CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING
MAY 5, 2020 AT 6:30 PM (DIGITAL MEETING – ZOOM)

PRESENT AT MEETING VIA ZOOM:
Mayor Curtis Boyd, City Manager, and Councilpersons: Elaine Reed, John Segars, Howard Nettles, Bryant Gardner, Sheila Baccus and John Milling. Also, present: City Manager, Mr. Howard Garland, Mrs. Lisa Rock, City Attorney Kevin Etheridge, Mr. Alex Gainey, Chief Kelvin Washington, Nancy Matthews, and Sheila Jones.

Mayor Boyd did roll call of all the council members.

INVOCATION & PLEDGE OF ALLEGIANCE
Police Chief Kelvin Washington did the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES
Councilman Bryant Gardner made a motion to approve the minutes of the city council meeting held on *April 7, 2020*. Councilwoman Elaine Reed seconded the motion. Councilpersons: Segars, Baccus, Milling, Nettles, Reed, Gardner and Mayor Boyd approved the motion. Councilman Bryant Gardner made a motion to approve the minutes for the work session held on *April 13, 2020*. Councilwoman Elaine Reed seconded the motion. Councilpersons: Segars, Baccus, Milling, Nettles, Reed, Gardner and Mayor Boyd approved the motion

APPROVAL OF MEETING AGENDA
Upon motion of Councilwoman Elaine Reed, seconded by Councilman Howard Nettles, to approve the meeting agenda for the May 5, 2020 meeting which unanimously carried. Councilpersons Segars, Baccus, Milling, Nettles, Reed, Gardner and Mayor Boyd approved the motion.

REPORT OF STANDING COMMITTEES
A) DARLINGTON DOWNTOWN REVITALIZATION ASSOCIATION – MRS. LISA ROCK
Darlington Downtown Revitalization Association
Report for Council – May 5, 2020
Due to the Governor's executive orders regarding COVID-19 and social distancing requirements, the DDRA has postponed the annual **Taste of Darlington,** our monthly **Member Breakfasts,** and the **Community Karaoke Party**. Our **Annual DDRA Golf Tournament** has been rescheduled to **Wednesday, June 24,** in hopes the social

distancing rules will be relieved. We will continue to reschedule it each month until those rules are lifted.

We are working with our radio partners and NASCAR to see if we can reschedule Darlington Family Fest.

The Board has suspended all improvement grants until such time that we can resume our fundraising efforts.

In the meantime, we continue to promote Darlington and its businesses on Social Media and through our News Alert System each week. In April, we printed a half-page ad in the Morning News notifying customers of businesses that were still operating, and we continually update our Web page, www.BuildUpDarlington.org/covid19, as businesses adapt to this new normal.

Since we are unable to have our concert events downtown, we are working on a promotion and summer contest to encourage shoppers to keep their dollars in Darlington. This effort to **Save Our Restaurants & Eat Local** will give patrons a chance to win $250 in June, $250 in July, and $250 in August just for eating at locally owned restaurants in town. Simply eat local, get your brochure stamped by the business when you pay, collect 20 stamps, and mail in your brochure to be entered into the drawing. At the end of each month, we will draw for $250. You can enter as many times as you like, and entries will roll over from one month to the next.

The brochures will be available to print out from Facebook and from BuildUpDarlington.org as well as participating restaurants.

B) GREATER DARLINGTON CHAMBER OF COMMERCE – MRS. NANCY MATTHEWS

Mrs. Nancy Matthews said on March 19th their Chamber Director established a Facebook group called "Darlington Take-Out and Delivery to promote our local restaurants. Mrs. Matthews said it has been a real success having 1,126 members who have joined. She said restaurants, whether they are chamber members or not, would be able to post their menus on certain days and show what they have to offer in terms of take-out. She said sometimes the members themselves post and if they don't, the Chamber Director takes it own herself to post their menu. Mrs. Matthews said another activity the chamber has been involved in is as early on as before the first CARES Act was passed, the Director became familiar with the PPP Loans and the SBA Loans so that they could pass it on to the public. Mrs. Matthews said part of that effort resulted in their Director contacting Senator Tim Scott's office to see if he would do a virtual town hall meeting for Darlington. She said that took a lot of persistence but last Saturday his office contacted her Director and said, "let's have a call on Monday at 3:30 PM, which was not a lot of lead time". And it was limited to 25 participants. Mrs. Matthews said they had the call and it was very productive. She said the Mayor and some of the council members were on the call. She said there were some issues that came up and she believes Senator Tim Scott or someone else he assigned, got back with them. Councilwoman Elaine Reed asked, "Did Senator Scott indicate that there would be any special funding to the Chamber for some of the businesses". Mrs. Matthews said, "The Chamber is a 501 (c) 6 entity, it's not a 501 (c) 3 and 501 (c) 3's was included on this first and second round of

the CARES Act. 501(c) 6's we're not, so we're hopeful that the next round will include the Chamber a 501 c 6 so whatever has awarded us we can pass along to our community".

CITIZENS WISHING TO MAKE COMMENTS

Ms. Georgia Ross appeared on Zoom with Mayor Boyd and she thanked him for allowing her to come in and be a spokesperson for the citizens of Darlington. Ms. Ross said, "When we saw the new water bill come out asking for this new proposal, the first thing we said was, there's no way that Darlington can be in that much trouble in such a short time". The Mayor has only been with us for four months and now the Mayor has to clean up something he did not do. Ms. Ross said, "Raising this bill, we've got to think about all those senior citizens that we have here, people raising children, people without jobs, people that may not even go back to work". Ms. Ross said, "And I venture to say, you all don't even know how many senior citizens that we do have in our area that are on fixed incomes and an extra $6.00 plus $9.55 added onto their water bill, they cannot at this time see raising their water bill and sewer, sanitation bill". Ms. Ross said she was also told by somebody that they were talking about the recycle truck. She said the recycle truck was not half picking up recyclables prior to virus getting here, so now you can't put they are not picking up the recyclables because of the virus. We don't accept that". Ms. Ross said she doesn't want to put a damper on the meeting but the only thing she is asking the Mayor and Council is Not at a time like this. She said, "We know it's just a proposal and proposals go down the road a little bit, but let's put this proposal down the road as far as we possibly can". She said, "Please think about what you're doing to the citizens that do not have jobs. Those that have to think about whether they are going to buy medicine or buy food. Those that come to her food bank (her church food bank). Ms. Ross said she also spoke to the Mayor and she told the Mayor Darlington didn't get in the shape it's in now in four months, so what does that tell you"? Somebody ain't doing something they are being paid to do". Ms. Ross said, "There is something called "vote". For those that can get voted in and out just think about us out there and do the right thing by us."

050520 Comments from Citizens – Mrs. Lisa Rock

Received via email 9:06 p.m. Monday, May 4, 2020

My comments are concerning the increases for the water and sewer rates of 40-50% and sanitation at 28%. For the past two months my recycle bin has not been picked up by the sanitation department. Will there be a credit for that? I was not informed that this would not be done. Also, the increase of $15.55 to my monthly bill is too much at one time. I haven't seen any improvement ever being made in my neighborhood with the projects you have listed on the letter for the use of this money in the past. I was told that the street I live on belongs to the state. I believe this increase is unfair, such a large jump in the bill. Also, the service I get is not all that great! What criteria was used to come up with this rate? I am not for this and will we have a vote?

Thank you. **Rosa Hudson**

Received via email 9:44 p.m. Monday, May 4, 2020

I am writing to respond to the upcoming budget, my question is how in the world you all expect senior citizens like myself and others can afford an increase on the water bill, sewer, and sanitation increasing the way you all have outline, when you are living on a FIXED INCOME, there are problems that have not been resolved from this other project that was supposed to be rectified by the city behind my house, I live at 223 Milling St. Mr. Garland knows what I am referring to about the barrel in the ditch behind my house, which is still there, when it rains or a storm comes the water backup in my yard. Yet I still pay city and county taxes. , And now you all want to raise taxes again? This is a bitter pill to swallow when things not being taken care of when promise that it would be $186.60 annually is a lot for someone like myself and others on a FIXED INCOME.

Thank you. **Patricia Williams**

P.S. please excuse any and all mistakes, charge it to the head and not my heart.

I forgot to mention this street over here, Tallulah street, it have been patch two times already, it really need to be fixed, it knocks car out of line, it just terrible, also that Hemp Plant (old Oil Mill) over here in a residential area making people sick, and we as a community was made aware of it until it was operating. There is a lot going on that is not right in Darlington, but you want to raise water and sewer, sanitation rates. This side of town is always left of the loop in everything. It's not right when I (we) pay taxes just like everyone else. This really is a bad time and with this Pandemic going, it is hard on all of us now, people are dying every day, it seems like no one cares about people lives, it's all about robbing from the poor and making the rich richer. These are thoughts and concerns, I have a lot more, but I think you know where I am coming from, I hope. When people put old furniture beside the street it won't get pick up, that's wrong because some people don't have transportation to take it to the landfill. There is a lot needs to look at Darlington.

Received via email 2:48 p.m. Tuesday, May 5, 2020

I really think this is bad timing-we are now going thru a Pandemic and you want to put this in place now. No one can attend the meeting and the way this being presented is very sad-a lot of the disable and elderly citizens are not capable of sending emails-most will not even read that enclosed paper with their bill. The feed backs are going to be very low and I am sure you already know this. An increase of $9.55 plus $6.00 a total of $15.55 for what? On the West side of Darlington where the old Hartsville Oil Mill was and has been replaced now by the CBD plant in which the odor is about the same as before-no change for us. Take it put it on the other side of town and see how it feels to inhale that odor every day. Seniors were dying before COVID-19 and most of them are on oxygen tanks already-so what it is replace with the same odor. Just because we are not as fortune to have high incomes doesn't mean we do not deserve to have a good quality of life to live out our later years. It is not like we had a say so on it-just keep placing things over on the west side. Why not move it out in the county or somewhere it doesn't affect anyone. We are already on fixed income now you really want an increase of $15.55 a month besides the regular amount -if the water or sewer usage doesn't increase for that month to us that a lot. Then on top of that storm water fees to be discussed WOW. The streets are bad-pot holes everywhere. My street which is Flynn

Circle-keep patching it up with tar and the holes are getting deeper and deeper-more problems. Look at the sides are street-grass all growned up. I lived at 108 Flynn Cir and every year I have to call just to get my street which is a dead end cleaned up. I pay taxes-why do my side have to look like-no one cares-say it ain't so. I enjoy living in a decent environment. So, what is the increase going to do for the poor neighborhoods-make it equal for all not just some. In God eyes we are all the same-no big you and little me. I have been living here since 2005 and I still do not understand this city and county streets which has change in the past 2 to 3 years. 911-Flynn Cir was in the city how is now its a county road and some of the surrounding streets all change to county roads. I pay city and county taxes please explain that to me. We ALL deserve to be treated with dignity.
Ernestine Lyde

Received via email 11:29 a.m. Tuesday, May 5, 2020
I'm writing today in reference to the proposed increases in water and sewer rates and sanitation fees as well as the discussion of changes in storm water fees. Those increases amount to an additional $186.60 annual expenditures for families.
I understand that infrastructure repairs are necessary and that some of those needs are urgent. My concern, though, is the timing of this increase. Due to Covid-19, many families are suffering extreme financial hardships that will make an additional $16 a month an unbearable burden. Families might need that $16 for food, medicine, gas, or other bills. I'm also concerned that these changes are being passed at a time when people are not able to access all the information or participate in a discussion. We can't attend city council meetings as we normally would, and many of our citizens do not have access to the technology that would allow them to participate in even a minimal way.
Again, while these increases may eventually be necessary, I believe that this is not the time to ask the citizens of Darlington for these additional funds when people are suffering and less able or unable to communicate with each other and their elected representatives.
I appreciate your time and consideration.
Sincerely,
Landon Houle

Received via email 12:00 p.m. Tuesday, May 5, 2020
Thanks for relaying my thoughts here about the proposals to increase water/sewer, sanitation, and storm water fees for residential customers. The flat-rate increase of 40, 60 and 28% across water/sewer and sanitation would increase my family's bill by over 25 % per month and this does not include whatever rate increase is decided for storm water. We are mindful about our water usage, careful to recycle what can be recycled, reuse what can be reused, and breakdown our trash as best we can to have as little impact on our community and its infrastructure as possible. Similarly, we are careful with our water usage in order to keep our bills low and to use wisely our resources. Increasing flat rates across the city does not allow for a more equitable distribution of costs—those who use more place more strain on the system and therefore should pay a higher fee. If I am

misunderstanding the issue here, please help me understand how this is fair to all citizens. Will businesses see their water/sewer, sanitation, and storm water fees increase? And, if so, at what percentage will their increase be? It seems that local businesses would also benefit from these plans for "proactive progress," and I would like you to please comment on what those rates are currently, and what increase we can expect them to pay. It seems to be that businesses contribute far more to the breaking down of water and sewer lines than residential customers. And, lastly, I hope you will table this discussion until sessions of Council can meet with the public in attendance. These fees will be a true hardship to many in our community, and that they cannot be in the room as you make these decisions, that they cannot speak in person to their elected officials.
Thank you for your time,
Adam Houle

Received via City Hall drop box on Tuesday, May 5, 2020
I would like to share with you my concern regarding the proposal to increase the sewage/drainage rates. I am an 83-year-old citizen (retired Veteran) of Darlington, SC. I was born and raised in Darlington, SC and returned here after retiring from the military and federal service 20+ years ago. I lost my wife in 2019 which caused a change in my financial income. Any increase in my sewage/sanitation bill would cause additional financial hardship on me at this time. Also, at my current residence, I have experienced an ongoing problem with the water pressure in the ditches located on the property. Most times after heavy constant rain storms the ditches flood or do not drain properly. This has been reported on prior occasions, but nothing has been done to correct the problem. During the warm and summer months, the standing water in the ditches have been a breeding ground for the mosquitos. lt is so bad sometimes that I cannot even walk across the street to retrieve my mail and newspaper without being bitten several times which is hazardous to my health as I have allergies and other health issues. ln closing, I would like to thank you in advance for your review and consideration and your assistance with resolving the drainage problem.
Mr. Paul Wingate

Mayor Boyd said, "We will address all of those and appreciate everybody sending their comments in and we'll take all of that into consideration as we talk".

UNFINISHED BUSINESS
A) PUBLIC HEARING ON ORDINANCE 2020-03 HOLT BROTHERS BBQ ECONOMIC DEVELOPMENT INCENTIVE
Mrs. Rock said the public hearing has been advertised in the newspaper as required and she hasn't received any comments by email or otherwise about the public hearing.

B) SECOND READING ON ORDINANCE 2020-03 HOLT BROTHERS BBQ ECONOMIC DEVELOPMENT INCENTIVES
Councilman Gardner said, "Kevin Etheridge or Judge Milling if you all could look at the ordinance that we have, it says Whereas and then there's section 5 –(The Development intends to hire as many as 25 full-time employees). He said with having the language "as many as" does that give them a loophole to where if they don't fulfill the 25 employees,

they still can be given the tax credit"? City Attorney Etheridge said, "We can change the verbiage on it if that will make you more comfortable with it". Mayor Boyd said, "I agree with you Bryant and that says I can only hire 23 or hire as many as". Councilman Gardner said, "I think if we take "as many as" out I think it's locked in". Mayor Boyd said, "You want to say a minimum of 25"? Councilman Gardner said, "Yes, however we want to say it, he just doesn't want to leave such a loophole". Mrs. Rock said in the ordinance that was passed in 2017, the minimum number required is 20, not 25. She said the developer said they would be hiring as many as 25, but I told them 20 is what is required by the program to be applicable". Councilman Milling said, "We could put in at least 20 if that's what the ordinance requires". Councilman Gardner said, "That satisfies me, I just want to make sure there's a minimum they have to cover". Councilman Bryant Gardner made a motion to approve the Second Reading on Ordinance 2020-03 Holt Brothers Incentives with the following change "the development intends to hire a minimum of 20 full-time employees". **Councilwoman Elaine Reed seconded the motion. Councilpersons Baccus, Gardner, Reed, Nettles, Milling, Segars and Mayor Boyd all voted in favor of the motion.**

C) GREATER CHAMBER OF COMMERCE FUNDING REQUEST – MRS. NANCY MATTHEWS

Mrs. Matthews said this is an unprecedented time and there are many demands on our city's money; however, money was budgeted to fund the annual Freedom Fest that takes place at the Darlington Raceway with fireworks, food and children's ride. Mrs. Matthews said at this point they are not quite sure what that might look like. They have four options. The first being full fledged music, fireworks, etc. Option #4 would be only fireworks and people in cars. Mrs. Matthews said since they don't know what it's going to look like, they do plan to have an event and they do request that funding that we have in the budget. She said out citizens will be anxious to get out and do something even if it's in their cars or with masks on. Mrs. Matthews said their experience is that families that attend really don't have enough extra resources to do other things around the fourth of July. She said they think even in this unprecedented time it's a good value for the City. Councilman Milling asked, "What if the event is cancelled or it's scaled back". He said I know that part of your request has been based upon the funds that have been needed to support the type of program we had in the past. Will you need the full $15,000 if we're not going to do that and I think our offer to the Chamber may be contingent upon whether or not in fact with COVID going on, you're able to put on an event". Mrs. Matthews said that's understandable because they have no idea at this point what is going to be feasible. She said the reason they are asking now, is because this generally the time that we ask and then we can plan the event. Mrs. Matthews said they are open to some negotiations on that or to some waiting to see what it looks like as long as we know we would have funding. Mrs. Matthews said we intend to have an event with fireworks if nothing else and that would be scaled back. Councilman Howard Nettles said, "Nancy correct me if I'm wrong, but I believe also that part of this given the sense of urgency as it is, is that we're giving deposits for some of these places and some of the things we're going to get. Do we get the money back if the event is a "no go"? Mrs. Matthews said, "What we want is what was in the budget, the $15,000. She said we can certainly negotiate down the road if none of this happens". She said in order to plan anything,

there has to be something in the coffers". Mrs. Matthews said she thinks that fireworks costs $10,000 give or take. But they have not done a deposit yet". Councilman John Milling asked Mrs. Matthews if funding only comes from the City of Darlington or does she has other funding sources? Mrs. Matthews said, "We generally rely on the County for tax money and we generally get it. The county has not had a meeting in the last few months virtual or otherwise. Mrs. Matthews said they have submitted an application, but they just don't know where it is, so no, it's not just the city. She said they have sponsors as well. Mr. Garland said the City of Darlington has sponsored this event for the last six years so this will be the seventh year that they have had this. Councilwoman Sheila Baccus said, "So, Mr. Garland is it that, I don't remember what the $15,000 was actually in our budget or they were just asking us for that yearly and we were just donating it. Was it a part of the budget? I don't remember it being a part of the budget. Mr. Garland said, "It's something that Council has voted each of the last six years to give out of the hospitality fund. It's not something that's budgets but the gifts that we gave last year to the Sweet Potato Festival and for the Cotton Mill Museum and the Veteran's Memorial wasn't budgeted either. Mr. Garland said it's just folks or organizations coming and asking us for this funding. Councilman Bryant Gardner said, "I want to be very careful with the funding with all the uncertainties of all our businesses; potentially we could have a projection of a 50% drop in our revenues for the hospitality fund. Councilman Gardner said as long as the contingencies are in there with relation to if it's being cancelled, we would still get our funds back, then he has no problem with voting this through. Councilman Gardner said we have to very careful on what we do in the coming 12 months until we figure all of this out and see what we look like on the other side. Mr. Garland said we currently have $821,000 in the hospitality collections account which is where these funds would come from. Mrs. Matthews asked Mr. Garland if those funds are to go to certain events that attract tourism or hospitality Mr. Garland said it can be used for recreation or tourism purposes specifically at the direction of Council. He said the State Law is specific for Tourism or Recreation purposes. Mrs. Matthews asked, "So, it's not taking money from another project"? Mr. Garland said, "The money is sitting there, and it's not purposed specifically for anything at this time". Mayor Boyd said, do we have a motion to approve the funds for the Chamber of Commerce funding request of $15,000 as long as the event goes 100% and if it's sized down then it would be reduced as a refund. Council John Milling said, "I don't know whether this was considered or not but is there a way to handle that up to $15,000 and have drawdowns against it rather than just turn over $15,000 at once and let there be some type of request that is made as these deposits are being made and other plans need to be funded"? Mr. Garland said, "We have given the $15,000 to the Chamber unencumbered but if you want to put the stipulations to it, it's however you all want it drawn up". Mayor Boyd told Councilman Milling he thinks that's a good way to do it. Councilwoman Reed asked Councilman Milling to explain his proposal again. Councilman Milling said, "I was asking a question and proposing that we authorize up $15,000 but instead of spending the $15,000 all at once the Chamber submit requests from this point forward as to receive some of the funding and show us what the funding is going to go towards. Mr. Garland asked, "How about if they gave us an invoice for something too, would that work"? Councilwoman Sheila Baccus said, "If they put both agendas together, they should have an estimated cost of what each of the events should cost and if they can submit something like that to

them, they can look at it. Mayor Boyd said, "I think the way Councilman Milling is proposing it is that we basically give them approval up to $15,000 and they make a draw." **Councilman John Milling made a motion to grant the $15,000 allowance with a funding request as they spend, they will turn in an invoice to Howard with the understanding that if the event is cancelled, it would be refunded back. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Gardner, Reed, Milling, Segars and Mayor Boyd voted in factor of the motion. Councilman Howard Nettles abstained from voting because of a conflict of interest.**

NEW BUSINESS

A) STORM WATER FEE PROPOSAL – MAYOR CURTIS BOYD

Mayor Curtis Boyd said we have lots of issues and as we listened to the comments that were sent in by citizens and read during "citizen comments". Mayor Boyd said, "We understand your issues and we also understand as we listen to what they said, we have lots of issues, lots of things in the City that need to be fixed". Mayor Boyd said, "The one thing I would like to clarify is I do not want to raise water fees; however, they have to be raised in some form or fashion because we are way behind according to Mr. Kinsaul, 60% is his understanding". Mayor Boyd said we are asking to raise the rates to $9.55 and $6.00 for sanitation. He said, "I agree with Mr. Milling that stated the other day that we need to, and the citizens, that we need to state and show clearly to them that we are being appropriately spending their funding and money the correct way so they are not coming back to us and saying in another year or five years, "*what did you do with our money. I don't see anything being improved"*. Mayor Boyd said we need to make sure we budget that money and the prior money in our next meeting correctly that we show the citizens that we're going to be responsible and diligent with their funds. Councilwoman Sheila Baccus said, "My concern about this is that it's not a good time to raise these fees. I understand that the fees do need to be raised eventually, but the timing is bad". Councilwoman Baccus said she is also concerned that if we interested in raising the fees, I think before we ever do that, we need to take a clear look at the department and have an external audit done of that department and see why we are losing money. Councilwoman Baccus said we need to see where our money is being spent. Mayor Boyd said, "I agree with you 100% and above that, I believe that we need to look at everything (all departments); we need to look clearly and closely about what we're doing right, what we're doing wrong and what can we do better". Mayor Boyd said, "I know we need to raise the water bills and I would propose that we go ahead and approve it to be raised in August". Mr. Garland said, "Alex Gainey was going to present background information on the storm water fee proposal tonight". He said we collect $134,000 a year in storm water fees, but our bond payment is $180,000 therefore we are in the red". Councilwoman Reed said she has spoken to some citizens in Ward 2 to explain the need that the City has and that we need to move forward and prove the services and the conditions". Councilwoman Reed said, "It is a hardship for it to be administered now". She said she thinks she heard Mayor Boyd say that we could delay it (because he faded out a little). Councilwoman Reed said, "I am all for the proposal as I have explained to those that I spoke to today, but I encourage them to let the citizens be heard". She said, "to come in and let them know what your conditions are. In my meetings with them I tried to explain the absolute need that we have, and this is the only way at this time, that

we see that would help us improve the City of Darlington as well as the services". Councilwoman Reed asked if there is a way to delay it, to put it off until later? Mayor Boyd said, "We will approve it for the raise to go up in August". Mayor Boyd said, "I appreciate all the comments, I agree with the comments, I understand the hardship also for all of us, but at the same time. If you listen to all of the things that need to be fixed…that goes back to what Sheila said, it's not just that we're going to raise it, but we need to go back with a fine-toothed comb (whether we do it or we hire somebody else to do it), we look at everything to see what we're doing correctly and what can we do better in every department". Councilman Gardner said, "One of the things I'd like us to do (this is more specific to Howard Garland), once we get past this and move forward with some projects we're all in agreeance with (recreation, stormwater bond, sewer issue) those three issues, I would appreciate it if you can make a letter on behalf of Council to Robert Williams and Senator Malloy and ask them about those three subjects and if there are any funds that they may be able to help us with". He said, "then do a similar letter to our Washington representatives and talk to our congressmen and our Senators asking about those three subjects". Councilman Gardner said, "Right now, we've got a huge funding issue. In understand what you're trying to do here Mayor; I don't want to do it any more than anybody else and $200 extra dollars means something to me as well, but we've got to do it. If we are going to be implementing this in August, I will be fine with that Councilman Gardner said". Mayor Boyd asked Mr. Garland (from one of the comments) if the increase would be for the businesses also"? Mr. Garland said, "Yes, the water and sewer increase would be for businesses and the storm water fee, which we haven't discussed yet". Councilman Milling asked Mr. Garland, "How bad would it wreck his budget and planning for improvements that we need to take place if we implemented the new rate January 1, 2021"? Mr. Garland said, "We'd have to go back and rework the budget; we would have to freeze (no raises for employees); we would possibly have to look at layoffs, specifically as it relates to our ability to work with the water & sewer system moving forward". Mr. Garland said, "We have a project that's over $1 million and if we wait until January, it hampers our ability to move forward as a government as it relates to the water & sewer fund". Mr. Garland said something else that is hampering us is we have 170 or more water & sewer accounts which we can't cut off for no-payment but when the Governor lifts his moratorium, they would be scheduled to be cut off. Mr. Garland said if we don't raise rates, we need to sell our water and sewer system. Councilman Milling said, "If we sell it the citizens are back at the same point because whatever entity buys the systems from the City of Darlington, will raise the rates to a point where they can afford to operate the system and make the repairs, am I correct"? Mr. Garland said, "You're correct, but either we do this ourselves or somebody else does it". Mr. Garland said, "We can't put a Band-Aid on this anymore. This is a 50 & 60-year-old problem. The sewer line that's in the ground on E. Broad Street is 22 feet deep and it's 100 years old. Mr. Garland said, "As Mayor Boyd said, this isn't a Gloria Hines or Tony Watkins problem; it goes back to Ronnie Ward and Albert Coggeshall and those before that, that did not fix these issues when they had a chance". Councilman Gardner said, "Howard mentioned the 170 or more water accounts that we're going to be cutting off and can we do a moratorium (I think there's a fee we charge to reinstate those water lines). Councilman Gardner asked, "Is there a way we can waive that and as long as they pay their previous amounts, we'll turn their water back on, but also making sure to waive

the reconnection fee"? Mr. Garland said we have $33,000 in our water & sewer account now and we're down $20,000 in collections. He said, "I don't know what to tell you. If you want to do it, it will help people, but it will hurt the water and sewer department". Councilwoman Reed said, "That's a big issue as well; we need to look at that." Councilman Nettles asked, "Why can't we split the difference and do it for $25.00 if it's a $50 reconnection fee"? He said, "Were still helping people with their water bills and we're not crippling the city either". Councilman Gardner said, "We just gave away $15,000 for fireworks (voice fading in and out) Councilman Nettles said, "It's a different fund though". Councilman Gardner said, "I understand we're tight, but if you got your water cut off, you're probably tight too and these are extenuating circumstances, so having a one-time waive of the fee for one month, I don't understand it". Mr. Garland went on to explain that a lot of the people that are on the cut off won't come in and pay and then they will make an agreement and still won't pay. We eventually send uncollectible accounts to MASC (Municipal Association of SC) for collection through the set-off debt program. Councilwoman Baccus said, "The water is disconnected, there's a $50 fee to turn the water back on, so is that a 15-day deadline or how does that work"? Mr. Kinsaul said, "on the 15th of the second month past due, the water is cut off and before the water is cut back on, they pay a $50 reconnect fee plus the bill". Councilwoman Baccus asked, "Is there a timeline on the $50 reconnect fee"? Mr. Kinsaul said, "It's when you want your water turned back on". Councilwoman Baccus said she had experience with a couple of people who were given an extension or said they would pay it at this time and then they couldn't come in and pay it and another $50 was added to it. She asked if that's the way the process works? Mr. Kinsaul said, "We give them a once a year agreement; they pay half of the bill and they have a week to pay the other half. If they sign an agreement agreeing to that date (the date they say they can pay. They choose the date) and if they don't pay by the date that they sign on that paper, it is disconnected again and yes, they have to pay to cut it back on". Councilwoman Reed said, "So what I'm understanding is that you count on the disconnect because you kind of count on the reconnect fee as income". Councilwoman Reed said, "Here's her problem when it comes to this. We get so many complaints and situations. Davis & Brown is right there with you, 30 years they say, where in that ten years ago, fifteen years ago that did the recommendations that they are making to us now where we've got to do something, these things wasn't; made before"? Councilwoman Reed said, "Twenty years of neglect is put on the people now and we've got to do something now and that's why I have such a problem; and I understand when Sheila said we need to look at the whole thing because they're sitting back and people getting thousand dollars' worth of whatever. Where were the recommendations before and why weren't they acted upon"? Councilwoman Reed said somebody should be accountable. Mr. Kinsaul said, "I've been here 14 years and we bring it up every year in a budget meeting that rates need to be increased. We show a capital plan from Davis & Brown of what needs to be done, millions of dollars. Council has taken upon themselves not to act on any of it, in the 14 years I've been here and that's the reason we're in the hole we're in". Mayor Boyd said, "I'll step up to the plate and you can document this that Curtis Boyd is the one that's bringing it up. It's got to be raised, we're getting ready to spend just about every dime we've got to try to fix one street". Mayor Boyd said we all know that this is the time that these pipes and drains are seventy plus years old. We can sit and blame everybody

behind us, but today we are going to make a move forward. Mayor Boyd said, "The people know in this City and every City that one of your most important things besides food and medicine is that you've got to have water". He said some people will take advantage of you, but we've got to draw the line. He said people know they have a water bill, they know it has to be paid, they know there's going to be a $50 fee to cut it off and cut it back on. He said none of them want to have to do that; nobody on the council want to make $50 by turning somebody's water off, but when you send a truck and worker out there, it costs money. Mayor Boyd said what he is proposing tonight is that we go ahead and raise what we said-$9.55 and $6.00 and he propose we raise it in August. Mayor Boyd said, "I would like to propose there be a percent of increase as we move forward in years to come whether it be 1% or 2% that each year it's automatically raised so that we don't shell-shock each person with a large increase". Councilman Milling said, "Mayor, I think we enacted an ordinance maybe three or four years ago where we did impose incremental increases in our water and sewer bills. I's not sure storm water was picked up, but evidently those incremental increases have not been sufficient to take care of the problem, am I correct on that Howard Garland?". Mr. Garland said we haven't raised the storm water rates since 2016, but we have been raising the water & sewer rates 3% each year. Councilman Milling said, "Will the ordinance that raises it 3% a year for water & sewer, if we make the raise that the Mayor is proposing, will that 3% be enough to keep us in line or do we need to come back and visit that as well"? Mr. Garland said, I believe that we not only do what is on the table, but we put in an adjustment that would be based on the CPI for that year like we do for millage increases. That way if the inflation rate goes up or down, we can adjust it accordingly. Mr. Garland said I know we're talking water & sewer, but this is falling under the line item of storm water which is what we had on the agenda tonight was to talk about storm water. Mr. Garland said, "the storm water fund collects $134,000 a year and we have a bond payment of $180,000 so we are in the red severely in that fund. He said if any of the funds need to be raised, it's the storm water fee. He asked that Alex Gainey to talk about the proposal he has in place for them so they can hear and understand the math behind that.

STORM WATER FEE PROPOSAL - ALEX GAINEY

Mr. Alex Gainey told Council he wanted to talk to them about the proposed stormwater rate increase that he and Sheila put together. He said they tried to do a lot of research so they could be fair with it. Mr. Gainey said he took over storm water August of last year and since he took over, they have made a lot of headway on the storm water system in the city. Mr. Gainey said when he took over there wasn't a storm water department. He said they have the vac truck and they have two employees-one gets paid out of street & sanitation and one employee that gets paid out of water & sewer. Mr. Gainey said he and Howard discussed it and he told him if they are going to have a department, we need to make budget for it, and he would like everything in storm water to be funded by storm water instead of pulling money out of street and sanitation and water & sewer. Mr. Gainey said the only way we can do that is by raising the rates. Mr. Gainey said currently the residential rates are $4.00 a month. The commercial rate is $5.00 a month, no matter how big or impervious they are. He said they looked at some neighboring communities, cities, counties to find out how they 've been doing things or how they are basing theirs. Mr. Gainey said on commercial right now we're bringing in approximately

$21,600 and on residential approximately 109,488 a year. Mr. Gainey said the way they are looking at it is to increase the commercial rates based on impervious surface with a minimum amount of $25. The residential rate would go to $6.50 which is a $2.50 increase a month. He said the biggest increase will be on commercial. Mr. Gainey said they are following the City of Florence. He said Florence paid someone to come in and do a study and come up with a figure as to how they charge. What they do and what we're trying to do is they charge $3.50 on commercial accounts for every unit of impervious surface. Mr. Gainey said a place like Walmart would have a lot more impervious surface so their rates would go up tremendously. Mr. Gainey said they want to base it on $3.50 for one unit of impervious surface with one unit being 2,500 square feet or a $25 minimum fee. He said the smaller businesses that don't have a lot impervious surface, their flat rate would be $25 a month and larger businesses will increase significantly. Mr. Gainey said our current commercial storm water revenue is $1,800 but with his proposed increase on the commercial side it would increase it to 16,234.74. On the residential side, right now we're bringing in $9,124 and it would increase our residential revenue by 14,826.50 a month for a total of $31,061.25 and an annual revenue $372,735. He said Howard has put together a budget for the storm water department and they will be cutting it close by being able to fund that department with $372,735, but it's a start. Mayor Boyd asked Council if there's a motion for the proposal of the water & sewer fee to be raised to $9.55 and $6.00 for sanitation as of August 2020? Mr. Garland told Mayor Boyd that he can't vote on any fee increases yet because we have to have an ordinance for that. Mr. Garland said you can give an understanding or have council members express their opinion, but you have to have a public hearing before any type of rate increase. Councilpersons Milling, Reed, Baccus agree that we move forward after we do a complete audit of that department. Councilman Milling said I think we've got to move forward before we have a complete audit because an audit can take months and we've got to address something sooner than that. Councilman Gardner agreed. Councilwoman Baccus, "This rate is coming into effect by August, right"? Councilman Gardner said, "Yes ma'am". Councilwoman Baccus said, "Then that's months down the road as well. It's just May so I don't understand what the problem is with having an audit done. You can initiate an audit immediately, just hire a firm to do an audit". Councilman Gardner said, "Surely we can do both at the same time". Councilwoman Baccus said, "Unless you're trying not to have an audit in order to avoid something being known". Mr. Garland said he need to mention that we haven't had our budget workshops and we haven't had first or second reading on our budget. Mr. Garland said some of the comments that the citizens made tonight, once we come out from under this quarantine, we can have public meetings and have the folk show up for a public hearing to make their comments. Councilman Nettles said, "I think we need to move forward. I agree we need to do an audit, but an audit is not going to take place overnight and if we want to work toward an August increase date, he's ok with that". Mr. Garland said we have to have a public hearing which is usually held the night we have second reading for our budget. Mr. Garland said what we would do is have second reading on the budget and then have public hearings on the budget and different increases for the different departments. He said regardless of when we do the fee increases, we would do these hearings in June before the end of this budget year so we would be

following State Law where we have to have a budget presented before the beginning of the next budget year which is July 1st.

B) EAST BROAD STREET SEWER LINE UPDATE

Mr. Garland said as everyone knows we had a sewer line collapse on E. Broad Street between Vaughan & S. Ervin Streets. He asked Mr. Kinsaul and the folk from Davis & Brown. (Michael Williamson from Davis & Brown was present on zoom along with Mr. Glenn Kirven, David Brown & Ed Davis) They showed a map of the area on the screen. Mr. Williamson showed the areas on the map where the manholes are, and he showed the area where the caved in area is. He said what is very disturbing on Ervin Street is the influent and effluent pipe is blocked. Mr. Williamson said Alex and his guys came out and tried to jet it out with the vac truck and it's impenetrable. Mr. Williamson said it is stopped up and that's why there is still bypass pumps running today. He said they went to Spain Street and back toward Ervin Street and with sixty feet they came to another area that is nearly collapsed. They went another 240' and they got to a complete collapse. He said the hole is 22 feet deep and they had to have two trench boxes stacked on each other to be able to access the pipe. There is a gas main on Scarlet's side on the opposite side is the water main, so you have a lot of confined area there that you have to work in. Michael said the best drawing they could find was from 1920 and those manholes are equally as old. Michael then put a picture of a map on the screen so council could see the areas that he was describing. He said after meeting with Freddie, Alex and Howard we are trying to get the best game plan together. He said there's a couple of methods that could be done to rectify this. If it was not collapsed, they could do something called pipe bursting but with the pipe collapsed you cannot do pipe bursting. So, for this area from Spain Street to Ervin Street you're going to have to dig it up. we will have two manholes that will have to be replaced he said we can use PVC pipe and make sure it is bedded correctly. He said 100 years ago this terra-cotta pipe it's great pipe but structurally is not very strong on its own. He said back then they did not know that they needed the bed the pipe like we do today. He said not very much terra-cotta pipe is used today. Michael said for right now, what they are looking at is to rectify the problem that we have at hand just the sink-in to get it back flowing. Michael said they are looking at approximately 720 linear feet and the budget is approximately $1.25 million. He said out of that $1.25 million $225,000 is just in paving. Michael said he wanted to explain what drives the price. He said with it being that deep there is nowhere to set your dirt so when you start digging, you're going to have to haul your asphalt off because they can't store that anywhere. He said you're going to try to salvage as much dirt as you can, but only half of the dirt that they dig out can be salvaged; so that means the other half of the dirt has to be purchased. He said they have already applied for the RIA grant but the maximum amount they will allow is $500,000. We have applied for that full amount and they showed that the project was going to cost well over that, and that the city would have to be able to support the remainder of the project. He said he hopes the grant will be available by the end of the month; at least that's what they are telling them. Michael said in the meantime, they are finishing up the engineering on it because they've got to tell the contractor…. they are looking at having the engineering completed on May 8 so that they can advertise and get these plans out. Another factor that they've got to address that drives the price of this project up is the depth. Your typical sewer line that's 6-8 feet

deep; your service line that comes from your residential or commercial buildings would generally tie straight into the sewer main. That is how this is done, but to do that mean you would have to dig back down 22 feet everywhere a service would go. Michael said they came up with the idea of making a common header that would be a pipe that would be 6 to 8 feet deep that would capture all the services and dump into the manhole. That way, when the city ever needed to either add a service or repair a service, they wouldn't have to dig down 22 feet to make a repair. Michael said the project budget that they are talking about covers from just from Spain Street to Ervin Street. From Ervin Street all the way back to Main Street will need to be repaired as well, but that is where are you can utilize the pipe burst bursting method which is where they pull a pipe through the existing pipe. Michael said he worked on a budget for it and it carried the price from about $1900 a linear foot to be replaced down to $1300 a linear foot to be bursted. There's a tremendous amount of bypassing that has to be done on this project, the road closures and detours are all very expensive. Councilwoman Reed said., "From everything I'm hearing they are trying to connect the 22 feet deep pipe up to the 6 to 8 feet pipe so that in the future…..(voice faded out). Michael said, "You will still have a pipe that's 22 feet deep that is your sewer main-the common header which is a separate pipe. The pipe that is about 22 feet deep, it's about an 18-inch line. The line that I was talking about that we could put as a common header would only be an 8-inch line. Councilwoman Baccus asked if all of this work would be mapped out for future references when all of this is finished. Michael said yes, there will be a map before any contractor can even bid on it. He said once the pipe is laid and inspections are made and at the end of the project you will have a complete set of plans and that is turned over to the city by a paper copy and a digital copy.

C) SCDOT NORTH MAIN STREET WATER/SEWER LINE AGREEMENT

Mr. Garland said for a number of years now we have been going back and forth with SCDOT with concerning the water sewer line relocation associated with the N. Main St. bridge project. He said three or four years ago SCDOT wanted us to pay the relocation costs which started out around $60,000 then ballooned close to $350,000. He bought that paying those costs, but we had other utilities, utility directors and city managers from other towns tell us that DOT was paying their utility costs in the communities. He said when they presented SCDOT with this they suggested that we pay only part of it. He said they looked at that and then they brought it to Council in 2018 and before the end of that year the state legislature passed a law saying that SCDOT had to do all sewer and waterline relocations when they are working on projects in the right-of-way. Mr. Garland said all you would be doing tonight would be voting to give the City Manager the authority to execute an agreement for SCDOT to replace our water and sewer lines at N. Main St. as part of that bridge replacement project. Mr. Garland said once they start, it should take from 15 to 18 months for it to be completed. **Councilwoman Bryant Gardner made a motion to approve the SCDOT N. Main St. water/sewer line agreement. Councilman Nettles seconded the motion. Councilpersons Reed, Baccus, Milling, Segars, Gardner, Nettles and Mayor Boyd voted in favor of the motion.**

D) CITY SWIMMING POOL SUMMER SCHEDULE

Mr. Garland said he would like for us to open the pool after the 4th of July. They are waiting on the guidelines from SC DHEC as to how we social distance at a public swim in facility. Mr. Garland told Council he would like to get their approval to open the pool on July 8, 2020 per the governor's office approval and SC DHEC. **Councilwoman Sheila Baccus made a motion to open the pool on July 8, 2020 within guidelines of all the rules of the state. Councilman Gardner seconded the motion. All approved the motion.**

E) DISCUSSION OF FINES FOR BULKY REFUSE REMOVAL ($100) AFTER 5 DAYS

Mayor Boyd said the Council talked about it the other day about whether to include it in the actual work of the city or add it as a fine. Mayor Boyd said, "I brought it up to say that if they leave it out there or we allow people to leave it out there, they will have it everywhere all over town and more of a mess". Mayor Boyd said he's proposing as a discussion to move forward and offering it as $100 fine that would be placed on the water bill if they leave stuff out after a five-day warning. Councilwoman Baccus asked, "How would that affect things that people leave on empty lots"? Mayor Boyd said if something is left on an empty lot, we would have to pick it up. He said if that becomes a big issue then we will have to re-address that. He said the City just needs to go ahead and remove it if it's on the empty lot, but then we need to research and try to find out why and who left it on the empty lot. Councilman Gardner asked, "But there's no way we can fine the owner of the empty lot"? Councilman Gardner said, "I understand it may be coming from somewhere else, but I should be able to be held responsible for my land". Mayor Boyd said, "If it's my lot and I pull up to the property and see refuse on there, then I am responsible for making sure it's removed". Councilman Gardner said call law-enforcement if you keep having an issue but you're responsible for your own land. Mr. Garland said we cannot have a vote on the fine tonight because it is a fee and you've got to have a first reading and second reading on that.

F) BALLFIELD DRAWINGS/DESIGN - LEE ANDREWS

Mr. Andrews said what he would like to do is take the architect that did the first drawing to give us a concept so when we put it out for bid when we do the RFP, everybody will have a guideline of what we want in the park and how we want it. He said we will have something tangible that we can show people that this is what we are looking at doing. **Councilwoman Elaine Reed made a motion for Lee Andrews to be able to go ahead and pursue the ballfield drawings and design. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Segars, Milling, Nettles, Reed, Gardner and Mayor Boyd all approved the motion.**

G) FIRST READING ON ORDINANCE 2020-04 106 BLUE STREET ZONING CHANGE FROM GC TO R-10

Mrs. Lisa Rock said there is a piece of property at 106 Blue Street that used to be Mirella's Dress Shop. Mr. Sammy Evans has brought the property next to it and has brought the dress shop property and is putting townhouses on the first property and wants to continue that development. In order to do so he will need to change the zoning from general commercial (GC) to residential (R-10). She said the Planning Commission met

via zoom on April 21 and they approved that recommendation to change the zoning from general commercial to residential. Mrs. Rock said the only comment they received from the neighbors was the lady who lives on the corner and she just want to make sure that it remains residential. **Councilwoman Reed made a motion to approve First Reading on Ordinance 2020-04, 106 Blue Street zoning change from general commercial to R-10 which is low density residential. Councilman Gardner seconded the motion. Council persons Baccus, Milling, Segars, Nettles, Reed, Gardner and Mayor Boyd all approved the motion.**

H) BOARDS/COMMISSION APPOINTMENTS - LISA ROCK

Mrs. Rock said our fiscal year ends June 30 and that's when our turnover happens. She said we have one seat on the planning commission that needs to be filled. She said Mrs. Page her term is set to expire June 30 and she would like to serve another term. **Councilman John Milling made a motion to reappoint Mrs. Page to the Planning Commission. Councilman Howard Nettles seconded the motion. Councilpersons Reed, Nettles, Milling, Segars, Gardner and Mayor Boyd all voted in favor of the motion.** Mrs. Rock said there is one other open seat on the Planning Commission, and we have received two applications for service which was included in their packets. **Councilman Howard Nettles said he'd like to nominate Mike Wiggins because he knows he applied. Councilman Gardner said he would be happy to second Mike Wiggins. Councilwoman Baccus said she would like to nominate Ms. Hines since she's our prior Mayor and applied to be on that board as well.** Councilman Gardner said that's fine, but you have to go through one vote at a time and Mr. Wiggins was nominated first. **Councilpersons Segars, Nettles, Milling, Gardner and Mayor Boyd voted in favor of Mr. Wiggins**. **Councilwoman Baccus voted against the motion.** Mayor Boyd asked Councilwoman Reed how she was going to vote? She said "aye" she had two spots so… Mayor Boyd said they were voting for Mike Wiggins. Councilwoman Reed said, "She (Lisa) just indicated that were two other slots and that Wiggins was first and Hines was another one". Councilwoman Baccus said, "I think she only has one slot". Mrs. Lisa Rock said there was only one seat available. **Councilwoman Reed said, "Mine is going to be a "nay" because I've given former Mayor Hines my support. Vote passes for Mike Wiggins with 4 ayes.** Councilwoman Baccus said, "I would like to see on some of those committees some African Americans who apply for some of these seats on some of these committees instead of the majority of Caucasians on all of these committees". Mrs. Rock said, "To Ms. Baccus's point, our applications to serve on the city boards does not include race in anyway. It is not on the application so we would not know what color anybody is based on the form that we receive. Councilwoman Baccus said, "I think it does". Mrs. Rock said there are very many seats still available. There are two seats on the Historic Landmark Commission, one on the Beautification Board, one on the Zoning Board of Appeals and two seats on the Design Review Board. Councilwoman Baccus said, "Mayor Hines applied for that seat the night that you mentioned that the seat was open". Councilwoman Baccus said, "She came to you and told you she was applying for that seat". Mrs. Lisa Rock said, "Yes and you received it in your packet". Councilwoman Baccus said, "I said what I said, and I meant what I said; there's enough racism in this city as it is". Mayor Boyd said, "Let's drop the racism". Councilwoman Baccus said,

"Well, stop being racist". Mayor Boyd said, "I'm not being racist". Councilwoman kept talking so Mayor Boyd said, "Please mute Mrs. Baccus ". Councilwoman Baccus said, "I can unmute myself".

RECEIVE AS INFORMATION (DEPARTMENT HEAD REPORTS)

COUNCIL COMMENTS

Councilman Bryant Gardner said his only statement would be the capital plan that Alex Gainey and Mr. Kinsaul has, if they could get them some actual printed information of what they want to do over the next years so they can get it out to the community to let them know what they will be doing with the funding increases that they are talking about.

Councilwoman Elaine Reed said, "Concerning a citizen request about the drainage over there, to see about it and at least respond to him". She said she want us to see what we can do for Ms. Patricia Williams because she keeps talking about a barrel and a ditch. Mayor Boyd told Councilwoman Elaine Reed to text him the address of where the barrel is because Pee Dee Junk just texted him earlier and asked about it. He said they will be glad to remove it if it's something they can remove. Mayor Boyd said to get with him on that and he will make sure it's taken care of. Councilman Bryant Gardner asked Alex Gainey to update him on the situation with the ditch. Mr. Alex Gainey said this is the first he has heard about it, but if somebody can give him the address, he will be more than happy to check on it.

REMINDER

Tuesday June 2, 2020-6:30 PM, Monthly Meeting City Council

_____
Mayor

ATTEST:

_____
Clerk & Treasurer