiple boat rescues in that area. Councilwoman Reed said, "So when you say Sonoco need to, I mean, is that something they supposed to do"? "I mean, tell how Sonoco, the business, get to be the one to notify is about any weather condition"? Councilman Gardner said, "Because they own the dam". Councilwoman Bruce said, "Not the weather conditions, the dam. The possibility of the dam over topping". Councilwoman Reed said, I know about the dam, but they did let somebody know because that's how it got out". Mr. Garland said again that a citizen called him at home and told him a deputy said they needed to evacuate. Mr. Garland said he called Senator Malloy and he was the one that gave us the order and the directive to get up there. He said it wasn't the County Administrator or the Sheriff. Mr. said they told us the dam was going to overtop after midnight and that we might have a significant water event within the next 12-24 hours. Mr. Garland said he was told they went door to door in Hartsville and evacuated dozens of homes. Ms. Anna Dewitt said Sonoco has an emergency action plan online and it says exactly who they must notify and when they must notify. Mayor Hines said she's assuming if it started in Hartsville and stayed in Hartsville, they wouldn't have to notify us, but if it's coming over into Darlington, they should notify us. Councilman Gardner said all the other areas Mr. Garland mentioned are just like Jessamine and Chestnut Streets, they need to be cleaned out. He said once we get everything cleaned out we'll see what we're left with and then what we need to fix from there. Councilman Gardner said he thinks we have a general idea where our pipes are for the City on the hill but the other areas we really don't have any clue. He said you bring up valid points that I would agree with. He said we need to have a good perspective and good visual of what systems we have even if we do it by area. Councilwoman Reed said she want to get us a course of action for dealing with Sonoco and the dam. She asked if we can be added so we can be notified? Councilwoman Reed said, "By Mr. Garland bringing it up, it's like we need to do something with it; It's like we're slighted". Ms. Anna Dewitt said online information says that they are to notify the County Emergency Management and DHEC and then from there the County Emergency Management, it's their responsibility to notify us. Councilwoman Reed said, "So we might need to get up with the County". She told Mr. Garland she knows this is within his paygrade. Mr. Garland said what's within your paygrade is to go to your peers with the County and tell them about the issues during the hurricane; we want to meet with Council and

staff to go over what we do if something really bad happens. Councilwoman Baccus said, "So if we go to County Council and sit down and talk to County Council, and if you and the County Administrator are not on good speaking terms, that's not going to make him call you. Councilwoman Bruce said, "But that's beside the point because based on what their website says they are to contact two people-the County and DHEC. Councilwoman Bruce said if they contact the County and nobody from the County contacted us, that's the breakdown so regardless of what the relationship is, the County didn't do their part. Councilwoman Baccus said, "That's what I just said". Councilman Segars said that's what Howard and Chief Washington tried to tell them in the meeting. (Council is talking at the same time) Councilman Milling asked Mr. Garland to write a letter to the County Administrator (Copy County Council as well as City Council and Mayor Pennington) and say we would like to have a meeting where we can work out some of the issues that came to light during this last event so everybody will be in a position to move forward in the future should unfortunately such an event occurs again. Councilman Milling said just try to get something set up and as many of Council that can attend, will attend. He said they can beat this around here, but until they actually sit down, and everybody has a chance to say what needs to be said about getting in touch with us nothing will be accomplished. Mayor Hines said she feel that they need to come together with the County because this is a serious issue. Mayor Hines said, "When something happens like this, personal things need to be set aside and whatever it is that's going on as to the reason why we couldn't come together, it needs to be set rectified". Councilman Segars said he don't know if it's a personality problem or not. He said this is an issue that Sonoco said they had never in their wildest dreams ever thought of losing that dam over there". Councilman Segars said, "So, this is new ground we're on and this is a good learning experience and we dodged the bullet this time". Mayor Hines said, "I said if there was anything personal". She said regardless of what happened we needed to come together on this; everybody needed to be notified because they know that water that left Hartsville had to come to Darlington. Councilman Segars said Charles was probably overworked and on the edge so long and he probably wasn't thinking too clear.

Mr. Garland said Council will get the City Manager's report for the hurricane later in the week. Mr. Garland said he learned from Chesterfield County that we have been declared a disaster area. (Mr. Garland passed out information for Council to read) He said he called Mr. Charles Stewart today about it and he confirmed it. Councilman Gardner asked, "If "we" means Darlington County of Darlington City"? Mr. Garland said, "Darlington County". Mr.

Garland said Charles said it's only for emergency procedures and measures that we took before the hurricane and immediately after that period. Mr. Garland said Charles told him there's another meeting set up for Thursday that FEMA is coming in, and he wouldn't have known about it if he hadn't called him. Mr. Garland said there were assessments that they wanted to do of our properties in the City and they had 30 minutes notice to set that up on Thursday. He said once they have the meeting Thursday he will have a better idea of what we need to do. He said he's not making any calls or anything until that meeting Thursday because he wants to hear it from the FEMA people. Mr. Garland said the Street Department had worked the best they ever have during this storm. Mr. Garland said Karen Carroll, Chief Washington, Jamesey Morrison, Moses Jackson, Pat Cavanaugh, Lisa Rock and Freddie Kinsaul all worked long days and nights. He said from staff recommendations in the future, when they do those updates during the storm, we need to have the department heads meet and then they can meet with Council. He said he don't think it's a good idea to mix staff with Council anymore. Mr. Garland said it's also staff recommendation that we have an EOC for the City based on the 2nd floor in the Fire Department. Mr. Garland said we also need a generator for the Police Department. He said they also need a landline for the Police and Fire Departments. Mr. Garland told Council they can report things, but it should be reported (especially during a storm) by a quick text if it's working. If text is not working, we need to set up some type of system where they let him know what's going on and they will get it out quickly. Mr. Garland said the social media adds another level of anxiety to this that we haven't experienced before. He said they were under a great deal of pressure from the public to get information out. He said staff and Council need some type of social media training. Councilman Gardner said on the social media front and getting information out, we need to be able to get information to the citizens a little quicker. Councilman Milling told Mr. Garland he would like him to write up those various recommendations and send them out, so they have them and can review them. Councilman Milling told Mr. Garland to have Lisa, him or somebody designated as the Communications Person so that we don't have information coming from various sources because sometimes that causes confusion and unrest. Councilman Milling said what Lisa did on the one that went out on that afternoon even though it got superseded later, he thought it put things out there. Mr. Garland said Sonoco got mad about that and they called the County and the County called us because we put out a press release. Mr. Garland said he tried to contact the County, but they didn't want to talk to us. Mr. Garland said he told the County Administrator because they had a meeting about that press release and he told him his Council told

him to put it out, so he put it out. He told him if he's upset about it, he's sorry, but he begged him on the phone to listen to them as they read it, but he said, "No". Councilman Milling said we have certain responsibilities that exceed that which the County has. Councilwoman Reed said she wanted to comment on the social media issue. She told Councilman Gardner he is correct on some of that, but there are those who don't pay any attention to none of that. Councilwoman Reed the traditional way of getting information out is what they are used. She said those that had power were glued to the tv and they kept looking at the information scrolling at the bottom of the T.V. Councilwoman Reed said even though we rely on Facebook and other apps, at least keep it on the traditional way. Ms. Lathan said she wanted to reinforce what Councilman Milling said. She said she has managed global environment health and safety team, emergency response team and developed and managed crisis management teams. She said based on the particular crisis there should be a spokesperson. She said in corporate American they provided them with media training which taught them what to say, what not to say and how to deal with the media. Ms. Lathan said in a case like this Howard would identify who's going to be the spokesperson in dealing with hurricanes and these types of situations. She said if it's a police matter that person would more than likely be the Police Chief. Ms. Lathan that person would need to be trained in media in terms of how to respond and that person would be responsible for communicating out, so you don't have multiple people within the City sending out different types of communications because that's normally where a lot of the conflicts come. Ms. Lathan said that may be something we might want to consider in your recommendations that Councilman Milling asked you to write up. Councilman Gardner said he wanted to echo what Councilwoman Elaine was saying. He said she wants a different way of communication, but we have 3 or 4 different ways now and we need to use them all and when we put information out they need to go to every one of them. Ms. Lisa Rock said the information she sent out went out on the City website, it went on Facebook, it went to all our traditional media partners, all the tv and radio stations, all the newspapers, it went on the email and text services that DDRA had and the SeeClickFix. Ms. Rock said the same message was sent through all those channels. She said there was a period during the storm that she could not post to the website, so at some point the website was not necessarily as updated as those other methods. Ms. Rock said if she could not email something out to the press, she texted it to them when internet service was not available.

CITY MANAGER/COUNCIL PROFESSIONAL CODE OF CONDUCT

Mr. Garland said we had Council members and staff that got rather heated during the hurricane coverage. He said he may need to put something in place that governs our professional code of conduct that they would agree to abide by. Mr. Garland said he knows it was a stressful time for everybody, but they need to be in some type of basic agreement that there's a social contract by the positions that we hold that we hold ourselves to a higher level than how they conducted themselves during this storm. Mr. Garland asked Council if they were alright with this and they said "Yes".

COMPREHENSIVE PLAN – MR. GARLAND

Ms. Rock said the Comprehensive Plan for the City as set up in State Law for us to have zoning is that we must have a comprehensive plan. She said it has nine pieces and so many pieces have to be updated every five years. She said every 10 years we must update the whole thing. Ms. Rock said she's put together a request for proposals to get cost estimates, but she hasn't put it out there yet. Mr. Garland asked if there was a component of it that goes to the Planning Commission first. Ms. Rock said, "Yes". She said once you put it out you get a contractor or somebody that will develop the full plan. She said Vismor & Associates did the full in 2007. Mr. Garland said Vismor did an update for us in 2012. Ms. Rock said that was an update, but the full plan needs to be redone because we're at the 10 year mark. Ms. Rock said the consultant or whoever we get to do the plan writes it and they present it and it goes through the Planning Commission. She said the Planning Commission will host all the public hearings, then they will approve it, send it to Council and they will pass it. Mr. Garland asked Council if they have seen the document they are talking about because some of them look confused. Councilwoman Reed said she is not confused, but she thought she and Howard had already talked about this. Mr. Garland said over the years, especially after the death of Mr. Phil Goff he spoke with Ms. Lathan about helping us develop different components of this (the housing model & population model). Mr. Garland said given light of what's happened the last few months he doesn't know how Council want to proceed. He said this is something that we must do. He said State Law says we must update this and it must be a part of our planning document and we must submit it for approval through the Planning Commission and have public hearings on it. He said his feeling is that we work on this to where they feel comfortable with something they are going to put out. Councilwoman Reed said, "The look is, what changed"? Mr. Garland said we must update it every 10 years. Councilwoman Reed said I thought that what we were working on. Mr. Garland said there's been different components of it over the years starting in 2014 that Ms. Lathan had

been updating for some of the grant work she had been doing for us. Mr. Garland said there's been no formal proposal that's been put together that would be put out for bid. Councilwoman Reed said, "however that is, but you are indicating that something has happened to stop you from going forth with what you said". Mr. Garland said, "No, no, no, I just said what's happened the last few months where we use to just say, ok so and so do this and ya'll would vote on it and say ok". He said when we had this brought up about the RIA application in July and then we went through that whole situation I'm just saying things may be different now because of what happened over the summer. Councilwoman Reed and Baccus both said they don't understand what would be different. Councilman Milling said we obviously see that there is some economic development, downtown development is going on in Hartsville. He said we have been invited tomorrow to go to Sumter, so obviously something is going on there. Councilman Milling said his understanding is that Hartsville has somebody who is a professional and trying to make determination about what can be done to help small communities. Councilman Milling said our last economic development plan said something like you need to annex because the City itself is too small. He said that doesn't tell us anything, we all know we need to annex. Councilman Milling said what we need is some consulting group that has the expertise to come in and not only say you need, but this is how you get it. He said we have to spend \$20,000-\$25,000, but he would like for us to start checking around and see who is competent and who has come up with good plans for cities in similar situations like us. He said he thinks we need some professionals to come in and make suggestions for our situation and tell us how to go about doing it. Mayor Hines said there was a comprehensive plan that the City paid \$25,000-\$50,000 for and she asked Mr. Garland if he knows where that plan is. Mayor Hines said it talked about economic development of downtown and what we could do to revive downtown. She said it was put on a shelf and never used. That was money wasted. Mayor Hines suggested that if Mr. Garland can find that one, let's look at that one first to see if there will be a difference in it. Mr. Garland said there's been half a dozen plans that have been done whether it was Vismor or Lathan. Mayor Hines said it was farther back than that. She said it was the one we paid \$50,000 for before Ms. Lathan ever got here. Councilwoman Reed said she heard that we paid for somebody to do a comprehensive plan and we didn't take it, so they went to another city and they're doing good with it. Mayor Hines said a comprehensive plan was done a long time ago after Belk left and there was a man that lived in Virginia from this area. He wrote a story and posted it in the News & Press. He thanked Darlington for their comprehensive plan because it worked in this small area

in Virginia. Mr. Garland asked if the plan was from the 80's? He said Mary Demetrious had a plan done in 1987 or 1988 and there was another plan done in 1999 by Ben Boozer. Mr. Garland said this is not the same thing. He said what we're talking about here is the actual State Law that says you must have a Comprehensive Plan. Ms. Rock said it specifically targets transportation, population and housing. Mr. Garland said that's what he was talking about what he and Ms. Lathan were working on. Councilwoman Bruce said it seems like the guy that did the one for Hartsville was an effective comprehensive plan so why haven't we reached out to them. Ms. Rock said the plan is tailored to our population numbers and census information. Councilwoman Bruce asked why we weren't reaching out for information because somebody said we don't know who we can find to do a comprehensive plan for us. Mayor Hines said Mr. Garland will give you a copy of the one we already have. Councilman Gardner said he was going to echo what Councilpersons Milling and Bruce said. Councilman Gardner said the guy that they used for their comprehensive plan is the same guy that did the Zion Development in Mt. Pleasant. Councilman Gardner said if that guy will give us the opportunity, he seems to have a successful track record with the two places he's familiar with which is Hartsville & Mt. Pleasant. Councilwoman Baccus said, "So, if I'm listening to what Mr. Garland just said, you just said that you and Ms. Lathan are working on a comprehensive plan or was working on it". Mr. Garland said they've looked at it in probably 18 or 20 months and they put it down in 2017 and agreed to go back and look at it at a later date, but it hasn't been looked at during that time. Ms. Lathan said it's been about 6 months. Mr. Garland said it's got to be done, but there's something more important that needs to be talked about and that's the storm water project update. Councilwoman Baccus said, "Ok, so if ya'll already got one that ya'll working on and it's already in motion, why not complete it if it's already in motion"? Mr. Garland said the information she was putting together was updates for our housing and population. Mr. Garland said that was never done and it was never presented in any formal way; it was just more or less to help us with grant applications and eventually it would be included as part of a comprehensive plan. Councilwoman Baccus said, "Then if you already got it in motion, shouldn't you continue with it"? Councilman Segars said, "I think we need to find a Dan Vismor or somebody that does those sorts of things". Councilman Gardner said, "Ervin Engineering". Councilwoman Bruce said, "Well, you got a guy that's got a proven track record seems like". Mr. Garland said, "I don't think Ervin Engineering does comprehensive plans. Councilpersons Bruce and Gardner said the Hartsville guy seems to have the expertise on the subject. Councilwoman Reed said, "So what you're saying

now is whatever you all were working on you're going to start new". Councilwoman Reed said, "We're getting a new plan and asked Lisa if she was doing that"? Ms. Rock said, "We would be hiring, but we would be bidding this out, so Ms. Lathan can certainly apply, I would think". Ms. Rock said no matter who we get to do the actual writing of the comprehensive plan, we're going to have to get numbers and data from staff members that we've already collected. Mayor Hines asked Mr. Garland how far did he get on the one with Ms. Lathan-how many pages"? Mr. Garland and Ms. Lathan said about 12 pages. Councilwoman Baccus said, "I don't see any point in stopping what you already got in motion to start over again. Councilwoman Reed said, "Whatever you're doing is gathering information to other people, right"? Mr. Garland said this is not policy, it's numbers, trends. Mr. Garland said this is the type of document that we need, but if you want something else. He said someone was talking about a downtown development document, but it's not the same thing. Mayor Hines said, "I said that, but I want you to see if you can find the old plan that we have". Mr. Garland said it needs to be understood that if you're doing a downtown development strategy or one for the By-Pass, it's not the same thing. Councilwoman Reed said, "So right now we're under a State obligation to be able to put a comprehensive plan that's specific to transportation, population and some other thing that you said and that is what we need to start with that". Councilwoman Reed said, "You and Ms. Lathan were working on one, but now because of whatever went on in July or whatever, you're saying you want to take a different direction". Mr. Garland said, "I just opened that up for ya'll to talk about". Mayor Hines said, "I think you need to continue on with it since you done started". Councilman Segars said, "I've got a problem with that. Based on what's happened over the last year and a half or so I don't see how the City can continue working with a vendor, an employee, an associate, whatever you want to call it, that's threatened to sue us three times over issues that she was not really happy about and I don't know how we can continue going forward with that". Ms. Lathan asked for a point of clarification. Ms. Lathan asked, "What vendor are you talking about specifically"? Councilman Segars said, "Ms. Lathan". Ms. Lathan said, "That is not true, that is not factual". Councilwoman Baccus said, "Let's state the facts; you asked to get sued because what you did was illegal". Councilman Segars asked, "What are you talking about"? Councilwoman Baccus said, "Oh, now you don't know". Councilwoman Reed said, "We done been threatened so many times by so many people, why are we pointing her out"? Councilman Milling said let's decide what we want to do. Councilman Milling said we've got an economic development plan that we might want to consider and then we have another plan. He asked how

much benefit we get from the comprehensive plan that we're required to prepare? Mr. Garland it helps us with grant applications. Councilwoman Reed told Councilman Segars she gets the feeling that he doesn't like or think we should deal with a vendor that has threatened to sue us. Councilwoman Reed said, "Because we are elected, we are a government organization and I don't see where we could just blanket say that we cannot deal with a vendor because they threatened to sue us". She said, "And if that's not written somewhere because there are several people that she knows that have threatened to sue this City and we are still dealing with them". Councilwoman Reed said, "I don't want us to set that kind of precedent". Councilman Segars said a statement was made in a Council meeting one night after Bryant had cleaned up the railroad bed over behind the County Library. Councilman Segars said, "She made a comment that she would sue the City and Bryant if that ditch eroded". Ms. Lathan asked, "Who made that comment"? Councilman Segars said, "You did". Ms. Lathan said, "I don't think I did". Councilman Segars said, "You did it in Council meeting". Councilwoman Bruce asked if there's a lawsuit out there? Councilman Segars said, "No, she threatened the City". Councilwoman Baccus asked what Council meeting that was because she want to read it for herself". Councilwoman Bruce said, "So, there's an intent from Lathan Consulting Corp. to sue the City of Darlington, is that out there"? Councilman Segars said, "She made that statement". (Everybody is talking all at once) Councilwoman Baccus said, "That's an accusation and she wants to read it for herself". Ms. Lathan said, "There's such a thing called slander". Councilwoman Bruce said, "We don't want to talk about slander". Councilman Gardner asked, "Has a lawyer written us about a lawsuit"? Mr. Garland said we received a letter from Wukela Law Firm protesting the bid process for the RIA Grant. Councilman Gardner asked, "Who do they represent"? City Attorney Etheridge said Ms. Lathan, but it was just asking about the procurement process. Councilman Milling said, "Let's go to Item #7 and Councilwoman Bruce said, "Don't sweep it under the rug". Councilwoman Bruce said if somebody bring something out and she's sitting in the room (Ms. Lathan) and if you're making accusations, you've got to have facts behind it. Councilwoman Bruce asked about the letter and Mr. Garland said it was included in the City Manager's update whatever month it happened. (Everybody is talking all at once)

SOUTHWEST DARLINGTON STORM WATER PROJECT UPDATE

Mr. Garland said the contractor submitted a traffic plan last Thursday for W. Broad Street which is the next work area. He said SCDOT put out a blanket

stop on all rights-of-way during the hurricane which was just lifted today. Mr. Garland said with the plan being submitted by Landsdown until last Thursday, DOT is not going to give them permission to work on W. Broad Street until they finish the concrete and asphalt work on Pearl Street. The contractor submitted a new work schedule for a completion date of January 2019 which is unacceptable. Mr. Garland said we've had multiple issues with the contractor (there were some issues on our side too). The contractor submitted multiple change orders and some of them totaled over \$70,000, which happens to be close to the amount of money we saved on Fleming Street. Mr. Garland said the thing we have to weigh is that we had delays on Pearl Street, delays because of Southern 500, delays because of Hurricane Florence and delays because of when they actually got in the ground working on Pearl Street there were waterlines that were not identified that Hanna Engineering submitted. He said there is going to be some type of extension given to Landsdown because right now, they have to be finished by October 8th and there's no way they are going to be finished by then. Ms. Lathan said she talked to the president of the construction company today and everything that Howard said is correct. Ms. Lathan said she sent DOT an email late this afternoon asking for a specific date in which DOT would release the constraint that they have. Ms. Lathan said she should have an answer from DOT tomorrow. She said because of the stoppage, he's moving on the farther end, so he doesn't lose any more time. She said she forwarded an email to Howard and what they need to do is schedule a meeting with the engineer, so they can sit down face-to-face and get those work orders resolved. Ms. Lathan said she did submit the final pay from RIA today, so we are making some progress. Councilwoman Reed asked, "What do they need to do on Pearl Street"? Ms. Lathan said it's like a temporary patch. Councilwoman Bruce asked who oversees the day-to-day operation and how they make decisions on how they are going to change? Mr. Garland and Ms. Lathan both said, "They (DOT) own the road". Councilwoman Bruce said, "So, we have no leeway on any of that"? Ms. Lathan said we call, we talk to them and we've already developed a working relationship and if they understand it's having a significant impact, they do what they can". Councilwoman Bruce said, "when they want to". Ms. Lathan said, "No, it's not when they want to. We've had good working relationships with SC DOT". Ms. Lathan said it's us telling our story in an acceptable and realistic way, so they understand it is having a significant adverse impact on the project. Ms. Lathan said that gives them the wherewith all to see to approve us closing Broad Street sooner rather than later. Councilwoman Bruce asked, "why would they leave an area unfinished and go someplace else"? Ms. Lathan said, "That's not how it works. The area

should not have been left in that condition”. Councilwoman Reed said, “To close Broad Street is not going to cause any problems”. Mr. Garland said, “The thing is, Landsdown should have submitted the traffic control plan before the project started”. Councilman Segars asked, “What is the construction company’s reason why they haven’t finished Pearl Street”? Mr. Garland said they told them at one time that they wanted to do all their asphalt work at one time. Mr. Garland said there’s an extreme level of frustration in dealing with this company. Councilman Segars said, “don’t write them any more check until they fix it”. Mr. Garland said the engineer told him today that he anticipated a change order of \$100,000 from Landsdown for the work on Anhow and Coker Streets. Mr. Garland said he was going to suggest that we get with our City Attorney to go and work on the current storm drain infrastructure that exists on that property. He said there was one easement that they didn’t get which was at the corner of Coker and Anhow Streets. Mr. Garland said the change order will be submitted in the next few days. He said we can’t afford that type of change order based on the slim margins that we have on this project. Councilman Gardner asked if we have a go around for the easement issue? Mr. Garland said we own both streets, so we can go in the street. Mr. Garland said the contractor is saying that the cost to do that is estimated at \$100,000, but they have already bid this into the price of the project to get this done. Mr. Garland said the contractor is worried about being fined per day because there’s a \$500 fine per day. He said we are going to give them a three to four (3-4) week extension because of the hurricane, the race, Pearl Street and DOT. Councilman Segars asked, “Why do we have such large change orders”? Ms. Lathan said some contractors do it. Ms. Lathan said we ended up saving about \$70,000 with some of the changes in and around crossing Pearl Street. She said change orders were required and it could be coincidental that his change orders came back at \$70,000. Ms. Lathan said, “What the engineers, grant manager and the City Manager is required to do is to scrub every one of those change orders and if the dollars, quantity and size doesn’t add up, it doesn’t get approved”.

Councilman Milling gave a summary of what Council discussed:

- 1 - He said Council talked about how they would like for Mr. Garland to contact DOT and try to work with them on fixing some of their drainage problems with their street so that we can have more success with what we do.

- 2 - Have Mr. Garland find out what software systems are available and what the cost would be for tracking and mapping our water & sewer system.

3 - Council would like for Mr. Garland at least, explore a staff engineer. Perhaps find out who the cities close to us that have an engineer; the size of the cities; what budgets are needed and what size general budget the cities have.

4 - Who has an HR Department and what's the cost on operating it. How many people would be needed to staff an HR Department.

5 - Write up his recommendations with respect to the Code of Conduct and any other recommendations he has and send them to them for their review.

6 - Have Mr. Garland give them his view of what his job description is so Council can look at it and evaluate it, so they will have some idea of what Howard thinks he's supposed to be doing.

Councilman Milling said, "We've got to go forward with this Comprehensive Plan, but I'd also like for us to do something in connection with seeing what other towns are doing with respect to an economic development plan". Councilman Milling said to give Howard a reasonable time to get these type things answered.

Councilwoman Baccus said that the vac truck doesn't benefit the citizens off Joe Louis Blvd. because they have ditches. She said she don't think those ditches have been cleaned out since the City put them in so it's time for those ditches to be cleaned out.

Councilman Gardner said he would like to make sure all the members who are supposed to be on the Grievance Committee are still there to be put into action. He said he thinks this will help to comfort some of his fellow councilmembers. Mayor Hines asked if the employees know that the Grievance Committee is back in place? Mr. Garland said since it was put in place in 2017, three (3) people have left. Council agreed that the Grievance Committee needs to be updated.

Mayor Hines said we need a new administrative building. She told Mr. Garland he needs to be with us because that's extra money we're paying for him staying down there at the admin building. She said everybody needs to be together.

Upon motion of Councilwoman Baccus, seconded by Councilman Gardner,
the meeting adjourned at 7:45 PM.

Mayor

ATTEST:

Clerk & Treasurer