CITY OF DARLINGTON
EXECUTIVE SESSION HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT 400 PEARL STREET, DARLINGTON, SC NOVEMBER 10, 2020 at 6:00 PM

Present: Mayor Curtis Boyd, City Manager Howard Garland, Councilpersons Bryant Gardner, Howard Nettles, Elaine Reed, Sheila Baccus, John Segars and John Milling. Also present was Mrs. Lisa Rock, Mr. Alex Gainey, Fire Chief Pat Cavanagh, City Attorney Kevin Etheridge, Mr. Lee Andrews, Assistant Fire Chief Charles Bailey, Police Chief Kelvin Washington and Mr. Bobby Bryant with the News and Press.

Mayor Boyd opened the meeting at 6:00 PM to go into Executive Session. **Councilman Bryant Gardner made a motion to go into Executive Session at 6:01 PM to discuss contract: Annexation Agreement for Darlington Raceway and also a Paving contract for City Streets.** (The City of Darlington may or may not vote after executive session)**. Councilwoman Elaine Reed seconded the motion. Councilpersons Baccus, Nettles, Segars, Milling, Reed, Gardner and Mayor Boyd voted in favor of the motion.**

Councilman Bryant Gardner made a motion to end Executive Session at 6:55 PM, which was seconded by Councilman Howard Nettles.

(5-Minute Break before starting the Regular Council Meeting)

REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT 400 PEARL STREET, DARLINGTON, SC NOVEMBER 10, 2020 at 6:30 PM

Present: Mayor Curtis Boyd, City Manager Howard Garland, Councilpersons Bryant Gardner, Howard Nettles, Elaine Reed, Sheila Baccus, John Segars and John Milling. Also present was Mrs. Lisa Rock, Mr. Alex Gainey, Fire Chief Pat Cavanagh, City Attorney Kevin Etheridge, Mr. Lee Andrews, Assistant Fire Chief Charles Bailey, Police Chief Kelvin Washington, Sheila Jones, Anna DeWitt, W&S Superintendent Mr. Kinsaul and Mr. Bobby Bryant with the News and Press.

Mayor Boyd said after coming out of Executive Session they need to vote on the paving contract for the City of Darlington to see if they agree to the paving contract that we had between Evans Construction Paving & Industrial Paving. Mr. Garland told Mayor Boyd he probably needed to offer more explanation because we are splitting that original Industrial Paving job that we were awarded in September. Mr. Garland said we are splitting that between Evans Paving & Industrial Paving. Evans Pavement will pave the following streets: Bowen Street, Darlington Street, Terrell Street, Ward Street, Dutton Lane, Court Street, Joy & McInnis Streets, Lochend Drive and Bonaparte Drive for $143,300. Mayor Boyd said, "We said originally we were going to pave Lochend Drive and then we said we were going to patch it, but you have $57,000 for Evans to pave it". Mr. Gainey said, "That's paving it". He said you're going to have to pave it eventually and if we patch it, we'll be paving it within the year. Industrial Paving will pave the following streets: Richmond Street, Country Club Drive, Green Drive, Tee Circle, Haynesworth Alley, Elma Circle and Henry Street for a total of $236,760.65 for a combined total paving cost of $380,060.65. **Councilman Bryant Gardner made a motion to approve the two contracts 1) Evans Paving for $143,300 & 2) Industrial Paving for $236,760.65 for a total bid of $380,060.65.** Councilman John Milling asked Councilman Bryant Gardner to add to his motion that the City Manager will sign these contracts on behalf of the City. **Councilman Gardner added to his motion that we would have the Manager have a written contract signed by the City Manager. Councilman John Milling seconded the motion. Councilpersons Nettles, Reed, Gardner, Milling, Baccus, Segars and Mayor Boyd approved the motion.**

Mayor Boyd said the other item we talked about in executive session was about annexation agreement with the Darlington Raceway it will be tabled so we will not vote on that tonight.

PRAYER & PLEDGE OF ALLEGIANCE

Prayer by Mayor Curtis Boyd followed by pledge.

APPROVAL OF MINUTES CITY COUNCIL MEETING OCTOBER 6, 2020

Councilwoman Elaine Reed made a motion to approve the minutes of our Regular City Council Meeting on October 6, 2020. Councilwoman Sheila Baccus seconded the motion. Councilpersons Nettles, Segars, Milling, Baccus, Reed, Gardner and Mayor Boyd all approved the motion.

APPROVAL OF MEETING AGENDA

Councilman John Milling made a motion to approve the meeting agenda for today's meeting November 10, 2020. Councilman Bryant Gardner seconded the motion. Councilpersons Nettles, Milling, Segars, Baccus, Reed, Gardner and Mayor Boyd all approved the motion.

REPORT OF STANDING COMMITTEES

A) DARLINGTON DOWNTOWN REVITALIZATION ASSOCIATION – LISA C. ROCK

Darlington Downtown Revitalization Association

Report for Council – November 10, 2020

The DDRA held their final monthly **Member Breakfasts for 2020 on Thursday, October 29,** with a record crowd of businesses, old and new, represented. Our annual holiday **#ShopDarlington contest kicks off this month.** We encourage folks to shop at five (5) DIFFERENT businesses between Thanksgiving and Christmas, send in your receipts with an entry form, and you have a chance to win one of three $100 cash prizes. The more you shop, the more entries you can make into the contest! The idea is to have residents explore Darlington's shops, especially those they have never entered, as owners and managers work hard to stock a variety of unique items. You can see more information on the contest at www.BuildUpDarlington.org/shopdarlington.

The DDRA will partner with the **Darlington Rescue Squad** to hold a **Christmas Festival from 4 to 7 p.m. Sunday, Dec. 6, on the Public Square** to give visitors and residents a chance to enjoy some shopping while enjoying the Darlington Rescue Squad Christmas Parade and Darlington Kiwanis Club Carol Lighting Service downtown.

The parade begins at 4 o'clock at Fitness World Gyms and comes to the Square, where the City tree will be lit during the Darlington Kiwanis Club Carol Lighting Service at approximately 6 o'clock. The Darlington Ministerial Association and Kiwanis Club gather speakers and musicians for the event to celebrate the Christmas season. The **Christmas Festival** will feature vendor spaces around the Square from 4 to 7 p.m. to encourage folks to stay after the Christmas parade for these activities.

We are making plans for the return of the Taste of Darlington, a Mother's Day race, and more. **In the meantime, we continue to promote Darlington and its businesses on Social Media and through our News Alert System each week.** We continually update our Web page, www.BuildUpDarlington.org, where individuals can submit information or sign up to receive these alerts.

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

Mrs. Anna DeWitt said Fright Fest was a success. She said they had approximately 5,000 people going and coming throughout the day. She said they did a trunk or treat, they had rides, they had bingo, which the City Manager called for them. She said the tickets from Cops Initiative was awesome this year and they raised over $1500 and they were able to give away 400 free tickets to the kids. She said this was a one-time thing for them this year and they will go back to Freedom Fest next year and they are hoping to have it on the Square and bring more business into town. Mrs. DeWitt said on December 3rd they will have a ribbon cutting for Bethea Baptist Retirement home. Mrs. Dewitt said, "Instead of having the Toast of Darlington the Chamber is now going to move toward the Mayor's Masquerade Ball it will be held on New Year's eve and right now she does not have a lot of details yet but they noticed that Darlington doesn't have anything for adults to do on New Year's Eve so they are going to try and have it. She said they will have food vendors there to provide food. She said it's called a ball, but it's more of "country club casual dress". Mayor Boyd said the fireworks show was phenomenal. Councilwoman Baccus said, "The fireworks show was phenomenal, but there were a lot of complaints about that fireworks show that she received".

CITIZENS WISHING TO APPEAR BEFORE COUNCIL (5 MINUTES PER PERSON

Mrs. Rock said she did not receive any written comments

UNFINISHED BUSINESS

A) SECOND READING ORDINANCE 2020-20 LEASE CARNEGIE LIBRARY TO DARLINGTON COUNTY

Mr. Garland said Darlington County asked that we change "Darlington County will make the Carnegie Library available for community meetings" to "make available to City of Darlington for City of Darlington meetings not general community meetings. Mr. Garland said they will have something in that facility that's not necessarily conducive to having it available just for meetings. He said it would be available possibly in the evening for meetings but not necessarily during the daytime. He said they feel as if just saying community meetings would mean that if they have some type of activity going on during the business day, they would have to stop everything for that he said they have specific use plans for the building during the daylight business hours. Councilman Milling asked how would they view after hour community meetings? Mr. Garland said they are OK with that but like I said with what they have planned during the day they don't want it available during the day for meetings. Mayor Boyd said they wanted to change it from community because they did not want it to be just for the open public but for the City of Darlington's use. Councilman Gardner said, "Instead of saying "*City meetings"* can we change it to city events because there may be an event, we are having that's not a meeting and we may want to access and use the property. Mayor Boyd asked if it's just going to be a meeting room, correct? Mr. Garland said, "Yes, it's an area with a large table with about 15-20 chairs". Councilman Nettles asked, "Can we not just say City use"? Council agreed with changing to …."*available for city use*". Councilman Milling said, "I would like to change the language in number one where it reads: "*Darlington County will be financially responsible for all renovations to the Carnegie Library"* ***To*** *"Darlington County will be financially responsible for all renovations and maintenance to the Carnegie Library".* **Councilman Bryant Gardner made a motion to approve Second Reading on Ordinance 2020-20 Lease Carnegie Library to Darlington County with the changes to the contract to include changing the first sentence to: Darlington County will be financially responsible for all renovations and maintenance to the Carnegie library and the fifth bullet point to Darlington County will make the Carnegie Library available for City use. Councilman Howard Nettles seconded the motion**. Councilman Milling asked if they should add "make it available to us during daylight hours"? Councilman Gardner said, "Previously we didn't have a specification on the time, and they were fine with that. I think we all assume that they are going to be using it from 8 AM to 5 PM". Councilman Gardner said, "If they want more specifications in there, I think we can authorize the City Manager to include 8 AM to 5 PM, but I don't think we need to limit ourselves either". **Councilman Gardner changed his motion to read Darlington County will make the Carnegie Library available for City use provided it does not interfere with their normal operations. Councilpersons Nettles, Baccus, Milling, Segars, Reed, Gardner and Mayor Boyd voted in favor of the motion.**

B) PUBLIC HEARING ORDINANCE 2020-21 COMMERCIAL REFUSE CONTAINER FEES

Mrs. Rock said no comments were received concerning the public hearing. Mayor Boyd closed to public hearing

C) SECOND READING ORDINANCE 2020-21 COMMERCIAL REFUSE CONTAINER RATES

Councilman Bryant Gardner made a motion to approve Second Reading on Ordinance 2020-21 Commercial Refuse Container rates. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Milling, Segars, Reed, Gardner and Mayor Boyd voted in favor of the motion.

NEW BUSINESS

A) BUSINESS LICENSE ENFORCEMENT – MAYOR CURTIS BOYD

Ms. Sheila Jones appeared before Council to propose a change to a couple of the business license ordinances specifically 22–35 which is for police to investigate business license infractions. She said she was talking to Charles Bailey who is the Fire Marshal for the City and he does inspections for safety issues but there wasn't a lot of recourse as far as business licenses. Ms. Jones said, "Mr. Bailey is already out there and for the police department to go out there on a separate inspection…and then there wasn't a lot of ability for him specifically to do anything with those violations. He would have to call me, and I would have to come out". Ms. Jones said, "So it made sense to us that they change the ordinance to read: *that the building official/ fire marshal investigate violations as it pertains to business licenses.* She said it also makes sense that if there is a violation…….She said this adds another way for them to protect our citizens to make sure they are safe when they go into places and there's fire extinguishers that have been serviced on a regular basis and fire suppression systems that have been serviced on a regular basis. Ms. Jones said giving them the ability to suspend a business license until such time that it is brought into compliance affords them the opportunity to do that. She said if it's not brought into compliance, which they usually give them 30 days, the City Manager still has the ability to revoke the business license. Councilwoman Reed asked, "What you're asking, your office is the one that gives the business license"? Sheila said, "No ma'am my office does not give out business licenses". Ms. Jones said, "So what happens is a new business comes to town or an existing business with a new owner, when that happens they have to get a certificate of occupancy which means the Fire Marshal and I go out to the structure and look to make sure that….. if it's a new structure, then I do it on my own with the exception of if its restaurant related and there's a fire suppression system, then the Fire Marshal comes in. She said once they pass their inspections then they are able to get their business license. Councilwoman Reed said, "What you're proposing now is enforcement of the business license- the codes for them to operate"? Ms. Jones said, "What we are proposing is, because every year they have to renew their business licenses; in times past inspections haven't been done as often as they should have been. So now, since we have Charles Bailey as the fire marshal and he's taken over safety, he is doing his inspections to make sure all of these structures are inspected on a regular basis". She said when he goes into a business one of the things that should be asked is, where is your business license which he has not had the authority to ask and if they don't have it, he don't have the authority to do anything about it. This will enable the fire marshal to be able to go into a business ask to see their business license

and …..Councilwoman Reed said, “As it stands now it’s the police department that has been doing that but this ordinance now gives the Fire Marshal the authority to be able to do that which it should have been all the time”. Chief Kelvin Washington said, “For the record, we have no objection to that. He said when the law was written during that time that was the way that it was being done. It was that the police department would go into businesses and check the business licenses and if the business licenses were not renewed it would be the police department’s responsibility to go and enforce it. Since then, the rule of thumb is that if a jurisdiction is large enough to have a codes enforcement office then it should be the responsibility of the codes enforcement office. Chief Washington said he called quite a few different jurisdictions across the state who have codes enforcement offices and it’s their codes enforcement office who does and force the business licenses and anything dealing with the business licenses in relation to renewals or any infractions that may take place that are violations of the business licenses. Chief Washington said, “What we said to Ms. Jones is that if she runs into a situation where she is uncomfortable with going into a business or there is some reason she feels unsafe, all she has to do is let us know and we would have one of our police officers to accompany her or accompany the fire marshal to make sure that they are safe. He said as far as the police department, he has no objections. Chief Washington said he told Ms. Jones that they would get together and assist her with writing the ordinance. Councilwoman Baccus said, “So as I understand it, if I’m not mistaken, shouldn’t every business have their business license displayed for the public to be able to see it”? Ms. Jones said it is written on the business license that it’s supposed to be displayed in a conspicuous place. Councilwoman Baccus asked, “Are you saying you were running into businesses in Darlington that’s not displaying their licenses”? Ms. Jones said, “What I’m saying is, I haven’t gone out there to do it because it was not the duty of the codes enforcement office previously”. Charles Bailey said, “What she’s saying is, she basically does the building, but I go in and do a Fire Marshall inspection which is completely opposite of her and it don’t make sense for me to go in and do that inspection without checking the business license”. Ms. Jones said, “Ms. Baccus, in answer to your question, neither the Fire Marshal nor Codes Enforcement had the authority to question or investigate regarding business licenses, that was solely the responsibility of the police department”. Councilwoman Baccus said, “That wasn’t the question. Again, the question I was asking was, “have you been into a business where you haven’t seen the license displayed”? Ms. Jones said, “Oh yes ma’am”. Charles Bailey said he’s also seen that. Councilwoman Baccus said, “So, would that also pertain to, for example maybe on the weekend, if you see somebody that’s doing a roof, or something how would you handle that”? Mayor Boyd said his understanding with his friend with Southeastern Lawn Care he doesn’t have a building and he has stopped at other counties and cities and whoever they have that is inspecting them will walk up and say do you have a business license. So, to answer your question, I would feel like if Charles rides by and see somebody building something, he then would have the authority to say, “do you have a permit, and also do you have a business license”. Ms. Jones said, “We do not issue permits without first checking to ensure they have a city business license”. Councilwoman Baccus said, “So if you ran into somebody over the weekend that’s doing some contracting work and you asked for a license and they don’t have a license what would you do then”? Ms. Jones said, “I personally would get all of their contact information. She said I have the ability because I have shortcuts on my phone to check to see if they have a contractors licenses and if I feel like something is…

Number one if they don't have a permit, we have a problem". Councilwoman Reed asked, "Would you shut them down"? Ms. Jones said, "I will stop the job immediately. People don't realize that I ride my bike on the weekend a couple hours a day and I have pulled up on my bike and asked, what are you doing? So yeah, on the weekend, jobs get stopped". Councilman John Milling said, "I understand that a piece of legislation on getting business licenses has been proposed by J. Jordan in Florence that I think has been approved by the Governor so who is responsible, if that is correct"? I'll check in with the new legislation against our current city ordinances relating to how people go about getting business licenses. Mr. Garland said we have until January 1, 2022 to put that into order. Councilman Gardner said, "So, the business licenses are going to go through the state now"? Mr. Garland said, No, it's just a business license standardization bill that passed where there's going to be one class code for all businesses statewide and a standard time that you come in and get a business license and a standard time that all cities will bill for business licenses". Chief Washington said, I want to add one additional thing to Councilwoman Baccus' concern. He said a lot of this will depend on how the ordinance is written. Enforcement powers can be given through the ordinance to whomever needs to have it and whatever those powers are can be given through the ordinance". Chief Washington said, "I suggested that myself, the Fire Marshal, the Fire Chief and the City Manager sit down and discuss the ordinance and make sure who has the authority and power to do what. Mr. Garland said if Council is alright with what was presented tonight, we will present it at the December 1st meeting. Councilwoman Baccus said, "Well, I would like to see the ordinance after you all rewrite the ordinance". Councilman Bryant Gardner asked, "Before the meeting"? Councilwoman Baccus said, "Yes, before the meeting". Charles Bailey said there's a copy of that ordinance on the back page. Councilwoman Baccus said, "You're going to redo the ordinance, right"? Charles Bailey said it's already explained in the ordinance, "Who will have power and who won't have power". Councilwoman Reed said, "I'm actually fine with it". Mr. Garland said, "We just wanted to present it for discussion tonight and for Council to look at and we will have First Reading at the next meeting".

B) ASPHALT TRAILER PURCHASE – MR. ALEX GAINEY

Mr. Gainey told Council the proposal he just gave them is the most recent from ISG. He said the one submitted in the packet was the original one that they got from ISG and it was based off the North Carolina Sheriff's Association, but the new proposal that he got is based off the new SCDOT contract discount. Councilman Bryant Gardner asked, "Since this is a South Carolina DOT contract we don't have to bid it out"? Mr. Gainey, "Said no sir. Mr. Gainey told Council to disregard the first quote from ISG and he would go over the new quote they just received. Mr. Gainey said he also received a quote from Jet-Vac. He said the estimate from ISG is the yellow unit that they demonstrated on Chestnut Street. He said the estimate from Jet-Vac is the step unit. Mr. Gainey said some of the council members were there for the first demonstration and some were present at the second demonstration. Mr. Gainey said it's a nice unit and it is basically the same size, but it doesn't have all of the extra things that the one that SCDOT sent specs on. The one from Jet-Vac costs $60,840.30 but looking at the contract from ISG theirs with the contract is $40,510.12. When you look under optional items SCDOT did not spec theirs out with a vibratory compactor plate. Mr. Gainey said the price for the unit itself is $45,011.25 and then you take the SCDOT contract discount in the amount of 4,501.13 so that comes to

$40,510.12. He said you have three different options under it which is a vibratory compactor plate with storage for $3,189.88. Mr. Gainey said Councilman Gardner asked about the infrared unit which is good for potholes and spider webbing areas as well and repairing small areas. That particular unit is $9882.19, and the shipping and handling fee is $1600.00. He said if we decided to go with the two options which is the vibratory compactor plate storage and the infrared unit with the deck and with shipping and handling, we are looking at $55,182.19. Mr. Gainey said without the infrared unit you're looking at $45,300. He said the infrared unit is not something we would use every day, but he thinks it would come in handy around manhole covers. Councilman John Segars asked Mr. Gainey if the ISG product is better built than Jet-Vac. Mr. Gainey said, "Both of them are well-built and I wouldn't say one is better than the other. There are some things on the step unit that I may have liked a little bit better vs the ISG and there are things that I looked at on the ISG unit that I liked better than the step unit". He said one of the selling features that Step was trying to sell us on was they use an old jacketed liner inside the walls of it. He said he talked with a couple of people and they said the only problem you would have with that old jacketed liner is if that jacket starts leaking between the walls you don't have any idea that it is leaking and then you'll have hot and cold spots. Mr. Gainey said we're better off with the KM 8000 from ISG. Mr. Garland said if Council votes to get this, we will take half of the purchase price out of the reserve account and half from the water and sewer department because most of his work is repairing water and sewer cuts. Councilman Gardner said, "Water and sewer, that's all our potholes. I was thinking the water and sewer should pay 60%". Mr. Garland said that's up to Council. He said this is something that's needed because you see the condition of a lot of our roads. Councilman Milling asked, "Where would the money come from to do this"? Mr. Garland said from the Street and Sanitation reserve and from the water and sewer reserve. **Councilman Gardner made a motion to approve the Infrastructure Solutions Group (ISG) for the total of all the optional items in the amount of $55,182.19. Councilwoman Elaine Reed seconded the motion.** Councilman Gardner also asked Council if they mind if we split it 60% / 40% with the water department since they are going to be the main causes of the issues that this is going to be fixing. **Councilpersons Nettles, Baccus, Milling, Segars, Gardner, Reed and Mayor Boyd all voted in favor of the motion**. Mayor Boyd said 60% would come from the water and sewer department and 40% from street and sanitation.

C) TREE TRIMMING REPORT

Mrs. Rock said as some Council members have asked, she is going to explain how the tree trimming works around town. She said we are responsible for all of the street trees so if there is a tree in the right-of-way which is between the sidewalk and the street. She said every street has a different right-of-way. She said if somebody calls about a street, she'll go out there and see if it's our tree and if it is, she will go to the next step which will be to call the arborist which is Mr. William Carter. She said Mr. Carter will come out and look at the trees for us at no charge. Mr. Carter determines if the tree is healthy, or if it needs to be trimmed, or if the tree is a hazard of some degree that it needs to be taken down. Mrs. Rock said most of the older trees typically are a hazard during storms, but we don't have any equipment to trim those larger trees. She said we can pretty much get the smaller lower limbs but we're not going to be able to do a lot of the tree work, so it's farmed out. The beautification worker does go around, and he'll do the

trimming on things that are much lower but that's not the really expensive stuff. Mrs. Rock said weather and storms pretty much eat up the tree trimming budget every year. Most years we have approximately $20,000 budgeted for trees, but just in weather and hazard related trees we've spent almost $12,000 since July. Mrs. Rock said typically after we have a storm she would drive all the streets and look at the trees to see if there is something obviously amiss. She said Councilwoman Baccus asked how often we check them all, but obviously we don't go down every street every month or every year, but it depends on the storm situation generally when we go to do a survey of the trees. Mrs. Rock said several years ago a huge tree fell on Woods Street, not due to a storm, but it just fell. They did a survey in that area of about three streets and it cost us about $3000 to do a survey to identify which of those trees were hazard. She said we have approximately 20 trees that need trimming. She said she has already scheduled the trimming and just waiting for the tree company to do it which will cost $5000. The arborist went and checked several trees on W. Broad Street where large limbs fell so she said she walked around and looked at the ones she thought were questionable and asked the Arborist to check all of those. She said some of those are going to be trimmed but several of them also need to be removed. There are four large trees that are hazardous and need to be removed; there's also an oak tree on Main Street and Bradford Pear trees on Hampton Street which are another hazard. Clemson Extension has been asking everyone to take down Bradford Pear trees because they are an invasive species. She said they merge with local species and it ends up being a type of briar patch. Mrs. Rock said the cost for the removal of the trees is over $13,000. She said she's going to ask Council to shift money in her budget to cover these costs by moving money out of the Carnegie Library fund since were no longer going to be using it ourselves; Transfer $5000 out of the advertising budget; $5000 out of professional services line item: $1,000 out of beautification line item and $1,500 out of beautification board line item coupled with the money left over in their fund to cover these costs. Mrs. Rock said they will need approval to spend $10,150 to Trees R Us and that will include removing the trees and removing the stumps and $6000 to Scott's Construction for sidewalk removal and replacement. She said the reason why she included the sidewalk removal and replacement is a lot of these large oak trees are a source of complaint to the sidewalks and to remove the roots the sidewalk has to be removed before they can take the tree down and get the stump ground. Mr. Garland said one thing he worries about is we haven't had a hard winter in several years and if we get an ice storm it really compounds things because that's worse than a hurricane. Mrs. Rock said, "What I try to do is if it's not an eminent hazard I try to get the trimming stuff done because that will save us in the long run". Councilman Nettles asked, "On the sidewalk part of it, can we go out and compare different groups who do the replacement"? Mrs. Rock said, "We could, but I just called somebody that I knew would show up". Councilman Nettles said I didn't know if that dollar amount….Mrs. Rock intervened and said, "I don't know if that's a small job because you were talking about mobilizing down Broad Street to 4 or 5 different locations and then to Hampton Street to another location". Mrs. Rock said this is money that is already budgeted, but it's just not in the line item for the trees. Councilman Gardner asked Mrs. Rock what the tree line item was? She said 590-273. **Councilman Bryant Gardner made a motion to approve the funding allocation of $10,150 to Trees R Us and $6000 to Scott's Construction and the allocation of funds into the tree line item 590-273. Councilpersons Nettles, Baccus, Milling, Segars, Reed, Gardner and Mayor Boyd all approved the motion.**

D) DARLINGTON VETERAN'S MEMORIAL FUNDING REQUEST

Mr. Garland said Ms. Brenda Jenkins, who is the Commander at the VFW Post, called within the last two weeks saying that they are planning more work at Veterans Memorial and they wanted to make a funding request to us. Mr. Garland said, "I told her to send a letter with the rendering of what they wanted to do, which she did send a few weeks ago and you should have a copy of that for your file". He said just to note previous history, in 2011 the City of Darlington gave $75,000 for the original memorial which was put in place in 2014 and in May 2019 we gave an additional $10,000. Councilwoman Reed asked, "So what are they asking"? Councilman Gardner said it looks like there's four different levels: There's Bronze for $1000; Silver for $5000; Gold for $10,000 and Platinum for $25,000. Councilwoman Reed said, "So they didn't state it they just want us to make the choice"? Councilman Gardner said he would be happy to support the bronze and silver level. He asked Howard if he could give him a total of how much we gave nonprofits? Mr. Garland said I know we gave the Sweet Potato Festival $5000; We gave $10,000 to the Veterans Memorial and $15,000 for Freedom Fest outside of our normal operations and he thinks it was approximately $40,000 that was given to nonprofits. Councilman Gardner said, "We've got a lot of expenses coming up in next few fiscal years so as much as I want to support our local nonprofits and these organizations, I have to maintain the security of the hospitality fund for the projects that we know that we have coming down the pipeline". He said he would be happy to do the bronze or silver level, but he would not be comfortable at giving the gold level or the platinum level. He said he wants to make it known to the community that he will have this position over the next 12 to 24 months and we need to be very careful and cognizant of where we are spending our dollars until we get a good concrete idea of what our future expenditures are going to cost us. Councilwoman Reed said, "So, your proposal is $5000"? Councilman Gardner said, "No ma'am, I did not actually pick one I just said I would be happy to support either the bronze or the silver". Councilman Nettles said, "Let me ask a question. Why does it have to be a preset amount? I would think they would take whatever we were going to give them"? Councilman Nettles said, "We definitely want to do something to help them, but I don't think we need to be locked in to what the amounts are". He said I think $2500, that's a pretty strong level and we're still committing, and we are watching our money at the same time". Council discussed what we had given in the past and what they think we should give this year. Mr. Garland said we've had a local philanthropic person and they have a foundation that they want to give money to the Veterans Memorial but they want to give it through the City so those funds will be coming in the next week or two for $5000. Councilman Nettles said, "So why don't we wait until we know that it's there before we do anything"? Councilman Gardner said, "Councilwoman Elaine Reed wants to give $5,000; Councilman Howard Nettles would like $2,500. He said, "Shall we propose meeting in the middle"? Councilman Milling asked Mr. Garland if they requested a date by which these funds should be paid and what their construction timeline is" ? Mr. Garland said they did not give a date and he does not know what their construction timeline is. He said he thinks their total budget for the project is approximately $60,000. Mr. Garland told Council whatever amount they decide on, have a nice letter written to go along with it urging the folks to give generously.

Councilwoman Elaine Reed made a motion to give $5000 to the Veterans Memorial. Councilman John Milling seconded the motion

Councilpersons Nettles, Baccus, Gardner, Milling, Reed and Mayor Boyd voted in favor of the motion. Councilman John Segars abstained from discussion and voting because of a conflict of interest-he's on the committee. Councilman Segars said with the new addition they will be doing they will be able to put 1200 additional bricks on the wall.

E) COMMERCIAL RECYCLING FEE PROPOSAL

Mr. Alex Gainey said we have 321 commercial roll carts as of right now. He said when we did the rate increase in July, he proposed going up to $45 and we adopted $28.50 for residential and it rolled over to commercial, I guess. He said we missed the $45. he said the reason he proposed going up to $45 on the commercial roll carts was because roll carts for residential doesn't cost us a dime to dispose of at the landfill. But whenever it comes to commercial, we have to pay tipping fees at the landfill, so it cost us to dispose of commercial garbage and the $45 increase will help offset that cost. He said we currently have 35 commercial recycle roll carts. He said Pluffmud was doing it but, now the City has taken over doing the commercial recycling ourselves. He said we weren't charging anything for commercial recycling for the roll carts but Pluffmud was charging us $11.50 per cart so we were going in the hole. He said nothing was adopted whenever we did our budget work session, so when we approved our new rate increases we are still not collecting any money for commercial cart recycling. Mr. Gainey said he propose going up to $25 because we have a truck, man hours, and we have to pay to dispose of it at Sonoco. He said right now we are doing residential every other week and we're doing commercial pick up every week. He said we could probably cut back most of our commercial accounts every other week when we do the residential. He said they have a couple of commercial accounts that would require recycling every week but not many of them. Mr. Gainey said they will monitor it and see how it works out.

He said they are picking up commercial recycling the same days they are doing residential recycling. Councilman John Milling asked Mr. Gainey if he had a projection as to the increase in revenue for these 321 carts and 35 of the others. Mayor Boyd said $5400.57 is your increase for just the roll carts, and not the recycling part. Mr. Gainey said we were charging $23.50 for commercial roll carts and we are increasing it by $21.50 so that comes to $6,901.10 per month so it's $82,000 a year. Mr. Gainey said, "$82,000 sounds like a lot of money but since I've been down there I can't tell you how many….we're tearing up tires right and left and every time I turn around we're spending $1000-$2000 on tires for those trucks because the landfill is killing them". He said he just put tires on one of the trucks about two months ago and we just replaced them again in the last few days. Councilman Gardner asked, "Is there anything we can do to talk to the landfill about this"? Mr. Gainey said he's talk with the landfill to see if they can get us a better place to dump. Mr. Gainey said, "From what they're telling me, but I'm going to ride out there and see, they are telling me that they have to drive over all the trash and down hills". Mayor Boyd asked the council if they were going to make a motion to approve it? Mr. Garland said it has to be in the form of an ordinance, so we would have to have First Reading on December 1st and 2nd reading in January.

RECEIVE AS INFORMATION

A) DEPARTMENT HEAD REPORTS

None

COUNCIL COMMENTS

Councilman Bryant Gardner asked about mosquito spraying. He said he didn't think he would get calls in November, but he has gotten two calls about mosquito spraying. He asked if he could get a report on what's going on with our truck if we have been spraying and what is our position if we have not been spraying. Mr. Garland said we do not have anybody that's certified by DHEC to do that. Mr. Garland said you have to be certified by DHEC to distribute those chemicals and we don't have anybody with that certification. Mayor Boyd asked what does it take to get somebody certified? Fire Chief Pat Cavanaugh said they would have to go to Columbia and take an eight-hour test. Mayor Boyd asked, "How long does that last"? Chief Cavanaugh said, "About 5 years as long as they do their continuing education". Mayor Boyd asked, "Is that something we can look at in having a current employee certified to do that"? Mr. Garland said I feel sure that we can. Mr. Garland asked what type of shape is the mosquito truck in? Mr. Gainey said it's fine, it runs, and they cranked the sprayer up the other day just to service it and check it out. He said getting it back on the road won't be a problem we just got to get someone certified to operate it. Mr. Garland said we will have to re-educate the public because we haven't done it in several years. Chief Cavanagh said the issue they saw when they were doing the mosquito spraying ourselves was when they were out spraying 2-3 nights a week the County quit spraying. He said that was one of the things they had going on and that's when they started using the briquettes that they got after the issue with mosquito spraying. He said they have 90-day and 150-day tablets that they put in old standing water and they activate and kill all of the larvae. He said that was the way they were working for a while to save us on mosquito spray because the chemical itself is around $3000 and they could go through that in about 6 or 7 weeks. Councilman Gardner said, "We have a creek that runs right through the City with the nice wetlands and creeks surrounding us. He said we should be fine through this winter but by next spring maybe we can be ready to roll. Councilman Gardner said that would be his interest and position on it. Mayor Boyd said I think we should try it.

Councilwoman Sheila Baccus said, "So I want to know Mr. Garland or Mr. Kinsaul what's the status of that study on Farm Street"? Mr. Kinsaul said, Council of Governments is doing the study on working with Davis and Brown". Mr. Garland said they are waiting on the engineering report to come from Davis and Brown to go with that application and then there will have to be an income survey done of that neighborhood. He said that was the last he was told, which was the second week in October. Mr. Garland asked Mr. Kinsaul if he knew whether Davis and Brown had submitted the engineering report on that. Mr. Kinsaul said he doesn't know. Councilwoman Sheila Baccus said, "I wish you would find out". Councilwoman Elaine Reed said, "Because see when I read through the thing what got me is that you all keep saying a possible grant. I'm thinking that we're working on an application for a grant". Mr. Garland said, "We are". Councilwoman Reed said, "So it is take that out". Councilwoman Sheila Baccus said, "The lady was just throwing in there that they are doing a study to imply that they are doing something". Mayor Boyd said, "I will say this, everybody in the city I appreciate their support and help because I don't know of anybody in the city that wants sewer or anything on any part of our city streets". He said I think you are all trying really hard to make sure it all happens in every part of the town.

Mayor Curtis Boyd asked Mr. Kinsaul to give an update on the fire hydrants. Mr. Kinsaul said the one at Georgia Pacific was not a fire hydrant. They had to put a valve in the line to blow the hydrant off for the construction. Mr. Kinsaul said they are working on the hydrant on Broad Street. They are trying to determine the pipe size so they can have valves inserted. They have to get parts for the hydrant on South Main Street.

Councilman Bryant Gardner asked Mr. Kinsaul to give an update on Broad Street. Mr. Kinsaul said they have installed a small sewer line and they are probably 30% on repairing the large line. Councilman Gardner asked Mr. Kinsaul about the timeline and Mr. Kinsaul said it's probably a couple of months away.

Councilwoman Elaine Reed said she got a call about the painting of the fire hydrants especially with the cartoon characters. She said the question to her was, "Did you all authorize that, and she said she wasn't aware that there was an issue about painting". Councilwoman Reed said, "So I'm asking now was that something I missed about painting it or how did that come about"? Mr. Kinsaul said I was not asked at all about it. Fire Chief Cavanaugh said a while back most of the communities across the country are starting an "*adopt a hydrant"* program. He said we had issues in town trying to get money to paint hydrants, but with the "*adopt a hydrant"* program that is something that you give the homeowners permission to do. He said this is something he talked with Mr. Garland and Mayor Boyd about because the Garden Club wanted us to go in and paint everything red. He said, if you remember, in 2007 they painted the puppy dogs around the Square but after a while people didn't like that; some people thought they were great and some people didn't like them so we painted them red. Chief Cavanaugh said, then the idea of the "*adopt a hydrant"* program came back to us and it was something we wanted to do and we had the option to handle it. He said the owner takes pride in it; they paint it, we still number it and test it and we don't have to pay for the paint. He said they still mark it so it's visible. There's also guidelines put out and there are certain things they can do and can't do, but as long as they stay within the guidelines it actually makes the town look pretty good.

Councilwoman Sheila Baccus wanted to know the status of the project between D & E Avenue. Mr. Kinsaul said they are on the E end of Second Street now so hopefully in the next day or so they will have that completed. Mr. Gainey said they've got something going on so he's going to take the camera down there in the morning and they're going to look at it and see if they can figure out what they've got.

Councilman Bryant Gardner wanted an update on the storm water basin right beside the Markette at the bottom of the hill. Mr. Gainey said the State repaired that. He said there was a waterline that was through the pipe that went to the ditch, so the state went in a couple weeks ago and they said they repaired it.

Councilwoman Elaine Reed said she's getting a rash of new calls about the water bills. She said they told her they were listening to us at our council meeting and from what they were hearing they thought that the water bills were going to go up about $18. She asked if there was any way we could revisit that? Mr. Garland said he talked with the bond attorney about that and he's waiting on an opinion on it because we have a bond that is tied into that rate increase. Councilwoman Baccus said, "Approximately three months ago the water department came out and put a cone on First Street because there's a hole there, but I am concerned about when

y'all going to come back and do something about it because it's a sinkhole". Mr. Kinsaul said he would check on it.

Mr. Garland announced that former Councilmember Mr. Earl Johnson Sr. passed away. Also, Mrs. Elouise Smyre who is an original member of the Williamson Park committee passed away in the last day or two.

Mayor Boyd said he would like to thank SCDOT, Mr. Scarborough and Mr. Barrett because have been very cooperative in working with us along with Representative Williams and Mrs. Joyce Thomas. He said they all have been cooperative and trying to push together and get everything done. Mayor Boyd said the railroad also has been really cooperative and responsive. Mayor Boyd asked Councilwoman Baccus, "How long has it been for Farm Street 15 years"? Councilwoman Sheila Baccus said, "15 years". Mayor Boyd said on Orange St., Wells Street is supposed to be taken care of. It's been over five years for that and we're finally getting a response on that. He said they are supposed to be doing an emergency order to get Wells Street taken care of; Washington Street by Mrs. Harkless it's been over five years and no response; Farm Street over 15 years. Mayor Boyd said, "As I told DOT I have a problem with things taking time. He said, I remember before running for Mayor that Mr. Milling told me (because sometimes I like things to be done quickly) that the government doesn't work the same way". He said but 15 years for Farm Street; 10 months for fire hydrants, five years for Washington Street, five years for Wells Street with five collapses since December are unacceptable. Mayor Boyd told Councilwoman Baccus that he will be behind her 100% to get Farm Street taken care of. He told Councilwoman Reed, the proposal, we will try our best to get that funding. We can't guarantee anything because we need funding for all these projects so please let everyone know that we are making a 100% effort to get all these taken care of in a timely manner but not 15 years and five years. Mayor Boyd said he appreciates everybody's support and effort.
Mr. Garland said the new fire truck dedication will be next Monday 6:30 PM at the Fire Department.

REMINDERS
Thursday November 26, 2020 & Friday November 27, 2020 thanksgiving holidays – City Offices Closed;
Tuesday December 1, 2020, at 6:30 PM – Monthly City Council Meeting

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

Clerk & Treasurer

ATTEST:

Mayor