CITY OF DARLINGTON
REGULAR COUNCIL MEETING HELD AT BALDWIN GYM 300 SANDERS STREET, DARLINGTON, SC
AUGUST 11, 2020 at 6:30 PM

Present: Mayor Curtis Boyd, City Manager Howard Garland, Councilpersons Bryant Gardner, Sheila Baccus, Howard Nettles, Elaine Reed, John Milling and John Segars. Also present was Mrs. Lisa Rock, Mr. Charles Bailey, Mr. Alex Gainey, W&S Superintendent Mr. Kinsaul, Ms. Sheila Jones, Fire Chief Pat Cavanagh, Mr. Ernest Boston, City Attorney Kevin Etheridge, Police Chief Kelvin Washington, Mrs. Nancy Matthews, Mr. Lee Andrews, Mr. Brantley Jett, Mr. Dee Pilgrim, Police Officer Sharon Blakney, other visitors and Mr. Bobby Bryant with the News and Press.

PRAYER

Mayor Curtis Boyd did the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES CITY COUNCIL MEETINGS JUNE 25, 2020, July 7, 2020 AND JULY 21, 2020

Councilman John Milling made a motion to approve the minutes of our Public Hearing on June 25, 2020, our Regular City Council Meeting on July 7, 2020 and an Executive Session on July 21, 2020. Councilman Howard Nettles seconded the motion. Councilpersons Gardner, Nettles, Milling, Segars, Reed, Baccus and Mayor Boyd all approved the motion.

APPROVAL OF MEETING AGENDA

Councilman Howard Nettles made a motion to approve the meeting agenda for today's meeting August 11, 2020. Councilman John Segars seconded the motion. Councilpersons Gardner, Nettles, Milling, Segars, Reed, Baccus and Mayor Boyd all approved the motion.

REPORT OF STANDING COMMITTEES

DDRA Report for Council – August 11, 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 **Bringing Downtown Alive! Concerts**. The Board has suspended all improvement grants until such time that we can resume our fundraising efforts.
We had record participation at our **Annual DDRA Golf Tournament** on **June 24,** at Darlington Country Club under the club's new golf pro Jordan Hinson. The State Golf Association social distancing rules were relaxed to allow for more than one player per golf cart, and this allows our event to continue. That rule has since been reinstated. Thank you to Carolina Bank, Darlington Raceway, Fitness World Gyms, and Nationwide Insurance for their support of our tournament this year and in years prior.

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 begin a summer promotion and 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 one of three $250 cash prizes just for eating at locally owned restaurants in town. Simply eat local, get your brochure stamped or signed by the business when you pay, collect 20 stamps, and mail in your brochure to be entered into the drawing. We will draw the three winning tickets the first week of September. Mrs. Rock said she just got information about the Business Loan Fund (which she gave councilmembers a copy) where they have additional money by EDA through the Coronavirus Aid Relief and Economic Security (CARES) Act for small businesses to get assistance during this time.

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

GREATER DARLINGTON CHAMBER OF COMMERCE - MRS. NANCY MATTHEWS

Mrs. Matthews said some of Council attended the "Business After Hours" at the News & Press on July 30th. Mrs. Matthews said they do plan to have more :Business After Hours" in the fall assuming it is allowed, and they can do it. She said the Darlington Takeout and Delivery page continues to thrive. Mrs. Matthews said, "The biggest news is that Freedom Fest is now scheduled for Saturday October 31st, 2020 in the downtown area, not just the Square area. Of course, they will follow social distancing guidelines. They have verbal commitment from the track but no contract yet. Mrs. Matthews told Council she would keep them posted. Mrs. Matthews said, "Our contracts are able to be cancelled; they are not going to enter into anything that is going to bind them based on the environment". Mrs. Matthews told Council she appreciates the City's support for that event, and she hopes it still comes about. She said they also hosted a ribbon-cutting on June 25th for a new business-Dr. R.V. at 1033 Pearl Street. Lastly, the Chamber recognizes the tremendous commitment and efforts of all public officials always but particularly during the last 4 to 5 months.

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

Topic: Increase

Hello,

My name is Julia E. Scott -Mouzon and I live at 106 Jefferson St. Darlington. Due to the virus and many Darlington residences are out of work with unpredictable future. It is my belief that the increase is premature. The economy is so unstable at this time for an increase. But I applause your dedication to Darlington.

8/10/2020

Dear Darlington County Council,

My name is Shirley McLeod, I am a resident of the city of Darlington and owner of the property at 142 Sparks St. The reason for this letter is to address my concerns regarding the amount of water that drains on to my property from my next-door neighbor and from the property located directly behind me on Gandy St.

I've lived in this neighborhood for over 45 years, and I've noticed that other properties in the area are also holding more water than ever before especially near Joe Louis Blvd. Water has even started flooding Sparks St, Joe Louis Blvd, and First Street. Cain Elementary is in the area and while school is in session, we receive heavy traffic in this area and improvements need to be made ASAP. I strongly feel that the drainage system needs improvement, and I cannot recall the last time any updates were made. You also need to consider paving some of the roads as they have deteriorated due to water erosion. A new school has been built, and it saddens me that the neighborhood is now an eye soar due to excessive flooding.

Sincerely Concerned Citizen

Mr. Dee Pilgrim appeared before council, but you couldn't hear what was being said. Councilwoman Elaine Reed couldn't hear what was said so she asked what Mr. Pilgrim was talking about. Mayor Boyd said he was talking about the old Davis gift shop building and what's going to be done with it. (couldn't hear the remainder of what the Mayor said).

UNFINISHED BUSINESS

NONE

NEW BUSINESS

A) PROPOSED BULKY REFUSE FINE PLACEMENT ON WATER BILL

Mayor Boyd said, "What I've asked for there and we've agreed that there will be a $100 fine for any waste such as mattresses and so forth that's put on the side of the road. Mayor Boyd said rather than sending a bill out he's assuming they will have to finish the ordinance to have it placed on the water bill and if they are given warning five days or whatever and at that point, they will have it removed and the $100 fine will be placed on the water bill. Councilwoman Elaine Reed said I agree that a fine should be put on those but it's hard for me to see that it needs to be on the water bill when we just got the increase and they are already fussing about that. She said, "We need to find another way for that to happen, but I am in favor of that because it will be one way to help us clean up or help us get people to take more pride and cleaning up the property". Councilwoman Reed said, "It might be that we do propose a fine, I just would like to see it placed somewhere else, but I am definitely in favor of it". Mayor Boyd said, "We've already approved the fine of $100. He said as it is right at this moment, I don't think we collect on any fines that way". Mayor Boyd said, "They can send a bill out and there's no way of making the person come pay it. They send them a letter, they send them another letter and if they don't decide to pay it, we don't collect it, but if they put it on the water bill or something of that nature then they've got to pay the fine". Mayor Boyd said, "I don't want to fine

anybody, I don't want to be fined, but I like for our town to look good". Councilman Nettles said, "I don't see an issue with it going on the water bill. I understand Councilwoman Reed's point, but it's already set up and it's easy to add it on to it. Mayor Boyd said right now, I was fined, I guess a year ago, I didn't know the rule; the commercial container, if the lid is not closed, you're fined $50. He said if your lid is up and they come take a picture of it, you are fined $50 and they add it to your water bill. Mayor Boyd said, "We are not going to add a $100 fine to somebody's water bill without giving them a 5-day notice which was the rule to give them a chance to move the stuff off the lot". He said he's asking for some way for us to enforce it and this is the only way he can think of for us to enforce it. Councilwoman Baccus said, "So, what you're saying is if somebody gets this fine on their bill and they can pay their regular water bill at that time and can't pay the $100 are you going to turn their water off"? Mayor Boyd said, "I didn't say that. That would be up to the City". Mayor Boyd said, "It needs to be enforced". He said I'm not asking to cut anybody's water off, but if there is a situation where somebody can't afford to pay (and he used Councilman Nettles as an example) then it would be left up to Mr. Kinsaul's office or Mr. Garland to decide if they will give them a month to pay it or two months to pay it like they do water bills now". Councilwoman Baccus said, "I don't think we need to leave this to the discretion of Mr. Kinsaul and Howard. She said the Council needs to set a precedent as far as if you can't pay the $100 then we need to set some kind of ground rules for them to go by". Nettles said, "First of all, you're giving them an opportunity to remove it before imposing a fine so could we ask for the leniency of 10 days and that way at that point then it's 10 days"? Mayor Boyd said, "I'm thinking that the ordinance that was created has five business days so are you saying add 10 additional days to pay"? Councilman Nettles said, "I'm just trying to figure out a way to be a little lenient". Councilman John Milling said, I was just going to ask the question if we could treat it sort of as a misdemeanor giving A $100 fine or 30 days jail sentence or a 15 day jail sentence or something and just run it through City Court and let it be handed in city court as if it were a traffic offense or some other ordinance that has those overtones to it as well"? He said, "I don't know whether it would work or not but the Chief and Kevin can come up with an ordinance and add that provision to it or whether that's something we want, but it does give some teeth without cutting off somebody's water". Mayor Boyd said, "Right now and correct me if I'm wrong Mr. Gainey, if my lid is up, I am charged and that's placed on my water bill along with sewer and sanitation". Mayor Boyd said, "My opinion, it doesn't need to go to the judge, it just needs to be...we have already given them five days and they've already been told not to do it and they put it out there and trash our City". Councilman Millings said, "We can't do anything with this until we actually have an ordinance in front of us". Mayor Boyd said, "Right, to create the ordinance tonight is what we're asking". Councilman Bryant Gardner said, "The only thing I would add is a couple of options; one of them should be in the court and one should be in the water department and bring it back to us to discuss it further". Councilwoman Elaine Reed said, "I just want to be clear, what Councilman Milling has proposed is the fine something like a charge that we can take to court rather than it being placed on the water bill, but if they don't comply they will be charged with non-compliance and come to court or 15 days in jail"? Councilman Gardner said, "My motion would be that we have two scenarios brought back to us, 1) being having fine placed on the water bill and make sure we can go that route and the second scenario would be going through the court system like Judge Milling suggested paying a fine or jail time". Councilman Gardner asked City Attorney Kevin Etheridge to bring back two

proposals- one to place on the water bill and how we will go about doing that or could we send it to court with a $100 fine or 30 days in jail. City Attorney Kevin Etheridge is to bring information back in September (I didn't hear a second)

B) BID APPROVAL – EAST BROAD STREET SEWER LINE PROJECT

Mr. Garland said nine bids were received for the East Broad Street sewer line project. The low Bid of $726,808 was received from Frank Horne construction. He said pending a check of their references by Davis and Brown, he recommends that council approve the low bid from Frank Horne Construction Company. **Councilman Bryant Gardner made a motion to approve low bid of $726,808 from Frank Horne Construction Company for the East Broad Street sewer line project. Councilwoman Elaine Reed seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all voted in favor of the motion.** Mayor Boyd asked Mr. Garland when they will start on that and Mr. Garland said we first have to get approval from Davis & Brown and approval from Rural Infrastructure Authority (RIA).

C) BILLBOARD LEASE AGREEMENT (JIMMY JOLLY)

Mrs. Lisa Rock said the proposal that was put to staff was to find new ways to make additional money on the property that we own, specifically we are talking about the property on Harry Byrd Highway. She said there is a possibility for billboard use of that property. The County has an ordinance in place that billboards can be no closer than 1200 feet. Based on our frontage and where the current billboards are in relation to this on Harry Byrd Highway, we could put conceivably two billboards on our property; one would be fairly close to the light where the road is that leads to the middle school and then the other would be closer to Mayflower Restaurant. Mrs. Rock said we put this out for bid, it was put in the paper, we also mailed it out in June to any outdoor advertising companies, we ran the ad for three weeks and we had it on the city's website since June. The bid opening was in July and we only received one bid which was from I-View Outdoor Advertising which is a Local company here in Darlington and that bid would basically be $1,000 a year for 10 years. Mrs. Rock said, "Assuming you'll want to put two billboards on the property, that would be $20,000 for the first year and that will be the lease for 10 years. She said your options are to accept the bid and if you don't want to accept the bid you don't have to. She said you can wait and put it out for bid when we're further along in construction. Mrs. Rock said perhaps that's something that deterred some people from bidding I don't know. Councilman Howard nettles said, "I know that we put it out for bid, but I think we probably only got one bid because right now there's nothing going on out there. He said its kind of premature to sell a billboard in a space that's really not doing anything until we can work on it. Councilman Nettles said If we do our homework, the number of dollars we will get per month/year the going rate is far higher than that. He said, I think, in my opinion we should hold off a number of months and rebid it". Councilman John Segars said, I agree with that also due to the fact that it's too early in the game to be putting a billboard up there and it may be located in the wrong place in how we're going to develop this property". Mayor Boyd said, "He puts it in a particular spot and then the designer is supposed to come back…..Mayor Boyd then asked Mr. Andrews if the person will have the design for them in September and Mr. Andrews said,

"Yes sir". Mayor Boyd said, "We will have it at the September meeting so you can look at it and have an idea of how it will be laid out".

D) MASK RESOLUTION (VOLUNTARY)

Mr. Garland said this is a model ordinance from the Municipal Association of South Carolina and this is what we can do, and it suggests that people wear face coverings. He said it lists the different things that we might accomplish with this resolution. Mr. Garland said it's based on something similar to what Hartsville passed a month or two ago. Mayor Boyd said, "I asked for it to be like the City of Hartsville because they have a clause in there stating that if you have medical conditions or for religious reasons you don't have to wear a mask". Councilwoman Elaine Reed said, "Personally, I certainly would like to see something a little bit stronger than this, but if this is all that you all agree on, that is fine. I am simply saying at this point even in our city buildings we are requiring folk to come in with a mask and I think that we should have more than just a resolution and that we should have an ordinance that says something about what we're requiring when you're going into any public building". Councilwoman Elaine Reed said, "Every place that I do go that is public I see masks are required and I just didn't see any reason why we couldn't be a little bit….because this seems quite weak in view of that as is being said we are in the midst of it. She said our numbers are rising and nationally it might look like things might be changing, but at this point and the reports that we get on a daily basis shows that the numbers are rising. Councilwoman Reed said, "I would like to see something a little bit stronger than this resolution". Councilwoman Baccus said, "So based on the executive order (and I want Kevin to explain this to me so I can get an understanding of what we are or are not obligated to) from Governor McMaster it says effective Monday August 3rd requirements requires individuals to wear a face covering in State and government offices, buildings and facilities. She said, "Explain to me Kevin how that does not apply to us"? City attorney Kevin Etheridge said, " There's a very small amount of exceptions and one is for specifically business….Basically it's saying a meeting like this it states representatives and staff are not required. Councilwoman Baccus said, "Even if we have a room full of the public like this they are not required? Mayor Boyd said, "My understanding is, if it's against your religion or if you have a medical condition you are not required to wear a mask". Councilwoman Sheila Baccus said, "I would ask that you look a little further into that because most Council meetings now, with the exception of Darlington, is only including Council and staff and a lot of them don't include staff". Councilwoman Baccus said, "But since we are doing meetings with the public that is why I am asking how does that rule apply with the public"? City Attorney Kevin Etheridge said his understanding is the public is supposed to wear masks". Councilwoman Elaine Reed said, "I would say that because we have a resolution that's on the agenda for us to come with a resolution, I simply think we come with an executive order finding that all public meetings like this one they are requiring the public to wear face coverings. Councilwoman Elaine Reed said, "I know that there are some exceptions, but in a public meeting like this we should require them to wear a face covering". Councilwoman Sheila Baccus said, "I think until we get complete clarity from Kevin we need to wait and make a decision after he gives us the information". Councilman John Milling made a motion to table the discussion until we get further information. Councilwoman Sheila Baccus seconded the motion. **Councilpersons John Milling, John**

Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all voted in favor of the motion to table the discussion.

E) FIRST READING ON ORDINANCE 2020-13 201 E. BROAD STREET ZONING CHANGE FROM GC (GENERAL COMMERCIAL) TO OR (OFFICE RESIDENTIAL)

Mayor Boyd did not participate in the discussion or vote because of a conflict of interest. This portion of the meeting was turned over to Mayor Pro-tem John Segars. Councilman John Segars asked Lisa Rock to give council background information on this agenda item. Mrs. Rock said the property that we're talking about is the block from East Broad Street to Siskron Street along Russell Street previously the old Tyner warehouse. The owners wish to sell it to an individual and to do what he would like to do (he would like to put more townhouses) and to accomplish that, it would need to be changed from general commercial to office residential. Mrs. Rock said they talked to Mr. Sam Evans and he presented to the Planning Commission plans for townhomes on this property 14 or 16 new families can move into downtown. The Planning Commission approved and recommends that Council approves this change. Councilwoman Baccus asked, "Isn't there supposed to be a public hearing or something"? Mrs. Rock said, "We will have a Public Hearing on September 1st during the Regular Council Meeting". **Councilman John Milling made a motion to approve First Reading on Ordinance 2020-13 - 201 E. Broad Street zoning change from GC General Commercial to OR Office Residential. Councilwoman Sheila Baccus seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

F) FIRST ON ORDINANCE 2020-14 115 SISKRON STREET ZONING CHANGE FROM GENERAL COMMERCIAL(GC) TO OFFICE RSIDENTAIL (OR)

Mrs. Rock said this is a similar situation. Mrs. Rock said the property owner is here at the meeting. She said it was previously a dilapidated mechanic shop with some sort of apartment in the back. She said coming off of S. Main Street, the property is behind AutoZone on your left and this lot is the next lot just before Joe's Grill. Mrs. Rock said his consideration is he is interested in moving more folks into town. Councilman Howard Nettles asked how many residences he will have? Mrs. Rock said he did not have any drawings at this time. She said it's a much smaller piece of property and she's not exactly sure how many would fit . She said any plans would have to be approved before anything is done. Mrs. Rock said the Planning Commission did recommend two to one to approve it". **Councilman Howard Nettles made a motion to approve First Reading of Ordinance 2020-14 115 Siskron Street zoning change from General Commercial (GC) to Office Residential (OR). Councilman Bryant Gardner seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

G) FIRST READING ON ORDINANCE 2020-15 ZONING CHANGE FEE REQUEST $100

Mrs. Rock said as the Planning Commission dealt with multiple zoning change requests back to back in the last several months between the property on Blue Street and the property near Russell & Broad Streets, they suggested there be a fee associated with this because there is some costs associated with the City having these meetings in terms of signs have to be posted,

certified letters have to be mailed out to property owners, and the ad has to run in the newspaper. The only other request that has a fee attached is a fee for the for the Board of Zoning Appeals which is $300 and the fee for the Historic Landmark Commission application for a Certificate of Appropriateness is $65. Mrs. Rock said the Planning Commission discussed it and they thought $100 was a fair fee to charge. Councilman Howard Nettles said, "Personally I think $100 is low". Mayor Boyd asked Councilman Nettles does he suggest a higher fee. Councilman Nettles said, "I don't hear any discussion. I don't know anybody else's opinion". Mayor Boyd said, "I agree with you and I think it should be higher". **Councilman John Milling said, "Mr. Mayor I would suggest that since we can amend it for a Second Reading and in order to get the matter moving so that there is some fee, I would make motion that we approve the First Reading on ordinance 2020-15 Zoning Change Fee Request to $100 and ask Lisa and anybody else that needs to do it, to do some research and find out perhaps what neighboring communities are charging and see how $100 fits in connection with that and see how $100 would work and then when we pick it back up in September we can either change the dollar amount or leave the dollar amount as is, but at least that puts us 30 days down the road. Councilman Bryant Gardner second the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

H) FIRST READING ON ORDINANCE 2020-16 – 2020 WATER/SEWER BOND ORDINANCE

Mr. Garland said we have Haynesworth, Sinkler and Boyd Bond Attorneys working with us along with First Tryon Bank out of Charlotte North Carolina and the low bid came back from BB&T with a rate of .92% to finance the difference between the South Carolina Rural Infrastructure Authority Grant and the difference between what we couldn't pay at the time. Mr. Garland said since we had a low bid come in, he recommends that we still go through with the refinancing because we still have to pave the road, we have to put it back in place and we have to bid that out. Mr. Garland said the first payment won't be due until December 1, 2021 and will continue through June 30, 2033. The amount we will be financing is $620,000. Debt service is $702,915.20. **Councilwoman Elaine Reed made a motion to approve First Reading on Ordinance 2020-16 Water/Sewer Bond Ordinance. Councilman Bryant Gardner seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

I) FIRST READING ON ORDINANCE 2020-17 DARLINGTON COUNTRY CLUB ECONOMIC DEVELOPMENT INCENTIVES

Mrs. Rock said Darlington City Council has approved an economic development incentives program similar to what the City of Hartsville has and some other communities in South Carolina. She said this program is to incentivize investment in our town in terms of adding value to the tax base through real property, improvement and the creation of jobs. The new owners of Darlington Country Club have a three-year plan to invest when it's all totaled up, it will be over $4 million in our community. Mrs. Rock said Council approved this program in 2017 just for this purpose. Phase 1 of the project which is nearing completion includes adding a clubhouse, changing out parking, adding irrigation, renewing the entire pool, adding a pool house and that's $1.679 million worth of work. Phase 2 of the project will be beautification, lighting, fencing, trees,

landscaping and possibly cleaning out part of the creek for kayaking. Phase 3 of the project is another $1.5 million-dollar investment which will include adding cabins. Mrs. Rock said creation numbers will be 10 to 15 jobs. The total capital investment in the project will be $3.279 million. Cost to the city in terms of our program is a reimbursement incentive program. They pay all of the fees upfront and if they don't meet the standards, they don't get their incentives. She said the cost to the City for this based on estimates for hospitality tax, business license revenue and, building permit fees is approximately $8,000 that the City will be giving back. She said the revenue to the city, the utility revenue alone is $4,000, the job investment of 10 people, and additional property tax. She said the return to the City is over 6,000% and we're putting in less than $8,000 and they're putting in over $4 million dollars. **Councilman Howard Nettles made a motion to approve First Reading on Ordinance 2020-17 Darlington Country Club Economic Development Incentives. Councilman John Segars seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

J) PAVING CITY OWNED STREETS – MR. ALEX GAINEY

Mr. Gainey passed out a list of city-owned streets to Councilmembers. He said when he took over Street & Sanitation one of the biggest complaints he had was city owned roads with potholes. He said they spend thousands of dollars trying to fix potholes. Mr. Gainey said after the new budget came out, he asked Howard a couple of months ago if he could go ahead and see about getting pricing on repaving some of these streets. Mr. Gainey told council the list he gave them has 12 streets on it and two of them from his understanding from Howard, we will take off (Hewitt Street and Fountain Street). Mayor Boyd said, "And Stone Road". Mr. Gainey said that will be three streets coming off the list. Mr. Gainey said these were some of the worst roads we have in the City. He said he asked Howard about the prices and he said that was fine. Mr. Gainey said he started talking to a couple of asphalt contractors just to get an idea of what it was going to cost. He said the list he compiled we're looking at somewhere between $300,000-$375,000 to resurface those roads. Mr. Gainey said we are taking three streets off, but he was looking at a list that Mr. Garland had and there are three other streets that we may need to add-Winston Street, Jeffrey Street and possibly Lochend Drive. Mr. Gainey said, "What I would ask tonight is to see if I could get you all's approval because the amount that we're looking at we need to put it out for bids". Mr. Gainey said, "So what I would like to do is ask for approval to go ahead and put everything out for official bids and have a bid opening and then see what comes back and we can decide whether we want to pave them all if we can find the money to do it or…I believe we have about $130,000 - $140,000, is that right"? Or do we want to do $130,000 worth. Mr. Garland said we can get and additional $300,000 from refinancing the general obligation bond that we had and put out in 2017. Mr. Garland said the interest rate is so low right now, it would be advantageous to do it. He said we could get up to a dozen of these roads done. Councilman Howard Nettles asked if each of the roads would be bid out separately and Mr. Gainey said, "Yes, but we would have to get a detail bid packet together. Councilman John Milling asked, "Is Lochend Drive what we conveyed to Auddie Brown"? Mayor Boyd said, "Yes Sir". He said they actually called about it the other day and he asked Howard about it. Mayor Boyd said his understanding is Lochend Road doesn't belong to Auddie Brown, and they are

possibly going to give it back. He said he's going there tomorrow and ask them about keeping the road and see if we can work an agreement where they will maintain the road and possibly block it off and make it part of their property. Councilman John Milling said, I think the agreement we had with them was that it had to be maintained as a road and they had the responsibility to maintain it". Mayor Boyd said it would be more beneficial if they keep it and we wouldn't have to maintain it. Mayor Boyd said what we're asking tonight is to be able to use $300,000 by refinancing the bond and then an additional $100,000 -$120,000 that's already put aside for paving which gives us a little over $400,000 range to bid out 12-15 roads. Councilman John Segars asked Mr. Gainey to clarify…….Mr. Gainey said, "What they will do is as they are asphalting the road, they will pave areas that tie in to, driveways they will fix those and resurface those areas. He said the original list does not include Green Drive and Tee Circle. He said if we are going to spend money to do the Country Club, Green Drive is in bad shape and so is Tee Circle so we might as well get those while we're in that area. Councilwoman Elaine Reed asked if Flynn Circle is in the City, is that one of our city streets? She said that's the street that is behind Washington Square that comes into Jeffrey. Mr. Gainey said, "I know where you're talking about, I'm not sure it's one of our streets. Councilwoman Reed said, "Anyway, you can include that". Mr. Gainey said, "I haven't gotten any complaints about that street". Mayor Boyd said, "And for the record for the public, we would love to pave Main Street, Pearl Street, and Russell Street, but those are not our streets. Mayor Boyd said for the record we want those paved and they are on the list according to DOT to be paved soon we just don't know when. Mayor Boyd suggested to Council that they all ride around between now and next month and come back with their findings. Councilwoman Baccus said she would like to see a complete list of all the streets that belong to the City. Councilwoman Baccus asked, "Is this a complete list for this year that we are going to work on doing this year"? Mayor Boyd said we are not voting tonight to do this list, this is a suggested list. What we are voting for tonight is to approve for Alex to go out and for us to get a list together and approve the amount. Councilwoman Sheila Baccus said, "I would like to get a complete list of all the streets". Councilman Bryant Gardner asked Mrs. Lisa Rock to send a list of the city streets to all councilmembers. Mr. Gainey said he has a list of the 43 streets in front of him. Councilwomen Elaine Reed & Sheila Baccus both asked, "What are you asking us to approve tonight"? Mayor Boyd said tonight Council is voting on refinancing the bond for $300,000 and then additional $120,000 that's already allocated in the budget to do paving. Mr. Garland gave everybody a list and he told them to take that list and go out and take a look at the streets. Mr. Gainey said, I had a list of about 13 roads, and I knew we were looking at somewhere around $350,000 to do those. He said we have enough to add a few more roads if we need to. Mr. Garland said since we have only 3 weeks before the next meeting why don't we punt, and everybody go out and look because you have a list and get with Alex. Mr. Gainey told Council to, "Keep in mind that we can only fix 15 roads so there's no need to bring a list back with 25 roads. Mr. Gainey asked Mayor Boyd if they will get together before the next meeting and narrow the list down to 15 roads and Mayor Boyd said, "Yes". Councilman John Milling said we're going to have a problem if we're approving 15 roads paving outside of the city council meeting. He said looks like we would need to have a …...Mr. Garland said make it a work session and hash out in the work session what you want to do. Councilman Gardner said, "Can we not just suggest if we have a road or two that we have an interest in"? Mayor Boyd said, "This is my suggestion, if we come back in 3 weeks with 20

roads and he's asking for 15, we give him the 20 roads and you go get the contractor to give us a bid on 20 roads; we might just get lucky, we don't know". Councilman Howard Nettles asked Mr. Gainey what criteria did he use to compile this list? Mr. Gainey said there are a few more streets that we need to add, but I road each street and noted the condition of it and that's how I came up with the list. He said the original list that he priced out was a list that Mr. Garland had Industrial Paving give him a price on last year and Mr. Gainey said all he did was added a few more roads to it and took some off the list. Mr. Gainey said we added Jeffrey, Winston and Lochend Road. Mr. Gainey said we really need to add Henry Street. Councilman Gardner said, "For several years now I have been trying to pave a couple of these roads. He said before I got on Council and then when I got on council every year, we approved these roads and then we pass the buck next year. Councilman Gardner said two years ago I suggested that we start building a fund to pave roads. He said, " I don't' care which roads we pave I guess, but I want to start paving roads, so let's get that done. I trust this man to have the judgement to pick these roads and if he wants to add or take off a couple between now and next month, is fine. He said the only other thing I would love to add if we have an extra $50,000, I suggest that we buy the asphalt truck that you can-do small-time repairs with". He said we aren't doing a good job with our roads right now. He said putting locks on our holes and as many holes that we are putting in our roads every month is not acceptable. Mr. Gainey said, I understand that, but you've got to realize how much man power it takes. He said I've got a 20-person department down there and ten of them is doing grass cutting, and then you've got 8 of them on the garbage truck so I don't think me, and Ms. Carroll can get out there and patch a road by ourselves. **Councilman Bryant Gardner made a motion to approve this list of streets to be priced out for repaving excluding Fountain Street, Hewitt Street and Stone Road.** Mr. Gainey said we are going to add Jeffrey Street, Winston Street, Lochend Street, and Henry Street. **Councilman Gardner said, "I'd like to amend that to add Jeffrey Street, Winston Street, Lochend Street and Henry Street and we will approve the list when we get it. Councilwoman Elain Reed seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

K) YOUNG STREET SEWER UTILITIES - MR. TIM THOMAS

Mr. Thomas said he recently bought the two lots on Young Street, which is really in the County but close to the edge of the City. He said we are trying to break that into four lots where they can build four houses, but they need to run the sewer from N. Main down Windham Street to get to it. The have gotten a price on that but there will be no cost to the City, so they are proposing that they can get approval to do that and once that's done and the houses are sold, they would turn that back over to the City. Mayor Boyd said, "So, you want to build four houses, tap into our sewer line, you pay for it, turn back around and give it to us". Mr. Thomas said they would be tapping into the sewer line at N. Main Street and bringing it down Windham Street about 350 feet. Mr. Thomas said they would be paying for that. Mayor Boyd asked if the four houses after they are sold would be annexed into the City and Mr. Thomas said, "Yes". Mayor Boyd asked Mr. Thomas if he was building all four houses at the same time or one at a time and Mr. Thomas said he will build two and then we will build two more houses. Councilman John Milling asked Mr. Thomas if he would be annexing as he is building the homes? Mr. Thomas said, "I don't know. I don't know how it works, but we could". Councilman Milling said, "If you wait until after

you sell it then the new owners got to do it, so you need to be the one who annexes the property into the City as a part of the process". Mr. Thomas said, "Whatever is required". Mayor Boyd asked Mr. Thomas is there a reason to annex it later, would there be a reason to wait to annex it compared to not going ahead and annexing it now. Mr. Thomas said, "It would think it would make more sense". Mrs. Lisa Rock said if these properties are contiguous to a property that's in the City Limits its probable best to go ahead and annex them all at one time whether you're building on them or not. She said it takes 2 to 3 months because they have to zone it and all that. Mr. Thomas said this is going before Planning on the 19th and I hope they approve it then. Mr. Thomas asked if he has to wait until it's annexed before he can build. Mrs. Rock said if you build before you annex then you go by the County's rules, setbacks, zoning and that goes to the Planning Commission of the County and you pay those permit fees. She said if you're annexed into the City you pay the City's permit fees and go through our review process vs theirs. Mr. Thomas said he is doing this as a mini development so hopefully they will approve all four on the 19th. Mrs. Rock said if they go ahead and approve them…You can annex while you're building. Councilman Gardner told Mr. Thomas he has no problem with him tying into our system, I just would like reassurance that you're going to annex into city so that you're not getting the fruits of the city without annexing in. **Councilman Bryant Gardner made a motion to approve Young Street Sewer Utilities with the understanding that the four properties will be annexed into the City. Councilwoman Elaine Reed seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all voted in favor of the motion.**

L) ADVERTISING ON CITY VEHICLES/WATER BILL

Mrs. Rock said specific rules set out for what our guidelines would be if we were to accept advertisements to go in our water bills. She said she got the cost from the printer who does our water bills. Her suggestion would be similar to other government agencies and require the advertisement to have a disclaimer at the bottom that says "The City of Darlington neither endorses or sponsors organizational activity…..in a certain size font. Mrs. Rock said we would run the advertisement through the Planning Department, and it would be inserted in with the water bills. Mrs. Rock suggested that we limit advertisements to full-page or half-page ads. Mrs. Rock read the requirements for the ads. Mayor Boyd asked Mrs. Rock how much it costs to print on the back of the page. Mrs. Rock said it costs us almost $500 to have a page inserted in with the water bills. There was discussion between Mrs. Rock and the Mayor about printing options and the cost associated with it. Mrs. Rock said it has been a long night so we can take this up at our next meeting. Mayor Boyd said every month we wait we are losing money. Mayor Boyd said, "My suggestion is we get it moving so we won't lose money". He said that's why he was pushing to find out what the cost is. Councilman John Milling asked, "Do we need an ordinance on advertising to cover this or is this something that can be done administratively through your office Howard"? Mr. Garland said, "I don't know. Councilman Milling said, "Before we get too far down the road, we need to get a legal opinion about whether we need to create an advertising ordinance or whether we can do this thing administratively through your office". Mr. Garland said he knows that the City of Dillon has done this so he will check with them and see how they did it. Mayor Boyd asked if they were going to table it until September? Councilman John Milling said, "I just think we need to know what we've got to do before we go

forward on it". Mayor Boyd said there was discussion about putting it on the side of the city vehicles, so we need to table that until September 1st to make sure it is legal to do that

M) PARKING SPOT SEATING

Mayor Boyd said he was in Sumter the other day and they had about two parking spots taken up where they had built a flower box about 3 feet tall and about 4 feet long and another one approximately the same size with three or four metal bars with wood in between it. He said it was basically built as a barrier around the parking spot. They had gone in and taken the plastic pinky boards that you buy to level out the sidewalk with flowers in it. It extended their sidewalk out and it looked appealing and inviting for people to sit. Mayor Boyd said we discussed this before and he wanted to bring it back up and go out and get a contractor in the local area to see about building one in a designated area on the square near the Mexican Restaurant, Jewels or somewhere in the area. Mayor Boyd said, "So we need to get a bid for someone to bid to build one and determine where we want to put it". Councilman Bryant Gardner said we need two of them. Mayor Boyd said, "Yes I know we need more than one, but my suggestion was to try one, but I am game for two". Councilman Bryant Gardner asked if we could send a letter to DOT asking permission to block two spots off. **Councilman Bryant Gardner made a motion to get bids for two parking spots around the square along with authorizing the City to approach DOT about getting it authorized. Councilman Howard Nettles seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

N) BOARDS/COMMISSION APPOINTMENTS

Mrs. Rock said in discussing the boards and commissions the question was asked by a Councilmember about the sheet that is given to them each month concerning those members that didn't have a date by their names. She said in researching that she found that individuals continue to serve in their position until they are replaced so that's why there are so many more seats on your list that are available, and they are highlighted. She said folks that are interested can call her office. She said there are plenty of seats available if people are interested. Mrs. Rock said they received an application from Mr. Terry Lewis who owns Darlington Family Pharmacy to serve on the Planning Commission. **Councilman Howard Nettles made a motion to appoint Mr. Terry Lewis to the Planning Commission Board. Councilman Bryant Gardner seconded the motion. Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.** Mrs. Rock said they had two individuals interested in serving on the Williamson Park Committee- Ms. George Ann Blackman and Mr. Jason Smith. Councilman Bryant Gardner made a motion to appoint Mr. Jason Smith to the Williamson Park Committee. Councilman Howard Nettles seconded the motion. **Councilpersons John Milling, John Segars, Sheila Baccus, Howard Nettles, Mayor Boyd, Elaine Reed and Bryant Gardner all approved the motion.**

RECEIVE AS INFORMATION

A) DEPARTMENT HEAD REPORTS

Mr. Kinsaul said, “We have an issue going down E Avenue which goes across Main Street to Allen Street and the whole Allen Street lift station”. He said, “We’ve isolated the problem to Second Street between D and E Avenues. They haven’t pinpointed that; they flushed it and it comes right back out, so they’re going to have to take it and try to make a joint repair on D Avenue and E Avenue. Mayor Boyd asked Mr. Kinsaul about the fire hydrants. Mr. Kinsaul said, “The fire hydrants have been ordered and as soon as I can get a break, I’ve got to pick it up and have a valve put in”. Councilwoman Baccus asked, “So when will you all start to fix the collapse on Second Street and D Avenue”? Mr. Kinsaul said they are working on a water leak right now and Frankie has done the locate on it and they are going to start Second Street as soon as they get the water leak fixed. Councilwoman Baccus asked, “They are working on a water leak where”? Mr. Kinsaul said on Wyandot. Mr. Kinsaul said Frankie had to do a locate and get everything set up and they will work on the sewer as soon as they finish the water leak, which hopefully will be tomorrow. Councilwoman Baccus said, “So a water leak compared to raw sewage”. Mr. Kinsaul said, “The sewer has been bypassed and it’s working fine and there is no leaking”. Mr. Kinsaul said, “You can’t see the break, evidently the pipe has collapsed in the ground and there is no cave-in”. Councilwoman Elaine Reed said she didn’t understand how they would resolve a collapsed pipe. Mr. Kinsaul said they will dig it up and replace that section of pipe.

COUNCIL COMMENTS

Mayor Curtis Boyd asked Fire Chief Pat Cavanaugh and Assistant Fire Chief Charles Bailey to come forward. Mayor Boyd said, “I want to publicly tell you thank you for being “Johnny on the spot”. He said, “I greatly appreciate you taking the chance and risking your lives daily”. Chief Cavanagh said he wanted to thank the people, especially the Mayor for their support. Chief Cavanaugh said people brought food, and water and he really appreciates the support from the people of Darlington. Mayor Boyd said he wanted to thank Police Chief Kelvin Washington as well. He said they did a parade permit for a run that they did last week, and they ran 397 miles for the 397 officers that lost their lives and he appreciate Chief Washington’s support of taking them through the town and making sure they didn’t get run over.

Councilman John Millings said, I find it difficult even with glasses to see my patriots on the other side much less hearing them, but I think it would be great between now and the next council meeting that we do something about getting additional mics. Councilman Milling said, “If we are going to continue to meet like this, I think we need to get some more mics. At least a mic for the podium, a mic for Howard and at least one mic for the two tables if not more. Councilman Millings said not being able to hear makes it difficult to engage in conversation.

REMINDERS

Tuesday September 1, 2020, at 6:30 PM – Monthly City Council Meeting

ADJOURN

Upon motion of Councilman John Milling, seconded by Councilman Howard Nettles, the meeting adjourned at 8:35 PM.

Clerk & Treasurer

ATTEST:

Mayor