DARLINGTON CITY COUNCIL
AGENDA FOR REGULAR CITY COUNCIL MEETING
TUESDAY APRIL 7, 2020 6:30 PM

1. Prayer Led By- Mayor Pro-Tem John Segars

2. Pledge of Allegiance

3. Approval of Minutes City Council Meetings March 2, March 3- 6 PM, 6:30PM

4. Approval of Meeting Agenda

5. Report of Standing Committees
   a. Darlington Downtown Revitalization Association- Lisa Chalian-Rock
   b. Greater Darlington Chamber of Commerce- Nancy Matthews

6. Citizens Wishing to Appear Before Council (5 Minutes Per Person)

7. Unfinished Business
   a. Public Hearing Ordinance 2020-01- Property Purchase 1755 Harry Byrd Hwy Olin Kirven (126-00-02-063) 116 Acres $600,000 for Ballfields
   b. Second Reading Ordinance 2020-01- Property Purchase 1755 Harry Byrd Hwy Olin Kirven (126-00-02-063) 116 Acres $600,000 for Ballfields
8. New Business
   a. USDA Grant Award Acceptance- (Police Cars)
   b. Resolution Adoption 2018 International Building Code
   c. Holt Brothers- Economic Development Incentives
   d. Resolution: Project Peach- (Granting Consent to the Inclusion of Certain Property Within the Joint County Industrial Park of Darlington and Lee Counties)
9. Receive as Information
   a. Department Head Reports

10. Council Comments

11. Adjourn

(Reminder)

Tuesday May 5, 2020- 6:30PM- Monthly Meeting City Council

CITY OF DARLINGTON
WORK SESSION
MONDAY MARCH 2, 2020 AT 6:00 PM

The City of Darlington held a work session in the Court Room/Council Chambers on Monday March 2, 2020. Present at the meeting: Mayor Curtis Boyd, City Manager Howard Garland; Council Members: Mayor Pro-Tem John Segars, Elaine Reed, Bryant Gardner, Sheila Baccus, John Milling & Howard Nettles. Others in attendance included: Mrs. Lisa Rock, City Attorney Kevin Etheridge, former Mayor Gloria Hines, Ms. Jannie Lathan, Ms. Ronda Brown, Mrs. Betty Jackson.

Also present was Mr. Bobby Bryant from the News & Press.

Mayor Boyd called the meeting to order at 6:04 PM.

WORK SESSION TOPICS (STRATEGIC PLANNING)

Mayor Boyd said the objective of the meeting is to do some strategic planning so they will have some idea what they are headed towards and their goals.

Mayor Boyd gave the invocation.

Mayor Boyd said he asked everybody to come tonight because we haven't had a work session and he wants to have a few work sessions as we go along. Mayor Boyd said he text Council and told them if they had ideas to bring those ahead of time. Mayor Boyd said Mrs. Lisa Rock will write things down on the board as Council gives their ideas. He said the objective tonight is to try to get ideas on what your goals are and what you think we need to accomplish in the City as an overall view. He said they aren't going into detail with everything tonight. He just wants everybody's strategic plan. Mayor Boyd said a lot of them should probably be the same, but everybody may have a little something different that they would like to see done. Some of the goals they would like to see achieved. He said they want to have a plan so they can show the citizens what they are looking to go toward. Mayor Boyd said he will let each Councilmember go first and he will go last. He said they will start with first with Councilman Bryant. As each Councilmember gave their list of ideas Mrs. Rock wrote them on a board which had extra-large sheets and as each was filled, they were pasted

on the wall in the courtroom/council chambers. (Copy of notes attached) Councilman Gardner said his main interest is to hire a firm to do our comprehensive plan. He said there is a firm that did lon right outside of Mt. Pleasant. **Councilman Gardner** said they also did the one for Hartsville, so they have local knowledge. He said another interest of his would be a crew to lay pipe (our infrastructure water, storm water & sewer). Another interest would be the trail and have multiple parks around our community. Councilman Gardner said as far as our GIS program is how we map our stormwater program, our sewer, our water. He said, "I'd love to spend $15,000-$20,000 or whatever we can feasibly do year to year and start mapping that out and over a five-year period we can have all of our infrastructure mapped as a whole unit vs just having satellite areas. Concerning sidewalks, we can buy a grinder for $100 and take our guys when they don't have anything to do in the street department and grind off some of the chipped areas. He said that would mean DOT would give us permission to work on them and not take over ownership. **Councilwoman Reed** said hers is a little more specific to Ward 2 which includes everything that Councilman Gardner has outlined. Councilwoman Reed said she would like to see a firm or at least have a consultant. She said everything that we do when it comes to our infrastructure so that the plans that we have would be based on what kind of system that we have. She said she would like to see our city governmental office truly organized with a Human Resource Department. Mayor Boyd asked Councilwoman Reed if she is saying a restructuring of the departments and she said "Yes". Would like to see affordable housing; help with some type of health facility to help with the children. Cultural museum or African American museum. Overall improvement in Ward 2.

Councilman Nettles said Councilwoman Reed is speaking from a ward perspective, but he is speaking from an entire perspective because he represents the City as a whole. He said we need to work on the water & sewer drainage issues; we need to have a forensic audit done to know what monies are coming in and where monies are going and how that's being done' we need to make sure we are including housing in all of the areas and not specific to a particular ward; bringing up our downtown area so we can bring people in to create more business; need to offer incentives to new businesses coming in; we need to set a date once we get the strategic plan in place as to when we are going to put it in place and how quickly are we going to start working on it.

Councilwoman Baccus said her focus is on, not just her ward, but first of all she thinks we need to do something about the appearance of downtown

and the Square. She said the buildings downtown is an eyesore and we need to do something about that as far as painting or getting the owners of the buildings to at least make the front of the building look presentable; she said Howard mentioned that we are looking forward to working on a grant for a lift station for Allen Street that's going to fix Farm Street and that area on that side of town. She said we need to let Alex or whatever we need to do to fix the problem on Jessamine, Chestnut and Reid Streets because that water is constantly flooding when it rains. Councilwoman Baccus said after speaking to Alex this can be taken care of just by fixing some catch basins that have been damaged. She said we need to hire an HR person and also look at hiring an engineer who has the ability and qualifications to run our water and sewer department. Councilwoman Baccus said, "At this point we're spending a good portion of money paying another engineering firm to do what an in-house engineer can do". She said the planning person needs to spend more time helping us get businesses into Darlington. She said, she's not saying they're not, but we need to be able to bring more businesses into Darlington. She said all of our grants and work for the City should be bidded out and not just given out. It should be bidded out to qualified people and the grants are awarded evenly and fairly.

Councilman John Milling said he has specific things he wants us to address before two years if they could be. He said we do need to fix Farm Street and any other location that has a problem with raw sewage when we have heavy rains. Councilman Milling said, "We've also got people out in the Country Club area that have been waiting for over thirty years for sewer, so I think we need to start looking at that instead of saying wait a little bit longer". He said some things we may be able to do in-house, but a portion of it we may have to hire experts to do. He said we need to conduct and prepare a written study of our water and sewer, storm water, street paving to include the cost of either replacing it or repairing it so that knowing what we've got we can set priorities as to what needs to be addressed first and how we can go about doing that. Councilman Milling said, "I don't know whether it would be applicable whether we could do it city-wide or whether we couldn't, but if we could create a special purpose district within the city (I don't know whether we can or not) could perhaps provide some funding for these various infrastructure needs". He said it would be good to see what's available that way and what's available through grants. Councilman Milling said we have a number of neighborhoods such as Lawson Road neighborhoods and the Spring Street Ext. neighborhoods that abut the city limits. He said we have not taken a look and was glad to see that Lisa was working on it in her report but develop an annexation plan and show where

savings can occur and demonstrate with the additional police protection and fire protection that there is a comfort level that emphasize the positive and the savings. He said we can set up community meetings and look at areas that we might be able to invite people to come in. He said to build off what Councilwoman Baccus said and we know we have properties that are not up to snuff to canvas those property owners in the main business district and find out what may be the problem as to why certain buildings are not being maintained to the extent that others are and see if we can do what we can to help the owners get their businesses fixed up. And if we have people that just don't want to bother then we have ordinances that we need to enforce or put into place to deal with that. Councilman Milling said, "As Howard said, what type of incentives can we offer to attract new businesses"? He said as a spinoff to that, we need to take a look at developing a marketing plan so that we can market the City as a good place for new facilities to come locate as well as facilities locating at the Pee Dee Electric Coop Touchstone Energy Park. Councilman Milling said he would like to go ahead and complete the purchase of the Kirven property and its annexation if we can and once we get all that done, develop a comprehensive plan for what we want to do from a recreation standpoint. Councilman Milling said we have the quarterly meeting where the cities get together with the legislative delegation and swap ideas; the School District is involved, the County is involved, but he would like to see us develop a working relationship with all of these entities whereas if we have something that comes up, we can reach out to them.

Councilman John Segars said we need to look at our storm water and sewer lines and prioritize what we can do and when we can do it as grants become available. He said we need to use as much grant money as we can to replace this because this is going to be a huge expense all over the city and not just in one particular place; We need to update and upgrade the sewer plant as much as we can. Councilman Segars said he was one of those persons that annexed into the city 39 years ago to try to get sewer service and it's getting close to time that we will need to do something about that. Councilman Segars said a friend of his has done some tax work on properties and it's not that much more expensive to be in the city and you still get a lot of city services that you are having to pay out of pocket in the county, so annexation should be a priority that we should try to work toward. There are a number of streets in the city that are in dire need of being repaved. We need to look at street repaving/ or repairing.

Mayor Curtis Boyd said pretty much everybody said a lot of the same things. He said at the top of his list is drains and sewer. Mayor Boyd said,

"We know that our streets and all and drainage and sewer drains all are probably seventy years old; there's some have been repaired, there's some that are not repaired. If there's sewer on the street, we can't come up with $30 million dollars tomorrow to fix all of this; the whole town needs to be fixed". Mayor Boyd said his goal is for everybody to say what they said tonight which is sewer and drains and then when we come back next time or before is to be able to say, "Well, of course because somebody has been waiting 39 years for sewer that's a priority , but if sewer is sitting on the street (Ms. Sheila), yours is top priority". He said we know if there's sewer on the street, that needs to be fixed". "If there's somebody that's 39 years waiting for sewer, that needs to be done". He said his goal is for them to look at a strategic plan. We need to hire somebody possibly, but at the same time a lot of this we can start planning ourselves. Mayor Boyd said as Howard has said, and he will reiterate on it; one of his was to review each department. Mayor Boyd said riding around through town he sees a lot of issues which are small issues, but small issues become large issues. He said there are departments that can become more self-sufficient and there were departments that were self-sufficient and are not self-sufficient now. He said every department needs to be reviewed. He said a few of them have talked about was possibly bring each department person in and they all talk to them or either they split up with two or three going to different departments. Mayor Boyd said they need to know how each department is running. He said his goal is the overall image for the City. He said when they tear down a house, they need to sod the area after demolition. He said we need to make sure we look at our emergency fund and rebuild it. Work on getting a sports complex; Have a plan of what streets and sidewalks need to be fixed with a timeline; Find out how we can increase revenue in each department and find out where we're having waste at and how we can increase revenue in each department; Market Darlington and make a brand for ourselves; Ordinances need to be reviewed and enforced; Have an incentive plan in place that encourages people to invest in our city: Lift stations should be under our drainage and sewer system and making sure that's taken care of; We've got to make our Square good because that's our core, but our city is 4x4 so we want to develop everything. He said what can we do to make every section look good. Mayor Boyd asked council to think about what they can do as a team to go clean up different sections to get every part of town looking wonderful.

Councilwoman Reed said immediately we can work on the appearance on all areas. Mayor Boyd said he hasn't been to the last two meetings, but he plans to go tomorrow morning and he will bring it up. He said they need to

do all we can for every business owner in this town to make sure their appearance is good, and their business is good. Councilman Nettles said he went to a few towns this weekend (Sumter, Lake City & Hartsville) and almost all of the small stores were open, but in there they had marquees that directed the customers where to go for lunch, etc. Mayor Boyd said if they have a bunch of stores and they can make their whole town look better and they can work together as a team then they'll have more taxes coming in, more money coming in and more people wanting to stay in our town. Councilman Gardner said one thing he has an interest in from a research perspective is finding the business initiatives we need in our community and figure out how to recruit those. He said from the marketing of perspective, we need to market ourselves to the residents in Florence for housing. Councilman Nettles said we have to keep in mind too that we're trying to bring people here and part of what he runs into with recruiting especially the doctors, they say Well yeah you're right, you can get more house here, but what do you have to offer me when I have to go back to Florence for everything else. He said it's true, we have a great place to live, but we've got to offer them more. Mayor Boyd said as a part of his gift back he wants to do a guide for all the restaurants in town. He said there are thirty-three restaurants inside the city limits, so we need to sell those restaurants and let them know it. Councilman Gardner said we can't bring businesses, but we can bring a quality of life change. Councilwoman Reed said there have been about four different businesses in the building on Pearl Street across from Domino's Pizza that couldn't stay but the convenience store owner that's there now is staying but he's having a problem because every time it rains there's all the water right there in front of the store. She said she doesn't know what we can do. Councilwoman Reed said she is pointing out that if we have the resource to do something about it that's what we need to be doing to the businesses. Mayor Boyd said that goes back with the storm and drains and we know that's an issue. We know that in front of Hardees is an issue, we know that Chestnut Street is an issue, around Virgil Wells Circle is an issue. He said point out the ones that we know that we have major issues with; do they need to be cleaned out, do they need to be totally done, fixed and find out what needs to be done and start attacking how to get it done. Mayor Boyd said there is no one checking business licenses. Mr. Garland said we send out notices to those folks that haven't paid their business licenses. He said we mail out applications in December and a majority of folks have been coming in Thursday and Friday to beat the penalty date. Clerk & Treasurer Pridgen said we gave customers today without the penalty because the 29th was on Saturday. Mayor Boyd said if I don't pay my

business license nobody's going to close me up. Councilman Nettles asked who should be doing that? Mayor Boyd said the Police Department use to do it. Mr. Garland said the ordinance says the Police Department, but also Codes can do that. Mr. Garland said in the past we would have folks say why was police doing that, it's harassment. Councilman Nettles asked how many people would we say have not met the deadline and haven't paid? I told him we just gave today because the 29th was on Saturday and once we compile an "unpaid list", we will send out letters and give them a specific date to come in and pay it. Mr. Garland said we also have a company that collects business licenses for us for vendors that are outside the city but do business in the city. He said within the last twenty months they have collected approximately $95,000. Mr. Garland said the business license code has not been updated in 18 years. He said our Code of Ordinances hasn't been updated since 2007 so it may be time to do that also. We just raised our building permit fees in 2018 because they were some of the lowest in the state. Our water & sewer rates are in the bottom twentieth percentile of the state of SC. He said we checked with some of our neighbors and their rates are much higher for water and sewer. Councilman Nettles said given the issues that we have with water & sewer, maybe that's applicable. Councilwoman Reed said that goes back to what we need to do-review and organize our departments. Mayor Boyd said, "Nobody has walked into my building in thirty years and said, "Let me check your fire extinguishers, let me check your emergency lights, thirty years, not in Darlington". Councilman Gardner said, "That's one of the areas I would love with our downtown". He said we had the fire downtown years back and it could have been a lot worse. Councilman Gardner said just around the Square with all of those buildings touching one another, we should be able to walk in and make sure everything is up to code. He said if our ordinance doesn't reflect the ability to allow us to do that, then maybe we should visit other towns and see if they have an ordinance that does allow them to do it. Councilman Gardner said his understanding of the law is, we can go on the roof and we can go around the outside, but we can't go in unless they invite them in. Mayor Boyd said all that needs to be reviewed to make sure we're able to ....Councilwoman Baccus chimed in and said, "At the Municipal Association meeting she had a conversation with the Mayor of Johnston and he said he's restoring his whole downtown with grants". She said we need to look into doing some grants for downtown. Councilwoman Baccus said, "With the thought of marketing our businesses, I think as a council we need to give more money to the beautification board and allow Ronda and her committee to do the marketing or signage or whatever they see fit in order to

help market our businesses". She said, I don't know what we give the beautification board, but we need to give them $10,000 to do the marketing for signage, etc. Councilwoman Baccus said, "As far as our comprehensive plan, I think we have a comprehensive plan that was started, and I remember at one of the council meetings Councilman Milling asked Ms. Lathan to do some work on the comprehensive plan but we never followed through with it. She said we need to look at the comprehensive plan we already started and follow through with doing whatever we need to do with that plan and then go from there. Councilman Milling said, "One of the difficulties I noticed about the comprehensive plan that we have is that it doesn't have any action points". Councilman Milling said, "It just says things like, "you need to take a look at this", but it doesn't have any particulars by anybody saying that with respect to the City of Darlington if you want to increase downtown, you need more retail. He said there's nothing in that plan that says how you can get retail to locate downtown. Councilman Milling said, "I don't know that the comprehensive plan that we have is much more than a "cookie cutter" type plan where one size fits all instead of being a plan that's specifically directed towards Darlington and what we have and what capabilities we have". Councilman Milling said, "We can look at our current plan, but if we've got deficiencies in it, we may have to have somebody else to come in and help us with the "how to" aspect of the plan". Councilwoman Baccus said, "I think that comprehensive plan that she originally started was the initial plan that said this is what we have in Darlington. It was the beginning of the comprehensive plan, but we never followed through on the next steps.

Councilwoman Baccus said, "It was the beginning of the comprehensive plan and she pointed out things we need to look into, but we never went on further with it". She said it's the same thing we did with the one somebody wrote thirty years ago and from what she understands, they did it, sat on it and we never took it any further". Mayor Boyd said, "Sheila, I will agree with you. I think there's been a lot of plans made, but nobody has put them into action, and they've let everything just kind of sit on the shelf". Mayor Boyd said he's hoping that all of them will work together to make a plan. He told Councilwoman Baccus he spoke to Mr. Garland the other day about the need for a grant writer and not only a person to write a grant, but they need someone that can go out there and find the grants and tell them how we can use the grants whether it's someone that's already here or whether we have to hire someone. Mayor Boyd said we're limited on funds so there's a lot of people we need to hire but we just can't go out and hire more people at this moment. He said there's grant money out there. Councilman Nettles

asked who writes the majority of our grants and Mr. Garland said in the last few years we've used Pee Dee Council of Governments and Lathan Consulting Corp. (Ms. Jannie Lathan) and previously Haidee Stith with ON Point Services. Councilwoman Baccus said, "From what I understand about the grants for downtown, they're not mega-grants and they are grants that Lisa could write". Councilman Gardner said, "I just want to caution on the Lisa front. I'd love to farm her out for a variety of tasks as well, but there's only so many arms that she has and so many directions that we can pull her before she gets less effective and less effective in all her jobs". Councilman Gardner said that goes for all of our heads. Councilwoman Baccus said, "With that said, all these committees that Lisa is running around being on, maybe Lisa needs to get off some of those committees and focus on being a City Planner". Councilman Gardner said, "If we're talking about administrative, I think that's something for executive session". Councilwoman Baccus said, "You brought it up". Councilman Nettles said, "That's no reflection on anybody, it's just making sure we are as efficient as we can be. There's no reflection on anyone doing their job or anything". Mr. Garland said we're going to need a new fire department building sooner rather than later. He said this should be our number one priority. Mr. Garland said we also need a new city hall. Councilman Gardner asked Mr. Garland what the timeline is, and Mr. Garland said one to three years. Ms. Lou Kirchen spoke from the audience and she said she listened to council talk about branding. She said branding is not what you want to be, but branding is who you are. Ms. Kirchen said the City not only need to create and update ordinances, but the City needs to enforce them.

Councilman Milling made a motion to adjourn the meeting at 7:24 PM. Councilman Segars seconded the motion.

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Mayor

ATTEST:

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Clerk & Treasurer

CITY OF DARLINGTON
SPECIAL COUNCIL MEETING TUESDAY MARCH 3, 2020 AT 6:00 PM
&
REGULAR CITY COUNCIL MEETING AT 6:30 PM TUESDAY – MARCH 3, 2020

SPECIAL COUNCIL MEETING – 6:00 PM

PRESENT AT MEETING:
Mayor Curtis Boyd, Councilpersons: John Segars, Sheila Baccus, Bryant Gardner, Elaine Reed, Howard Nettles and John Milling. Also, present: City Manager, Mr. Howard Garland, Mrs. Lisa Rock, Alex Gainey, Brantley Jett, Jimmy White & Mr. Ben Zeigler.

PRAYER – Mayor Curtis Boyd.

EXECUTIVE SESSION – Legal Advice (Haynesworth, Sinkler, Boyd) on proposed ballfield purchase (The City of Darlington does not expect a vote after closed executive session) **Councilman John Milling made a motion to go into executive session at 6:00 PM to discuss proposed ballfield purchase. Councilman Gardner seconded the motion. Councilpersons Segars, Baccus, Gardner, Reed, Nettles, Milling and Mayor Boyd voted in favor of the motion. Councilman Bryant Gardner made a motion to go out of executive session at 6:29 PM. Councilman John Milling seconded the motion.**

REGULAR CITY COUNCIL MEETING AT 6:30 PM TUESDAY – MARCH 3, 2020

PRESENT AT MEETING:

Mayor Curtis Boyd, Councilpersons: John Segars, Sheila Baccus, Bryant Gardner, Elaine Reed, Howard Nettles and John Milling. Also, present: City Manager, Mr. Howard Garland, Mrs. Lisa Rock, City Attorney Kevin Etheridge, Building Official Alex Gainey, W&S Superintendent Mr. Kinsaul, Fire Chief Pat Cavanaugh, Police Chief Kelvin Washington,Ms. Jonna Carter, Mr. Steve Abbott, Mrs. Betty Jackson, Ms. Jannie Lathan, Mrs. Anna DeWitt, Ms. Gloria Hines, Ms. Nancy Matthews, Ms. Ronda Brown, Winfred Herrington, Mr. Henry & Mrs. Annie Chapman, Ms. Ruth Baronda and other visitors.

NEWS REPORTERS

Also present was Mr. Bobby Bryant, News Reporter from the News & Press.

INVOCATION & PLEDGE OF ALLEGIANCE

Prayer for the meeting was led by Mr. Kendall Williams which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Upon motion of Councilwoman Elaine Reed, Seconded by Councilman Bryant Gardner to approve the minutes of the February 11, 2020 Council Meeting. **Mayor Boyd and Councilpersons Gardner, Nettles, Baccus, Reed, Milling and Segars voted in favor of the motion.**

APPROVAL OF MEETING AGENDA

Councilwoman Elaine Reed made a motion to approve the meeting agenda for Tuesday March 3, 2020, which was seconded by Councilman Howard Nettles, **Councilpersons John Segars, John Millings, Elaine Reed, Howard Nettles, Sheila Baccus, Bryant Gardner and Mayor Curtis Boyd voted in favor of the motion.**

REPORT OF STANDING COMMITTEES

A) DARLINGTON DOWNTOWN REVITALIZATION ASSOCIATION - MRS. LISA ROCK

Mrs. Rock said come downtown Saturday and crown the Chili Champion at Joe's Grill from 11:00 a.m. to 2:00 p.m. Cook teams will vie for a

championship title belt and the proceeds will go to the Darlington Fire Department. There will be a classic car show, music and vendors. Tasting wristbands can be purchased that morning at Joe's Grill for $5.00 and the people will choose the champion. Mrs. Rock said the Annual DDRA Golf Tournament will be held on Wednesday April 8 th at Darlington Country Club. She said four-person Captain's choice teams play 18 holes on the beautifully remodeled course after a delicious buffet lunch. The winning team will take home tickets to the Southern 500. Thanks to Carolina Bank, Darlington Raceway, Fitness World Gyms and Nationwide Insurance for helping them present this event again this year. The Taste of Darlington" on Thursday April 23 rd at Darlington Raceway. In June The DDRA Board is partnering with Community Broadcasters and Eastern S.C. Mustang Club. The DDRA will present Darlington Family Fest on Saturday June 6, 2020 from 11:00 a.m. to 5:00 p.m. at Darlington Raceway. The Darlington Family Fest will include Food Trucks, crafts, beer and wine vendors, Live music by Felonious Funk and a Kids Zone. Admission will be $5.00. PDRTA will provide rides to the track from downtown and a few other select locations "free" for those who want to ride. All of their fundraising efforts this year will be going toward business incentives. Other upcoming events include: The Community Karaoke Party on Thursday May 7, 2020 from 7 to 10 p.m. at Liberty Lane & Pearl Street; Race Week Party on Friday September 4, 2020 and a fall concert on Thursday October 22, 2020. All of these events will be held on Liberty Lane & Pearl Street. Mrs. Rock said they will have their next monthly Business Breakfast at 8:00 AM on March 25th as well as the last Wednesday of the month at Takis Diner.

B) GREATER DARLINGTON CHAMBER OF COMMERCE MS. NANCY MATTHEWS

Ms. Matthews said Thursday at 11:00 a.m. there will be a Ribbon Cutting for Sonic on the By-Pass. Ms. Matthews said they are planning for "Freedom Fest" on July 11, 2020 at the racetrack. They will have fireworks, car show, kid zone, two live bands and some other things.

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

Ms. Ruth Baronda said she is bringing information about the S.C. Agritourism membership book. Ms. Baronda said she is a farmer and the book is divided up into four sections. She said the brochure is for members

and farmers that are going to participate inviting people to their farms. She said on page 32 of the books lists the two farms that are in Darlington-Dargan Farms & Pim Farms. Ms. Baronda said she is encouraging tourism and locals to support the farms. Ms. Baronda gave council a book with the farms that have specialty products. She said those farms offer a stamp of which if you get the stamp and mail it in, you're eligible for $100 prize. She thanked Mayor and Council for giving her an opportunity to talk about S.C. Agritourism and "No Farms, No Food".

Mr. Dee Pilgrim said he wanted to talk about the old Western Auto Building. He said the building has been sitting there year after year and there needs to be something in there.

John & Marilyn Tyner – Mr. Tyner said he owns a local business and it has ditches on both sides of it and it is full of trash and debris. He said when he calls the City, they say call the County and when he calls the County, they say call the State. He said when they call the State, they say it's our problem. Mr. Tyner said there's ditches everywhere in this county and they seem to be overflowing with trash. He said it's not so much in the area where his business is as it is where the drains are running into the street. Mr. Tyner asked if there is anything on the drawing board or is there a project to eliminate or alleviate some of this? Mrs. Tyner asked whose responsibility is it? Mr. Tyner said the mosquito issue will be terrible and Mrs. Tyner said the water is green now. Councilwoman Reed asked where is this? Mrs. Tyner said it's all over Darlington, but Councilwoman Reed said she is asking the specific location. Mrs. Tyner said their business is on the By-Pass, but Timmonsville Highway is terrible. She said it's not water as much as it is the drains are full so the water can't flow when they are stopped up. Mr. Tyner said everyone they call to talk about drains and cleaning out the ditches they have is about 1,000 feet of ditch, but if you don't do something to eliminate the problem at the inception of the road, then it's not going to do you any good no matter how much you clean it out. Mrs. Tyner said we want to pay for ours to get cleaned out , but we can't get ours cleaned out until you all clean out some of yours. Mayor Boyd asked, "At the back corner of your property, it probably pretty much ends on the city line, correct"? Mr. Tyner said, "Yes". Mayor Boyd said, "so since the back part, when Alex went out there with us the other day, we determined that going down Highway 340, that's State road and the other blockage was going

through to the side area which is actually on somebody else's personal property. Mrs. Tyner said, "We wanted to find out how far do you own off of the highway"? She said the highway department had to put those trenches there at some time or another, but nobody ever cleans them". She said, "We have less than 100 days before we start having bad weather (Hurricane season) and she's concerned about real flooding because it's already flooding". Mayor Boyd said we'll go back out there again to look at it. Mrs. Tyner said, "It's not just ours, that's not what I'm concerned about. I'm concerned about all of Darlington because it looks so trashy". She said the By-Pass is like your front yard. When people come into Darlington or come through Darlington, that's what they are seeing, and it just looks so bad. Mrs. Tyner said she is taking pictures of everything and the drains are just full. Mr. Tyner said the State has the right-of-way over all of this or an easement to go in and clean it if they had the ability and they wanted to. Mrs. Tyner said this is sanitation too because the water is so green and it's just sitting there and all over Darlington. Councilman Milling asked, "Can we perhaps have Mr. Gainey with the Streets & Maintenance meet with somebody from the County, Department of Transportation and maybe the two of them can figure out who's got jurisdiction over that"? Councilman Milling said, "We may be just like you, we may not know how we can help you because we don't know at this point and time whose jurisdiction it is". Mrs. Tyner said years ago the highway department use to clean the road, but they don't do it anymore. Mrs. Tyner said something is going to have to give sooner or later because all the trenches are building up. Mrs. Tyner said she is not going to give up. She said she has written our Congressmen, but she hasn't heard back from them. She said if she has to go to Columbia, she will.

UNFINISHED BUSINESS

SECOND READING ON ORDINANCE 2020-01-PROPERTY PURCHASE HIGHWAY 151 OLIN KIRVEN (126-00-02-063) 116 ACRES $600,000 FOR BALLFIELDS

Councilman Milling made a motion to table this item for purposes of having a second reading on that until the April meeting.
Councilwoman Reed seconded the motion to table this item. Mayor Boyd and Councilpersons Gardner, Baccus, Reed, Nettles, Milling and Segars all voted in favor of the motion.

NEW BUSINESS

Mayor Boyd recognized Tom Strother from Georgia Pacific who was present at the meeting. Mayor Boyd thanked Mr. Tom Strother for coming to the meeting and Georgia Pacific for their investment in the City of Darlington.

A) MAYOR'S AWARD - MAYOR CURTIS BOYD Mayor Boyd called Ms. Jonna Carter up front and she was thinking it was to give her monthly report. Mayor Boyd said he asked people in the department to give him a wish list and Jonna Carter asked for a new refrigerator for City Hall because the one we had was over thirty years old. Mayor Boyd said he purchased a new refrigerator with his funds, and it is sitting outside of the courtroom in the lobby area. Ms. Carter thanked Mayor Boyd for the new refrigerator.

B) CHAMBER OF COMMERCE/CITY ADMINISTRATION BUILDING

Councilman Milling made a motion to table Item 8B – Chamber of Commerce/City Administration Building until the April meeting. Councilman Bryant Gardner seconded the motion. Mayor Boyd and Councilpersons Gardner, Baccus, Reed, Nettles, Milling and Segars all voted in favor of the motion.

C) UNITED STATES CENSUS BUREAU – RUTH BARONDA Ms. Ruth Baronda passed out information on the 2020 Census. Ms. Baronda said the Census is done every 10 years and this is the year we have to complete it. She said $675 billion is given out to the states. She said dates are given as to "how to complete" the form. She said you can file three different ways this year- you can file online, you can file by phone or you can mail it in. It's also written in 13 different languages which is the first time they've done that. The deadline to complete the form will be July 31st. Ms. Baronda said, "In the meantime the Census Bureau is going to mail you a second letter between March 16th and March 24th. You'll also get a postcard reminder between March 26th and April 3rd. She said a fourth letter on April 8th will be sent and will include a paper questionnaire. The final postcard on April 20th will say, "it's not too late, please respond and mail it in". Ms. Baronda said after that, on May 13th, anyone that has a post office box a numerator will come to your door and will have the forms which you can fill it out then or you can mail it in. She said the records are kept private for 72 years. She said the info is used for: residents use the census to support community

initiatives; businesses use the census to decide where to build factories, offices and stores and also to create more jobs. Local government officials use the census to ensure public safety and plan new schools and hospitals. Road state developers use the census and city planners to plan for new homes and improve neighborhoods. Ms. Baronda said according to the census Darlington City's population is 6,185. Ms. Baronda said we need to complete the census and know the importance of it. She said its part of the Constitution and it is our job to do the right thing and complete the census.

D) BUFFING MACHINE FOR GYM FLOORS – LEE ANDREWS

Mr. Lee Andrews said he came to Council in January with the floors for the gyms on the agenda for the recreation department. He said their problem with the floors right now is they are supposed to be cleaned with a scrubber. He said they have been cleaning the floors with a mop and buckets. Mr. Andrews had a picture of a walk behind floor scrubber that is designed to clean the type of floors that we have. The special package price comes in at $4,950 and the floor scrubber will be used at both gyms to clean the floors. Council Milling asked Mr. Andrews if he would be the one operating the scrubber? Mr. Andrews said, "Probably until everybody gets trained on it". Councilman Milling asked if the company provides training for the operation of the machine and Ms. Andrews said, "yes". Mr. Andrews said this is State contract price, so we don't need three bids on it. Councilman Milling asked Mr. Andrews if he has this in his budget? Mr. Garland said it will come out of hospitality tax. **Councilman Gardner made a motion to approve the buffing machine for the gym floors ($4,950 sales tax & delivery). Councilwoman Baccus seconded the motion.** Mayor Boyd said a possible $150 extra is required for lift gate delivery. Mr. Andrews said they will need the lift gate. **Mayor Boyd and Councilpersons Gardner, Baccus, Reed, Nettles, Milling and Segars all voted in favor of the motion.**

E) VOLLEYBALL STANCHIONS – LEE ANDREWS

Mr. Andrews said the high school volleyball team has done well lately and he would like to put volleyball at A.W. Stanley Gym. Mr. Andrews said they want to get the volleyball program going with the stanchions, net, etc. The price for the volleyball system is $2,950 and $1,200 to install it. **Councilman Bryant Gardner made a motion to approve the volleyball stanchions for $4,150. Councilwoman Elaine Reed seconded the**

motion. Mayor Boyd and Councilpersons Gardner, Baccus, Reed, Nettles, Milling and Segars all voted in favor of the motion.

F) BEAUTIFICATION COMMITTEE REPORT – JIMMY WHITE

Mr. Jimmy White said the Beautification Board is the most active board in the City and they are not just about planting flowers and putting out mulch. He gave Council a handout of everything that was included in the PowerPoint presentation. Mr. White did a PowerPoint presentation for the Beautification Board projects. He said their goal going forward is to update city signage, entrance signs, historic district signs, wayfaring signs or directional signs, etc. and have the same type of sign in each area of town. Community directional signs are for visitors to be aware of points of interest. He said they want to ask the City Manager to ask all department heads to take a look at the signage in their areas. He said a project they talked to the fire chief about and they are willing to help, and they are working out the details. He said there are 400 fire hydrants in this town and a lot of them are rusty and paint flaking off. He said they want to get paint and the fire department is willing to paint them. Mayor Boyd asked are they going to paint them all the same? Mr. White said they haven't worked that out. Ms. Ronda Brown said in talking with the fire department they were going to paint them all red, but there's going to have to be one section that is going to be a different color which indicates the size of the fitting for the fire department. The beautification board will continue to work on landscaping, Cashua Street parking lot entrance needs better lighting; public parking lot upgrades and repair and lighting, they want to finish the landscape at the Verizon area project; Landscape around the flag pole on US 52 By-Pass, parking lots-behind Carolina Bank administration, behind 225 restaurants, behind Jin Jin and also behind the wing restaurant needs lighting and the potholes need to be fixed. The retainage wall behind the first two needs to be repaired. He said they are continually working on Wells Park to keep it looking good; they have been in talks with Williamson Park committee members about helping as much as possible particularly with the entrances to the park; The Garden Club has decided to donate $3,500 to build a pavilion at Hampton Street. They had a donation from Kistler-Hardee to help build it. Mr. White said some members of Council and Genesis Healthcare wants to help with improving S. Main Street. He said they want to place benches all along S. Main Street and make it a better-looking place.

They want to paint the buildings white on Orange Street park by the Bill Cain Tennis Center. They want to change all the signs to look more like the signs that we are using everywhere else in the City. Mr. White included all of the improvements to the City of Darlington that the Beautification Board would like to do and the cost of the project. Mr. White asked Council to take a look at their budget and think about what they have done and what they want to do and help them out.

RECEIVE AS INFORMATION
(DEPARTMENT HEAD REPORTS (COUNCIL MEMBERS MAY ASK QUESTIONS) Mayor Boyd asked Mr. Kinsaul to give a quick update on the project on Broad Street. Mr. Kinsaul said Cotton Street is complete. Broad Street we don't know where we're going yet. They are twenty-five feet deep, chasing pipe. He said they are going to do camera work tomorrow to try and see exactly what is broken in the area. He said they have one bad manhole that they know of and where the hole is in front of Scarlett's the pipe is gone and they don't know how extensive it is going to be until they take a look tomorrow if they can get the video in. Mayor Boyd asked if they are still looking further down? Mr. Kinsaul said you hate to do a spot here with what it is costing and there be another broken pipe six foot away. Mr. Kinsaul said, "It's getting expensive, it could get drastic and if they have to go the distance that they've got blocked off, we're over $1 million dollars. Mr. Kinsaul said we are hoping they can do a point repair and fix it like we've previously done, but at this point it's unknown until they run the video of it. Mayor Boyd asked, "Do you know how much is actually broken right now and then they are looking further down"? Mr. Kinsaul said the part that they have actually dug, and they know is broken is probably 8' or 10'. He said they had a piece of pipe where they dug, and it was sitting there looking good and the superintendent said he was standing there looking at it and the pipe just collapsed. Mayor Boyd asked about the update on Farm Street. Mr. Kinsaul said they are working on grant work to see if we can get a grant to do some lift stations. Mr. Kinsaul said he's been talking to RIA and they said this repair may qualify for some grant money which would be a big help if we can get them to reimburse anything or whatever, but he said it should qualify under emergency repair work under RIA.

Fire Chief Pat Cavanaugh Mayor Boyd asked Chief Cavanaugh to reiterate the issues that are going on near the fire department. Mayor Boyd said he has spoken with Senator Malloy and Representative Robert Williams said they would look into trying to help us with the issues at the fire

department with the state not doing what they're supposed to do. Chief Cavanaugh said any time they have had a sink hole all they have done is come in and patch it. Fire Chief Cavanaugh said their biggest thing they think is with the State and the roadway is in the drains. Chief Cavanaugh said, "I remember far back in talking to the City about repairing it, they gave us a price, if I'm not wrong, and the City agreed a while back and nothing has been done". Chief Cavanaugh said his biggest fear is pulling the fire truck out. He said the other day the fire truck came out and the road collapsed under it and fortunately there was no damage to the fire truck. He said his biggest fear is the side of the building on Wells Street collapses out. He said they are getting sink hole after sink hole and they have $4-$5 million worth of equipment and it would be tragic for something to happen. Chief Cavanaugh said we are going to have to do something. Mayor Boyd said going down Orange Street is a time bomb. He said the reason he brought Chief Cavanaugh up was to bring it to everyone's awareness and hopefully we all will start calling to let them know the problem we are having and there is a major concern.

Mr. Garland said Mr. Jim Faille who was a long time Editor of the News & Press and Hartsville Messenger passed away Monday morning. Mr. Garland said he covered the City of Darlington for twenty-two years and worked in news media for thirty-five years. Mr. Garland said Jim was a great champion of journalism in this area and he can't ever remember a time when he wasn't fair to all involved. Mr. Garland said Mr. Faille will be greatly missed.

COUNCIL COMMENTS

(None)

REMINDERS

April 7, 2020 at 6:30 PM Regular Monthly Meeting Darlington City Council

ADJOURNMENT

Upon motion of Councilman John Milling, seconded by Councilwoman Elaine Reed, the meeting adjourned at 7:48 PM.

_____

Mayor

ATTEST:

_____

Clerk & Treasurer

CITY OF DARLINGTON

EMERGENCY CALL MEETING FOR THE CORONA VIRUS (COVID -19)

MARCH 16, 2020 AT 5:30 PM

The City of Darlington held an Emergency Call Meeting to discuss the pandemic continuity of operations plans.

Present at the meeting: Mayor Boyd, Howard Garland, Councilmembers Reed, Nettles, Baccus and Segars. Also present was City Attorney Kevin Etheridge, Mrs. Lisa Rock, Mr. Alex Gainey, Fire Chief Pat Cavanaugh, Police Chief Kelvin Washington, Mr. Lee Andrews, W&S Superintendent Mr. Kinsaul, Mr. Charles Bailey and Mrs. Anna DeWitt.

Also present was Mr. Bobby Bryant from the News & Press.

PRAYER

Mayor Curtis Boyd opened the meeting with prayer.

APPROVAL OF MEETING AGENDA

Upon motion of Councilman Howard Nettles, seconded by Councilwoman Elaine Reed to approve the meeting agenda. Mayor Boyd and Councilpersons Baccus, Segars, Reed and Nettles all approved the motion.

CITY OF DARLINGTON CONTINGENCY PLAN DISCUSSON

Mr. Garland said we have taken the contingency plan from other towns (Mauldin, Hartsville, and Columbia) and with those he had a department head meeting this morning and combined some of the best parts of their plans into our plan. Mr. Garland said he wanted to announce some of the things they are going to start doing tomorrow: Access to city offices will be restricted to essential personnel beginning tomorrow (Tuesday March 17, 2020) to the end of March. Per the order of the Governor pf the State of South Carolina, no utilities will be cut off during this state of emergency. Residential and commercial garbage collection will remain on regular schedule. Yard debris collection will continue as normal as well. Mr. Garland said through the end of March, all recreation activities are cancelled, all indoor recreational facilities are closed; all city offices are restricted to essential personnel only; all city meetings are cancelled; per the State Supreme Court Chief Justice city court is cancelled. Mr. Garland said individuals are encouraged to do all business by phone or email during this time. He said we will allow for payments of water bills in either of the drop boxes. We will take business license applications and permits by phone. Mr. Garland said he trusts that all Council members had a chance to review the Pandemic Continuity of Operations Plan. He asked them to turn to page 5 Item B- Orders of Succession; He said if he was to be incapacitated the Clerk/Treasurer would take over. If the Clerk/Treasurer would become incapacitated then the Street Department Director would take over, followed by the Planner/Public Information Officer, then the Water & Sewer Superintendent. If the Police Chief is incapacitated, the Assistant Chief would take over

followed by the Patrol Captain. The Fire Chief would be followed by the Assistant Fire Chief and then the on-duty shift captain. He said the W&S Superintendent is out the Street Department Director would take over, followed by field services manager for the W&S and then parks & recreation manager. If the Public Information Officer is out, the Police Public Information Officer would take over followed by the City Manager. Mr. Garland said this was put together I a hurry and it's in response to something that has never happened in our government before and we tried to respond the best we could. He said we want to make sure we protect the safety of our employees. He said we are considerate for those who have children that are going to be out of school and that's why we are staggering our folks. He said the Clerk of Court will have one person in that office and one person will stay home and the same will apply for the Water Department and the Clerk's Office. Mr. Garland said he met with Mr. Lynch with Asset Technology to make sure all of our information is backed up and he assured us that all of our information is backed up off site. Councilwoman Reed said, "So there want be any breakdown as a result of that"? Mr. Garland said from an information technology standpoint, we are good. We have two different places off site where our information is stored. Mr. Garland said this is just a short-term thing and we may look at reassessing the date that we hold the next city council meeting because the window is being expanded out at least a month so we may need to wait until April 14th to have our next city council meeting. Councilman Nettles asked, "don't we have another session prior to that as well"? Mr. Garland said on the 13th, but we can reschedule that as well. Councilman Nettles asked, "Are there any city meetings that are cancelled that are time sensitive"? Mrs. Lisa Rock said the only thing that's pending is a zoning question for the Planning Commission, but it wasn't on the agenda for March anyway. Mayor Boyd said we have a 90-day contingency on that ballfield so that needs to be done before the 14th probably. Councilman Nettles said but we're also waiting on some information too. Mayor Boyd said we are supposed to meet with them Thursday but if we don't meet on April 7th, then if we wait until the 14th, I think that will be too long. Mr. Garland said, "In the option, I think we have an extension". Mayor Boyd asked City Attorney Kevin Etheridge to take a look at this. Councilwoman Reed said, "Since all of the kids will be out of school and most of our recreation activities are after school anyway, that will not effect our parks, will it"? Mr. Garland said our parks are open and they're outside so we were going to post, but they will not be under supervision. Councilman Nettles said Item #4 – under Continuity Planning he recommends changing "maintaining three-feet spatial separation to six-feet. Mayor Boyd said in the next paragraph, who would be responsible for "Monitoring & periodically test protection methods"? Mr. Garland said that would fall under the Public Information Officer. Councilman Nettles asked if we could specify that so it's clear and Mr. Garland said, "Sure". Mayor Boyd said, "God forbid that if everything does get locked down and we're supposed to stay put or whatever, is there first elderly people, or children, do we have anything lined up if we need to get out besides the EMS people or police. Mr. Garland said we have a listing of elderly from the Street Department that aren't able to roll their garbage out to the street so there are 35 or 40 people that we used during hurricanes to check on. Mayor Boyd said, "you brought it up but with the water they can drop the payments off and it's the same for all utilities that won't be cut off or no late fee or anything of that nature. Mr. Garland said, "No cut-offs, but I don't think we're waiving late fees". Mrs. Rock said you can pay your water bill online.

CITY OF DARLINGTON CONTINGENCY PLAN ADOPTION

Councilwoman Sheila Baccus made a motion to accept the Pandemic Continuity Operations Plan. Councilman Howard Nettles seconded the motion. Mayor Boyd and Councilpersons Baccus, Segars, Reed and Nettles all approved the motion.

Upon motion of Councilwoman Baccus, seconded by Councilwoman Reed, the meeting adjourned at 5:45 PM.

_____

Mayor

ATTEST:

_____

Clerk & Treasurer

Greater Darlington Chamber of Commerce

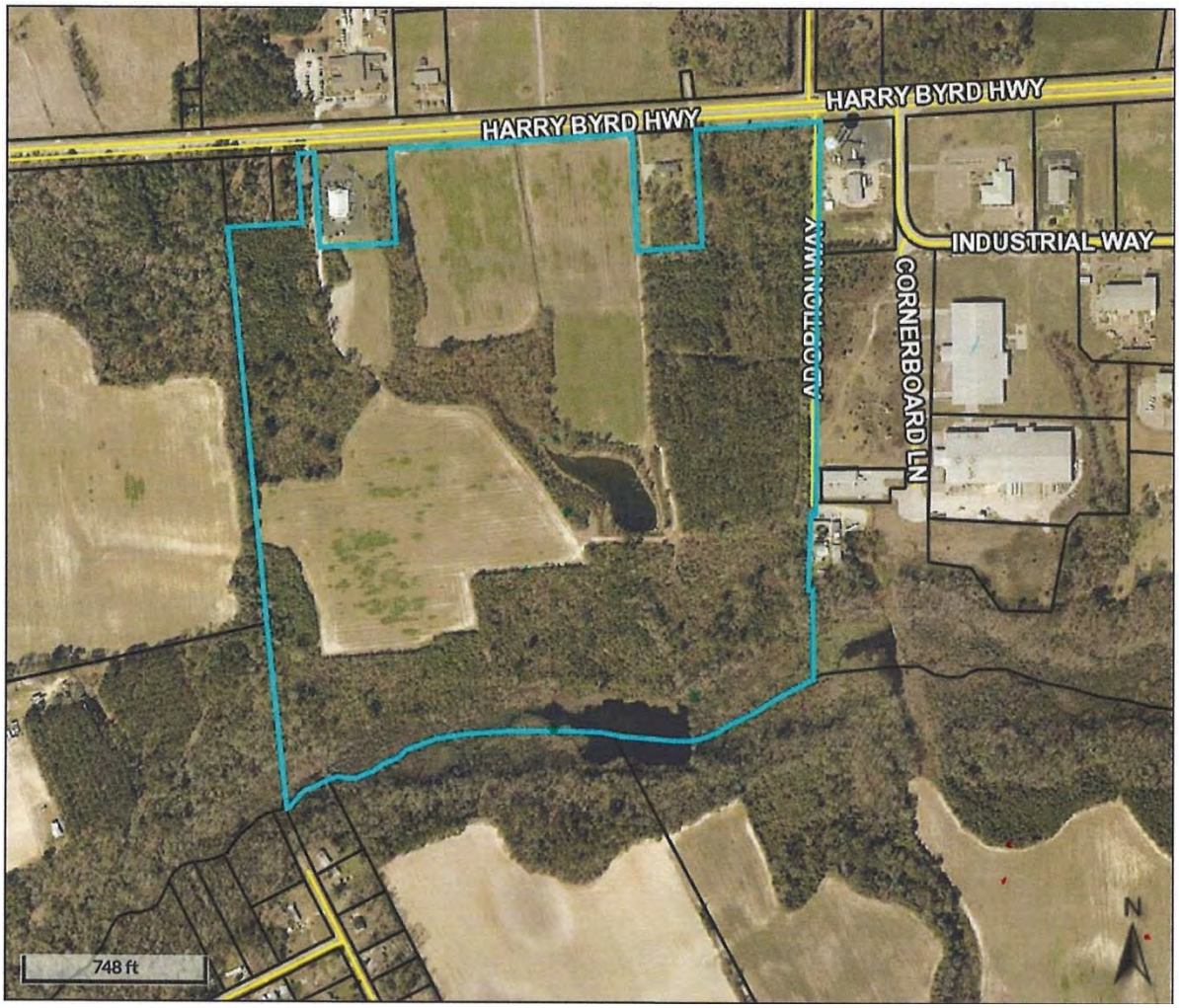
Report to City Council - April 2020

As always, we are in the planning stages of Freedom Fest which will be held on July 11, 2020 at the Darlington Raceway. The stage is ordered, the band is booked, the rides are being reserved, vendors are reserving spots, and **NEW** fireworks company has the date on their calendar. The Chamber of Commerce is proceeding with Freedom Fest; however, we do have 2 backup contingency plans in case we are continuing to practice social distancing.

The Greater Darlington Chamber of Commerce would, at this time, like to request sponsorship from the City of Darlington for Freedom Fest 2020 in the amount of $15,000.00 as this is historically the amount our great City has done. In years past, the City of Darlington has been one of our best supporters in this event, and we hope this continues again for 2020.

Freedom Fest is the Greater Darlington Chamber of Commerce's annual Independence Day celebration and family event at the Darlington Raceway. It is a large-scale event that brings thousands of people to our beautiful community each year, many of whom come from outside of our County and outside of our State. This event places Darlington in the spotlight and contributes to not only the local economy, but also to the growth of tourism.

Through the support of our City, this event has continued to grow exponentially in size, so much so that we are bringing in a marketing company and IHeart Media to assist in the marketing of this event throughout the State.



Property Purchase 1755 Harry Byrd Highway 116 Acres, TMN 126-00-02-063

$600,000 for sports complex / ball fields

THE STATE OF SOUTH CAROLINA
COUNTY OF DARLINGTON
CITY OF DARLINGTON

BE IT ORDERED AND ORDAINED by the City Council of Darlington in Council assembled this 7th day of April 2020.

WHEREAS: All that piece, parcel or lot of land, located on 1755 Harry Byrd Highway owned by Olin Kirven.

WHEREAS: The City of Darlington intends to purchase 116 acres (126-00-02-063) for $600,000.

WHEREAS: Any and all property must be conveyed with a marketable title. This is defined as a title to real property that is free from encumbrances, litigation, and other defects and that can be sold or mortgaged to a reasonable buyer or mortgagee. If property cannot be conveyed with such title, any agreements set forth within will be considered void and unenforceable. The City of Darlington must be able to obtain a strip of land that will be attached to the 116 acres allowing for the property to be located within the city limits. A survey of the property has been completed with 70 acres of the 116 acres deemed buildable land for recreational fields.

DONE AND RATIFIED in City Council assembled this 7th Day of April 2020.

Ordinance Number 2020-01

_____
Curtis Boyd
Mayor
City of Darlington

I approve the foregoing as to form.

_____
Kevin Etheridge
City Attorney

ATTEST:

_____
Gloria B. Pridgen
City Clerk and Treasurer

CURTIS BOYD Mayor
COUNCIL MEMBERS
John H. Segars
Elaine Reed
Sheila Baccus
Bryant Gardener
John Milling
Howard Nettles

City of Darlington
South Carolina

City Attorney **KEVIN ETHERIDGE**
Municipal Judge **ROBERT L. STUCKS IV**
City Manager **HOWARD GARLAND**
Clerk & Treasurer **GLORIA B. PRIDGEN**

PO BOX 57
Darlington, SC 29532
843.398.4000

RESOLUTION OF INTENT

WHEREAS, City of Darlington Code of Ordinances Article XI. §18-272 – Code Revisions Adopted States: Only changes, amendments, or deletions, or insertions approved and endorsed by the South Carolina Building Codes Council shall be allowed or made parts of the codes adopted in this chapter and shall become automatically adopted and made part of this Code upon ratification by the council.

WHEREAS, on August 22, 2018 the South Carolina Building Codes Council established and implemented the adoption of the following Building Codes:

2018 Editions: International Building Code (Including Chapter 1 – Scope and Administration) w SC Modifications, International Residential Code w SC Modifications, International Fire Code w SC Modifications, International Plumbing Code, International Mechanical Code w SC Modifications, International Fuel Gas Code w SC Modifications, International Property Maintenance Code, Swimming Pool and Spa Code, International Existing Building Code, and International Performance Code for Buildings and Facilities.
2017 Edition: National Electrical Code (NFPA 70) w SC Modifications
2009 Edition: International Energy Conservation Code

NOW, THEREFORE, BE IT RESOLVED, that the City of Darlington's Council hereby:

Ratifies to adopt the aforementioned Editions of the Building Codes as adopted by the South Carolina Codes, to include Chapter One of the International Building Code on this the _____ day of _____, 2020.

_____
Curtis Boyd
Mayor, City of Darlington

I approve the foregoing as to form:

_____
Kevin Etheridge
Attorney for City of Darlington

ATTEST:

_____
Gloria Pridgen
City Clerk and Treasurer

STATE OF SOUTH CAROLINA

CITY OF DARLINGTON

ORDINANCE NO. 2020-03

ORDINANCE TO ENTER INTO INCENTIVE AGREEMENT WITH HOLT BROS BBQ EXPRESS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DARLINGTON, SOUTH CAROLINA, assembled _____ day of _____, 20___:

SECTION 1. The City of Darlington, hereafter referred to as THE CITY, will enter into an Economic Development Agreement with Holt Bros BBQ Express, hereafter referred to as THE DEVELOPMENT,

Whereas

I. The Development will locate at 1503 S. Main St., Darlington, SC;
II. The Development began construction in February 2020, including a renovation of the exterior and interior, and plans to be fully operational by summer 2020;
III. The Development plans to exist at this location through January 2030;
IV. The Development intends to invest $150,000 in capital expenses;
V. The Development intends to hire as many as 25 full-time employees;
VI. The Development intends to hire with a preference for those living in Darlington County; and
VII. The combined investment of the Development, including a credit of $50,000 per job created, exceeds $1 million.

In return for this investment, the development is requesting the City provide the following:

I. Reimbursement of 100 percent of building permit fees during the initial construction phase;
II. Reimbursement of business license taxes in the following manner:
    a. One hundred percent for the first taxable year of operation or any portion thereof;
    b. Sixty-six percent for the second taxable year of operation; and
    c. Thirty-three percent for the third taxable year of operation.
III. Reimbursement of local hospitality taxes, at a rate of 50 percent for a period of 12 months. Such funds received through this incentive are to be spent only for purposes that are related to tourism, pursuant to S.C. Code 6-1-730.

SECTION 2. The City of Darlington affirms that, based upon any acquisition costs for the subject property, along with good-faith estimates for the costs of physical improvements and the number of jobs created, the Development will meet or exceed the minimum investment requirements of subsection 22-105(a)(4); specifically, through

I. Anticipated business license fees of $629.80;
II. Additional property tax revenue of $1,120.90 annually;
III. Utilities revenue of $701.76 annually; and
IV. Job investment credit of $1,250,000 based on 25 employees

Additionally, the Development will improve the entrance to the City by rehabilitating a derelict building.

The amount of incentives granted to the Development shall not exceed the value of the direct and indirect benefits of the Development to the City.

SECTION 3. Certification, commencement and continuation of incentives.

No incentive shall commence or be given until such time as the Development has been issued a certificate of occupancy and/or a business license as well as a certificate that all terms and benchmarks included within the applicable incentive agreement, including without limitation benchmarks for capital investment, property valuation, and job creation (the "benchmarks"), have been fully achieved or otherwise completed.

Where benchmarks, such as the number of jobs created, are to be met continuously over a period of time, the incentive recipient shall provide to the city, on an annual basis, sufficient proof that the Development has continuously achieved or otherwise complied with such benchmarks. A **Request for Incentive Repayment** must be submitted by July 31 of each year to the City Manager's Office. Failure to do so may result in reduction or forfeiture of incentives.

If, at any time after completion of a Development or at any time within the period of time during which a Development is granted incentives, a Development fails to achieve or otherwise comply with a benchmark, the council may, at its discretion and on a case-by-case basis:

(1) declare the incentive agreement null and void and refuse to grant any future incentives; or
(2) decrease the amount of the incentives based upon the actual direct and indirect benefits of the Development to the City and its citizens.

SECTION 4. This ordinance shall become effective upon its final adoption.

DONE AND RATIFIED in City Council assembled this _____ day of _____, 20_____.

Tuesday, April 7, 2019 First Reading	_____ Mayor
Tuesday, May 5, 2019 Public Hearing	
Tuesday, May 5, 2019 Second Reading	
ATTEST:	
_____ Clerk/Treasurer	
AS TO FORM:	_____ City Attorney

STATE OF SOUTH CAROLINA	)	RESOLUTION
	)	Granting Consent to the Inclusion of Certain
COUNTY OF DARLINGTON	)	Property within the Joint County Industrial
	)	Park of Darlington and Lee Counties
CITY OF DARLINGTON	)	

WHEREAS, Darlington County (the "County") and Lee County (collectively, the "Counties") entered into an agreement for development of a joint county industrial and business park dated as of April 14, 1998, as subsequently amended (the "Park Agreement"); and

WHEREAS, South Carolina Code Section 4-1-170, as amended, requires the consent of a municipality for inclusion of property within the municipality in a joint industrial or business park established by participating counties; and

WHEREAS, as a result of a planned expansion, Georgia-Pacific Consumer Operations LLC and its affiliates (collectively, the "Company") plan to expand its facilities on certain properties located within the geographical limits of the City of Darlington (the "City") that the County and the Company and its affiliates would like to have included in the Joint County Industrial and Business Park (the "Park") created by the Counties; and

WHEREAS, the properties to be located in the Park within the limits of the City are more fully described on the attached Exhibit A;

WHEREAS, the City, under those circumstances, now wishes to grant its consent pursuant to S.C. Code Section 4-1-170, as amended,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Darlington, in Council duly assembled, that the City hereby consents to inclusion within the Joint County Industrial and Business Park of Darlington County and Lee County of that portion of the properties of the Company and its affiliates located within the City which is described in Exhibit A attached hereto.

This Resolution is not intended to and does not operate to grant the consent of the City to the inclusion within the Park of any other land of the Company or its affiliates or of any other entity.

This Resolution shall take effect on the date hereof.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2020.

_____
Curtis Boyd, Mayor

ATTEST:

_____
Howard Garland, City Manager

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel #1:

The Property referred to herein is situated in the County of Darlington, State of South Carolina, and is described as follows:

All that certain parcel or lot of land, with the improvements thereon, situate, lying and being in the City and County of Darlington, State of South Carolina, designated as Lot No. 4 of Block 30 on a plat of property of Darlington Land Improvement Company made by H. H. Huggins dated 1888 and recorded in the office of the Clerk of Court of Darlington County in Book 12 at Page 206. The said lot is bounded on the Northwest by Avenue D, on the Northeast by Fourth Street, on the Southeast by Lot No. 8 on said plat and on the Southwest by right-of-way of S. A. L. Railway Company.

LESS AND EXCEPT any portion of subject property lying within the bounds of the Railroad right of way.

The above property is a portion of the property conveyed unto Darlington Veneer Company, Inc., a South Carolina corporation by deed of Florence Leake dated February 3, 1950 and recorded in the Office of the Clerk of Court for Darlington County on February 4, 1950 in Deed Book 268, Page 149.

The above property is identified as Darlington County tax parcel 165-04-01-006.

Parcel #2:

The Property referred to herein is situated in the County of Darlington, State of South Carolina, and is described as follows:

All that certain parcel or lot of land lying, being and situate in the City and County of Darlington, State of South Carolina, shown and designated as containing 16.85 acres on that certain plat of survey prepared for the City of Darlington by Nesbitt Surveying Co., Inc. on April 27, 2018, and recorded Plat Book 214, at Page 329, in the Office of the Clerk of Court for Darlington County.

Being the same property conveyed by Title to Real Estate dated May 2, 2018 from Walter H. Sims, Jr. and Ellen F. Webb to the City of Darlington, recorded on May 11, 2018, in Book 1085, Pages 4636-4639 in the Office of the Clerk of Court for Darlington County.

TMS#: 165-04-01-005 and 165-00-02-010

Parcel #3:

All that certain piece, parcel or lot of land, together with the building and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as

Lot No. 2 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, said lot fronting on Avenue C forty-five (45) feet and running back ninety-two and one-half (92½) feet to Lot No. 8, bounded on the north by Lot No. 3; on the south by Lot No. 1; on the west by Lot No. 8; on the east by Avenue C.

Tax Map Number: 165-03-03-042

Parcel #4:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 3 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, and fronts on Avenue C forty-five (45) feet and runs back in depth ninety-two and one-half (92½) feet to Lot No. 9, bounded on the north by Lot No. 4; on the south by Lot No. 2; on the east by Avenue C; and on the west by Lot No. 9, as will appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-041

Parcel #5:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 4 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, said lot fronting on Avenue C forty-five (45) feet and running back in depth ninety-two and one-half (92½) feet to Lot No. 10, bounded on the north by Lot No. 5; on the east by Avenue C; on the west by Lot No. 10; and on the south by Lot No. 3, as show on the aforesaid plat.

Tax Map Number: 165-03-03-040

Parcel #6:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 5 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, said lot fronting on Avenue

C forty-five (45) feet and running back in depth ninety-two and one-half (92½) feet to Lot No. 11, bounded on the north by Lot No. 6; east by Avenue C; on the west by Lot No. 11; and on the south by Lot No. 4, all of which will more fully appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-039

Parcel #7:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 6 on plat made by T. E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, said lot fronting on Avenue C forty-five (45) feet and running back ninety-two and one-half (92½) feet to Lot No. 12, bounded on the north by land formerly of E.R. Cox; on the east by Avenue C; on the south by Lot No. 5; and on the west by Lot No. 12, all of which will more fully appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-038

Parcel #8:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 9 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, said lot fronting on a fifteen (15) foot alley forty-five (45) feet and running back ninety-two and one-half (92½) feet to Lot No. 3, bounded on the north by Lot No. 10; on the east by Lot No. 3; on the south by Lot No. 8; and on the west by a fifteen (15) foot alley, all of which will more fully appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-062

Parcel #9:

All those two (2) certain lots of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, being Lot Nos. 8 and 10 as shown on plat made by T.E. Wilson, C.E., dated November 28, 2010 and duly recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, a more accurate description of said lots as to dimensions will more fully appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-061 and 165-03-03-063

Parcel #10:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 11 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk of Court for Darlington County in Plat Book 2 at page 169, fronting on a fifteen (15) foot alley forty-five (45) feet and running back ninety-two and one-half (92½) feet to Lot No. 5, bounded on the north by Lot No. 12; on the south by Lot No. 10; on the east by Lot No. 5; and on the west by a fifteen 15 foot alley.

Tax Map Number: 165-03-03-064

Parcel #11:

All that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the Town and County of Darlington, State of South Carolina, known as Lot No. 12 on plat made by T.E. Wilson, C.E., dated November 28, 2010, recorded in the Office of the Clerk for Darlington County in Plat Book 2 at page 169, fronting on a fifteen (15) foot alley forty-five (45) feet and running back ninety-two and one-half (92½) feet to Lot No. 6, bounded on the north by Lot No. 13; east by Lot No. 6; south by Lot No. 11; and west by a fifteen (15) foot alley, all of which will more fully appear by reference to the aforesaid plat.

Tax Map Number: 165-03-03-065

Parcel #12:

All that certain piece, parcel or lot of land situate, lying and being in the Town and County of Darlington, State of South Carolina, bounded as follows: on the north by an alleyway fifteen (15) feet wide, which runs from First Street to Second Street; on the east by Second Street; on the south by Avenue C; and on the west by lots of Jim Muldrow and Chalmers Cooper.

Tax Map Number: 165-03-03-037 and 165-03-03-066

Being the same property conveyed by Deed of Distribution dated February 23, 1999 from John Jay James, II as Legal Representative of the Estate of Albert L. Flowers, Jr. to Margaret Leigh F. Sims and to Ellen F. Webb, recorded on December 15, 1999, in OR Book 261, Page 182, and by Deed of Distribution dated May 19, 2003 from Walter F. Sims, Jr. as Personal Representative of the Estate of Margaret Flowers Sims to Walter H. Sims, Jr., recorded on February 15, 2008, in OR Book 1052, Pages 1703 - 1705.

Parcel #13

Land Situated in the State of South Carolina, County of Darlington, City of Darlington, described as follows:

All that certain piece, parcel or lot of land with all buildings and improvements thereon, situate, lying and being in the County of Darlington, State of South Carolina as shown on a plat prepared by J. E. Tucker dated July 17, 1987 whereon same is shown to be bounded and measuring as follows:

On the S.E. by East Railroad Avenue for a distance of 96.5 feet.
On the Southwest by James River-Dixie Northern. Inc. for a distance of 60 feet.
On the Northwest by James River-Dixie Northern, Inc. for a distance of 99 feet and
On the Northeast by South Carolina Central Railroad Company for a distance of 60 feet.

All measurements and directions being a little more or less and shown on the aforementioned plat to which reference is craved for a more complete and accurate description. Said plat being incorporated herein by reference thereto.

This being the property conveyed to the Grantee herein by Marvin I. Lawson, Clerk of Court for Darlington County, by Deed dated February 12, 1990 and recorded in the office of the Clerk of Court in Deed Book 987, at Page 10.

Specifically, included in this transaction are the mobile home and buildings with additions thereto located on the said property.

Derivation:

Being the same property conveyed by Deed dated May 18, 1990 from Dixie Federal Credit Union to James Rivers Corporation, Dixie Products and recorded in Deed Book 989, Page 561, Darlington County, South Carolina records.

TMS: 165-03-02-073

Parcel #14

ALL those certain tracts, pieces, or parcels of land situate in the City of Darlington, County of Darlington, State of South Carolina, being designated as Tracts E, F, and G containing a total of 4.981 acres, being more fully described as:

Beginning at an iron pin at the southwest intersection of Third Street and Avenue B; thence, along Avenue B North 63 degrees 01 minute East a distance of 215.01 feet to an iron pin at the property of Seaboard Coastline Railroad; thence, along said railroad South 32 degrees 02 minutes East a distance of 202.00 feet; thence, along said railroad North 57 degrees 58 minutes East a distance of 15.05 feet; thence, along said railroad South 32 degrees 02 minutes East a distance of 90.00 feet; thence, along said property North 57 degrees 58 minutes East a distance of 15.06 feet; thence, along said property South 32 degrees 02 minutes East for a distance of 178.23 feet; thence, South 62 degrees 58 minutes West a distance of 30.11 feet; thence, along said railroad South 32 degrees 02 minutes East a distance of 403.23 feet to an iron pin at Avenue D; thence, along Avenue D South 62 degrees 58 minutes West a distance of 272.11 feet to an iron pin at Third Street; thence

along Third Street North 28 degrees 16 Minutes West a distance of 868.19 feet to the point of beginning. Said tract bounded as follows:

North: by Avenue B
South: by Avenue D
East: by Seaboard Coastline Railroad
West: by Third Street

TMS: 165-03-03-02

Parcel #15:

ALL those certain tracts, pieces, or parcels of land situate in the City of Darlington, County of Darlington, State of South Carolina, being designated as Tracts H and H-1 containing a total of 3.764 acres, being more fully described as:

Beginning at an iron pin at the southwest intersection of Avenue B and Third Street; thence, along Third Street South 28 degrees 16 minutes East a distance of 23.02 feet to a building; thence, North 68 degrees 52 minutes East a distance of 2.0 feet to the corner of said building; thence, along said building South 27 degrees 30 minutes a distance of 149.43 feet; thence, along Third Street South 28 degrees 16 minutes a distance of 233.94 feet to an iron pin at Avenue C; thence, South 62 degrees 58 minutes West a distance of 403.00 feet to an iron pin at Second Street; thence, along Second Street North 28 degrees 16 minutes West a distance of 406.77 feet to an iron pin at Avenue B; thence, along said Avenue B North 63 degrees 01 minute East for a distance of 403.00 feet to the point of beginning. Said tract being bounded as follows:

North: by Avenue B
South: by Avenue C
East: by Third Street
West: by Second Street

TMS: 165-03-03-036 and 165-03-03-001

Parcel #16:

ALL that certain tract, piece, or parcel of land situate in the City of Darlington, County of Darlington, State of South Carolina, being designated as Tract I containing 6.327 acres, being more fully described as:

Beginning at a nail and cap at the southwest intersection of Avenue A and Second Street; thence, along Second Street South 28 degrees 16 minutes East a distance of 402.56 feet to a building at Avenue B; thence, along, Avenue B South 63 degrees 01 minute West a distance of 653.21 feet to a fence post; thence, North 26 degrees 46 minutes West a distance of 238.43 feet to a fence post; thence, South 60 degrees 08 minutes West a distance of 86.08 feet to a fence post; thence, North 30 degrees 11 minutes a distance of 167.67 feet to an iron pin at Avenue A; thence, along Avenue A North 62 degrees 57 minutes East a distance of 738.74 feet to the point of beginning. Such parcel being bounded as follows:

North: by Avenue A
South: by Avenue B
East: by Second Street
West: by lands of G. P. Gandy, et. al.

TMS: 165-03-02-038

Parcel #17:

ALL that certain tract, piece or parcel of land situate in the City of Darlington, County of Darlington, State of South Carolina, being designated as Tract J containing 1.706 acres, being more fully described as:

Beginning at an iron pin at the southwest intersection of Broad Street and Russell Street; thence, along Russell Street South 28 degrees 17 minutes East a distance of 155.02 feet to an iron stake; thence South 61 degrees 50 minutes West a distance of 200.00 feet to an iron pin; thence, South 30 degrees 12 minutes East a distance of 49.07 feet to a spike in the pavement at property of Atlantic Coastline Railroad; thence, along said railroad South 62 degrees 36 minutes West a distance of 200.05 feet to an iron pin; thence, North 30 degrees 03 minutes West a distance of 213.49 feet to an iron pin at Broad Street; thence, along Broad Street North 63 degrees 32 minutes East a distance of 405.18 feet to the point of beginning. Said parcel being bounded as follows:

North: by Broad Street
South: by Atlantic Coastline Railroad and Dixie Federal Credit Union.
West: by-Price Warehouse, Inc.
East: by Russell Street

Being a portion of the property that was conveyed to American Can Company or its subsidiaries, Individual Drinking Cup and Dixie Cup at: Deed Book 595, Page 267; Deed Book 723, Page 297; Deed. Book 364, Page 65; Deed Book 415, Page 446; Deed Book 358, Pages 16 and 203; Deed Book 364, Pages 83 and 239; Deed Book 416, Page 82; Deed Book 236, Page 316; Deed Book 340, Page 374; Deed Book 483, Page 141; Deed Book 408, Page 433; Deed Book 248, Page 127; and Deed Book 226, Pages 44, 106, 107, 112, and 114.

TMS: 165-03-02-052

Derivation:

Being the same property conveyed by Deed dated October 21, 1983 from James River Corporation of Virginia to James River-Dixie/Northern, Inc. and recorded in Deed Book 865, Page 82, Darlington County, South Carolina records and by Deed dated July 2, 1982 from American Can Company to James River-Dixie/ Northern, Inc., recorded in Book 839, Page 641, Darlington County, South Carolina records.

TMS: 165-08-01-067
165-08-01-069
165-03-02-038

Parcel #18:

ALL those certain tracts, parcels, or pieces of land situate in and adjacent to the City of Darlington, County of Darlington, State of South Carolina, being designated as Tracts A, B, and C containing a total of 18.507 acres, being more fully described as:

Beginning at an iron pin at the southwest corner of the intersection of Avenue D and Fifth Street; thence, along the southern right-of-way of Fifth Street South 28 degrees 46 minutes East a distance of 1996.02 feet to Limit Street; thence, South 62 degrees 17 minutes West along Limit Street a distance of 216.90 feet to property of Seaboard Coastline Railroad; thence, along said railroad

North 42 degrees 47 minutes West a distance of 612.21 feet to a point; thence, along said railroad North 42 degrees 26 minutes West a distance of 99.14 feet; thence, along said railroad North 41 degrees 04 minutes West a distance of 99.83 feet; thence, along said railroad North 38 degrees 33 minutes West a distance of 143.27 feet; thence, along said railroad North 35 degrees 49 minutes West, a distance of 122.33 feet; thence, along said railroad North 33 degrees 33 minutes West a distance of 119.97 feet to an iron pin; thence, along said railroad north 29 degrees 36 minutes West a distance of 6.15 feet; thence, along said railroad North 32 degrees 04 minutes West a distance of 631.90 feet to an iron pin; thence, North 62 degrees 58 minutes East a distance of 46.50 feet to an iron pin; thence, North 28 degrees 59 minutes West a distance of 200.07 feet to an iron pin on Avenue D; thence, North 62 degrees 58 minutes East along Avenue D a distance of 450.00 feet to the point of beginning. Said parcel being bounded. as follows:

North: by Avenue D and Fifth Street
South: by Seaboard Coastline Railroad
East: by Fifth Street
West: by Darlington Veneer Company, Inc., and
Seaboard Coastline Railroad.

TMS: 165-08-010-068

Parcel #19:

ALL that certain tract, piece, or parcel of land situate in the City of Darlington, County of Darlington, State of South Carolina, being designated as Tract D containing 5.034 acres, being more fully described as:

Beginning at an iron pin on Third Street approximately 200 feet south of Avenue D; thence, North 62 degrees 58 minutes East a distance of 319.79 feet to an iron pin at the property of Seaboard Coastline Railroad; thence, along said railroad South 32 degrees 04 minutes East a distance of 635.42 feet; thence, along said railroad South 28 degrees 22 minutes East a distance of 3.82 feet to an iron pin; thence, South 61 degrees 17 minutes West a distance of 362.60 feet to an iron pin

at Third Street; Thence, along Third Street North 28 degrees 12 minutes West a distance of 647.57 feet to the point of beginning. Said parcel being bounded as follows:

North: by property of Seaboard Coastline Railroad, S.B. Weatherford, Paul A. Sansbury, J.W. and P. C. Coggshell
South: by Avenue F, now vacated
East: by Seaboard Coastline Railroad
West: by Third Street

TMS: 165-08-01-068