CITY OF DARLINGTON

EXECUTIVE SESSION AT 6:00 PM

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REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT

400 PEARL STREET, DARLINGTON, SC

APRIL 13, 2021 AT 6:30

Present: Mayor Curtis Boyd, Interim City Manager Gloria Pridgen, Councilpersons Elaine Reed, Sheila Baccus, John Segars, Bryant Gardner, and John Milling. Also, present City Attorney Kevin Etheridge and Cheryl DuBose.

Councilwoman Elaine Reed made a motion to go into Executive Session at 6:06 PM to discuss interim City Manager duties/expectations; Underground Wiring for Hewitt, Fountain, Pearl and any other streets using Duke Energy funds (The City of Darlington May or May Not Vote After Executive Session). Councilwoman Sheila Baccus seconded the motion to go into executive session. Councilpersons Gardner, Milling, Segars and Mayor Boyd all voted in favor of the motion. Upon motion of Councilman John Milling, seconded by Councilwoman Elaine Reed, The Executive Session ended at 7:03 PM.

Break

REGULAR CITY COUNCIL MEETING

Present: Mayor Curtis Boyd, Interim City Manager Gloria Pridgen, Councilpersons Elaine Reed, Bryant Gardner, Sheila Baccus, John Milling, and John Segars. Also present was Mrs. Lisa Rock, City Attorney Kevin Etheridge, Assistant Fire Chief Charles Bailey, Fire Chief Pat

Cavanaugh, Building & Codes Official Sheila Jones, Street and Sanitation Supt. Mr. Alex Gainey, Police Chief Kelvin Washington, Carla Elvington, Delores Bess, and Bobby Bryant from The News & Press.

Mayor Curtis Boyd called the meeting to order at 7:03 PM.

Councilman John Milling made a motion that the City authorize the expenditure of $156,485.70 to be credited or counted against the funds being held by Duke Energy Progress to utilize the running overhead wiring of the underground wiring on Hewitt and Fountain Streets with the County to reimburse the City with funds it has to spend in that amount and for the County to cover all other expenditures that will be involved with that transformation on overhead underground wiring, Mr. Etheridge is to work with County Administration to have us an agreement that takes care of the City's side of the issue. Councilwoman Elaine Reed seconded the motion. Councilpersons Gardner, Baccus, Segars and Mayor Boyd all approved the motion.

INVOCATION & PLEDGE OF ALLEGIANCE

Prayer by Councilwoman Sheila Baccus which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES CITY COUNCIL MEETINGS MARCH 2, 2021, MARCH 16, 2021 AND EXECUTIVE SESSION, MARCH 30, 2021

Councilwoman Sheila Baccus made a motion to approve the minutes of the March 2, 2021 Regular City Council Meeting. Councilwoman Elaine Reed seconded the motion. Councilpersons Gardner, Milling, Segars and Mayor Boyd all approved the motion. Councilwoman Elaine Reed made a motion to approve the minutes of Council Meeting March 16, 2021 and Executive Session meeting on March 30, 2021. Councilwoman Sheila Baccus seconded the motion.

Councilpersons Gardner, Milling, Segars and Mayor Boyd all approved the motion.

APPROVAL OF MEETING AGENDA

Councilwoman Elaine Reed made a motion to amend the agenda item number one to add Public Hearing on Ord. 2021-04 – Zoning 4 Lots Young/Windham Streets. Councilman Bryant Gardner seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd all voted in favor of the motion.

Councilman Bryant Gardner made a motion to amend the agenda item number two 8d Mr. Barry Bryant and Bill Lynch to discuss the wiring and the upgrading credit card system. Councilwoman Elaine Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd all voted in favor of the motion.

Councilman Bryant Gardner made a motion to approve the amended Agenda for Tuesday, April 13, 2021. Councilwoman Sheila Baccus seconded the motion. Councilpersons Reed, Milling, Segars and Mayor Boyd voted in favor of the motion.

REPORT OF STANDING COMMITTEES

Mrs. Lisa Rock reported:

Darlington Downtown Revitalization Association

Report for Council – April 13, 2021

The DDRA will hold our **Annual DDRA Golf Tournament on Wednesday**, April 14, at Darlington Country Club. The four-man captain's choice tournament includes a delicious lunch, beverages, and a wonderful afternoon of golf. **Thank you to Carolina Bank, Darlington Raceway, Nationwide Insurance, Fitness World Gyms, and MPD Electric for their**

support that makes this event possible! We are still looking for hole sponsors and goodie bag donations for this fun day on the golf course.

The DDRA will continue our monthly **Member Breakfast at 8 a.m. on Thursday, April 22, at The Purple Fish Coffee Company, 104 W. Hampton St.** since Taki's Diner is closed for renovations. These meals are at no charge for members and a small $5 fee towards the meal for all others. The events allow our businesses to build connections and strengthen our local economy.

We are working on plans for **the Labor Day Race Weekend** in hopes that the pandemic eases as vaccines become more prevalent. Also, mark your calendars for the **Taste of Darlington on Thursday, October 14**, at Darlington Raceway. Applications are available.

In the meantime, **we continue to promote Darlington and its businesses on Social Media and through our News alert System each week.** Our alerts reach more than 2,700 people! We continually update our Web page, www.BuildUpDarlington.org, where individuals can submit information or sign up to receive these alerts.

We welcome newest members, **Kirven Construction Company, Goodson's Tire & Auto Repair**, and **The Grand Old Post Office.** Thank you for your support of our community!

Ms. Carla Elvington asked about Clean Up on this Saturday. Mrs. Rock said Clean Up is Saturday 9:00 AM – 12:00 PM meeting at the Chamber Office.

GREATER DARLINGTON CHAMBER OF COMMERCE

No one present to give a report.

Councilman Gardner asked if we could have standing committees to report once a quarter to give us an update as to what they are doing. Councilwoman Baccus said she does not see a problem with that, we get a report from the Department Heads. Councilman Gardner said he would appreciate that.

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

Ms. Delores Bess thanked Council for the opportunity to speak with them. She said the use of 105 Orange Street is also greatly appreciated, she is being housed there. Ms. Bess said she is the trauma counselor for Darlington County, but I am also here in Darlington City. This month April is the Child Abuse Awareness and Sexual Assault Awareness Month, they are kind of combined together and in Darlington City sexual assault is under reported, we only have one case of sexual assault but that does not say that it is still not happening in Darlington. She is here to help. The services are free just and because I am a Counselor, I just don't work from 8:00 AM – 5:00 PM. Ms. Bess said I make myself available to all her clients, basically 24 hours seven days a week. She said not all the times things happen before 5:00 P.M. She makes sure she makes herself available but she do want to say to the City of Darlington they are so appreciated for everything that they do for them, appreciative of the space that you have given us and if anything that she can do to make the City of Darlington better please let me know. They have three centers one located in Hartsville, one in Sumter and one in Florence. Mayor Boyd thanked Ms. Bess for her assistance.

Unfinished Business

Second Reading on Ordinance 2021-04-Zoning 4 Lots Young/Windham Streets

Mrs. Rock said she has not received any calls or comments in the mail.

Councilman John Milling made a motion to approve Second Reading on Ordinance 2021-04-Zoning 4 Lots Young'/Windham Streets(R-8) classification the Lots being (106-05-02-038; 164-05-02-098; 164-05-02-089; & 164-05-02-097). Councilman John Segars seconded the motion. Councilperson Reed, Gardner, Baccus and Mayor Boyd voted in favor of the motion.

COMMERCIAL GARBAGE UPDATE – ALEX GAINEY

Mr. Gainey said he had a bunch of information that he handed out to Council and he was going to try to go over them pretty quick. Mr. Gainey said he has a lot of information and he would not go over everything, but if they have any questions, stop him and he will go over it. He said basically this stems from a couple of months ago when we were informed by Republic,(who we currently have a contract with) that our commercial dump truck pick up our rates are going to be increasing. And as you all know, we just did a rate increase ourselves for our customers about three or five months ago so he was not comfortable with doing a rate increase so he put it out for bids. He said he had three different companies to bid on it - Republic Services, Capital Waste and Palmetto Waste. Capital and Republic came in at the cheapest but with the rate increase and the rates which they proposed they still were going to go up, so we kind of went back to the drawing board to see what we wanted to do and in what direction we wanted to go, so we came up with three different options. He said he will go over the three options tonight. Basically the first option is broken down in per yardage for containers. The City's charge under that option, you got Republic, the next four years with the rate increases what they are proposing and then under that we have Capital they broke the first year down in six months increments, the first six month increment is they

will keep the same rates that we have now and the second six months they would go to the rate they proposed for the first year just to try to help us offset the cost. So they would not supposedly do a rate increase up front and then the second year they would not go up, they would have a rate increase the third and fourth year. So basically we look at this spread sheet the two yards if you look at it across the board the two yards are really not going up they are actually going down if you look at the original rates so we will make money on the 2 yards, 4 yards we will make a little money, then you get to the 4 yards with the 2 dumps it goes up there, 6 yards and 8 yards is where we are really going to lose money. Mr. Gainey said if you look at the grand scheme of things, if you flip to the second page basically our monthly income excluding the recycling for commercial we're bringing in $25,280.00 a month, it's $303,360.00 a year. He said we have Republic's proposal starting July 1, and with their rate increase we will be spending $28,082.72 a month which would put us at a little over $28,000.00 in the red. Annually we would be spending a total of $336,992.64 which would put us in the red $33,632.64 a year. Mr. Gainey explained the work sheet in detail. A copy of the work sheet is attached. If we are going to continue to contract it out, basically the way it happens now is they send us a bill once a month, we pay the bill, we handle the fix rate report and we make sure all the charges are right. If anybody has any overages we make sure that gets to the Water Department and then the Water Department gets it on the bill. Mr. Gainey said they have to deal with all the complaints when somebody's trash gets missed. If there is an overage and they don't agree with it we deal with that complaint. We deal with a lot of complaints for Republic Services. Mr. Gainey referred back to his spreadsheet in detail. Mr. Gainey said option two would be to do it in house, buy a couple of trucks, buy the dumpsters, hire another employee and do it that way. Mr. Gainey said

when he started working on the budget my budget numbers for what it would cost to get into the business was $565,000.00. He said we will have to buy two trucks. He talked with Amick Equipment in Lexington and told them he had to budget for two trucks. Amick Equipment quoted between $250,000.00 - $260,000.00 on a nice new truck. Mr. Gainey said he put $275,000.00 for a nice new truck in the budget just because everything else is going up nowadays. He said he don't know why the trucks would not go up too. He said he put $275,000.00 in the budget for a primary truck, $125,000.00 for a secondary truck, $165,000.00 to buy 179 boxes. He got a couple of prices on bins. Mr. Gainey said 45 days to 60 days ago they were $144,785.00, this price may not be any good now. So that would put you at a total overall total cost to get into the business $529,785.00. He said option two the Mayor said something about buying two brand new trucks, so he priced out two brand new trucks and that option will be $664,785.00. He said then we started talking about how are we going to pay that back if we get a five year bond or ten year bond. Mr. Gainey said he would not get a ten year bond because you would be paying for a truck you are using. He was told every five to six years they trade these trucks out because of wear and tear and maintenance. He said they could start costing you a lot of money. He said 5 years to him would be smart if you trying to pay a bond back. Mr. Gainey had a breakdown of this on his spreadsheet that he referred to. (Sheet is attached). The third option is if you go to the last two pages or the third sheet on the spread sheet. Basically he talked to Republic a week and a half ago and they said when they submitted their bill they said everything is negotiable. We talked about several different things. One of the things was doing an exclusive franchise and what that means is we would not be in the business, we would not handle the phone calls, we would not have to do anything. Mr. Gainey said we would sign an exclusive Franchise

Agreement with whichever company we decide to go with whether it would be Republic or Capital Waste. All the customers we currently service will deal with them directly. Republic or Capital Waste will do the billing directly. There would be a lot of stuff we would not have to do. We would price it out, $5,000 Franchise fee, a $10,000 Franchise fee or a $15,000 Franchise fee. Mr. Gainey referred to his spreadsheet (sheet attached). He said his concern was with the rate that we were getting for bulk containers. We put it out on the open market then they call whoever whether it be Allied, Republic, or TWS. The customer can call whoever they want to call and say," hey I want a dumpster". Well they won't get the same rate we were getting, their rates will probably go up but with the Franchise Agreement basically with the Exclusive Franchise they are honoring the same rate they gave us(refer to spreadsheet). Mr. Gainey said our contract ends with Republic on June 30th, so we've got to make a decision. If we decide we want to do it in house we need to make a decision quick because we got to order boxes, and it will probably take thirty to forty five days to start getting boxes in. Mr. Gainey said we got to get them in place, then we got to find a truck. He said a lot has got to happen in the next two to two and a half months. He said if we decide to do the Franchise that will be a lot easier process then to go with one of the bids, but we need to make a decision. Mayor Boyd said with option three if we do the Franchise, the blue is the charge and the red will be the current charge. For example 2 yards (2,4,6,8) somebody with an 8 yard dumpster is currently being charged a $100 will go to $126. So some 2 yards paying $55 will drop, so like normal the rates some change to a negative effect to most of our customers if we take that, so if we take that our current customers will take a hit some may go down and we will be promised $15,000, if we stay with what we got we going to lose x amount of dollars because we are going in the hole every month, they are going to go up on them.

Mayor Boyd said this is his opinion. We say that you won't get any calls, but you will and you can steer them to Republic but you still will get calls. you will get calls complaining and we will get calls complaining that we have gone up on them. Mayor Boyd said, "and these, by these I mean our citizens (which is our customers)." He said we still going to have to go up on them if we go this avenue. If we go the other avenue which is if Council agrees to go into the business. As much as Council may not like it we are a business. Mayor Boyd said this is his view point we are in the business to make money for the City of Darlington. With the money they give us from their tax funds and what we generate if we went into the trash business, we are just allowing another company to come in and do it for us if we purchased it according to my understanding is the best scenario is we will make about $17,000 a year. Councilwoman Reed asked for some clarification in reference to an item that was on the spread sheet. Councilman Segars explained what has happened to him when his dumpster lid was not closed and was charged overage once or twice a month. He sees it as an opportunity for us to be able to protect our citizens by trying to control the rate increases. He said we are at their mercy if we sell out to them because whatever they charge we've got to pay it, and our citizens got to pay it. Councilman Milling said a couple of things came to his mind like potential liabilities that occurs when you are doing something different. He asked has anyone done any investigations into what this new venture would add to insurance cost for us to undergo with this such as the fuel expense and maintenance expense for these trucks? Mr. Gainey discussed in detail with Mayor Boyd and City Council about Commercial Garbage in reference to the spreadsheet with the different options. Councilwoman Baccus said after we have discussed this twenty five minutes can we table this, call a special meeting next week and discuss this so we can move on with this

agenda. Mayor Boyd said his suggestion would be do we vote on one of the three or would you like for him to bring back more exact numbers if we decided to go into business for ourselves. Councilwoman Baccus said he needs to bring back more information and we talk about this at a separate individual meeting for this instead of holding up council meeting. Mayor Boyd said he would like to see more exact numbers. Mr. Gainey said he could have all that in a couple of days. Mayor Boyd asked if everybody was fine with a budget work session. Everybody was in agreeance.

NEW BUSINESS

REOPENING OF CITY HALL – COUNCILWOMAN REED/CHIEF WASHINGTON

Councilwoman Reed said she wanted to get ahead on reopening City Hall and not putting our staff at risk, so we will be prepared. It seems like there is some interest in us opening. Councilwoman Reed said there have been some comments about transacting business at the door. She said she definitely did not want to put us at risk at all. She said the Chief of police did some research and she is in agreement with what he is going to present to you tonight. Chief Washington said he and Councilwoman Reed has some discussion of reopening. He said technically we never really closed; we have been doing business here at the City of Darlington with restricted access. He said he guess we have been doing it the most appropriate way. He looked at couple of jurisdictions across the State and they are doing things similar to the way we are doing things. Some are opening the doors where people can come in with quite a few restrictions. I in turn also called the County Administrator, Charles Stewart, and spoke with him concerning the County as it relates to the Courthouse. They will be loosening restrictions around May and after discussing this with him. I am looking

forward to meeting with him again. Chief Washington said as I explained to Councilwoman Reed earlier I would recommend to the City that we do the same thing and we just follow suit to whatever the County is doing at the Courthouse. He said obviously there are still going to be some restrictions as it relates social distancing either recommendation requirement as relates to wearing a mask that will be a decision that Council will make, regular sanitization of the building. He said a lot of this stuff is being done already. He said he would probably recommend to Council to consider purchasing Temp Scanners at the Pearl Street entrance as well as the entrance at the Police Department. We will be able to use the ones in the Police Department for court and people coming to do business with the Police Department. Also whenever we have meetings for Council we will be able to check folks temperature, and actually the machine will do it all for us. The Chief suggested to follow suit with the County unless Council wants to do it differently, if so please let him know and he will take it under consideration. Councilman Gardner asked is it an automated temperature scanner. The Chief responded yes sir.

BUSINESS LICENSE STANDARDIZATION UPDATE – MR. CHARLIE BARRINEAU FROM MASC

Mr. Barrineau said his staff put together an overview of the Business License Standardization. He said hopefully everyone has been reading about the information in our uptown update and email we have been sending out, he encourages you to go to www.masc.sc. He said for a recap for Council who has not been on there for a number of years for many years for over a decade Business Licenses are critical depending on our Municipalities. It's about 240 in our State that charge a license. He said there a number of counties that charge a license and it's anywhere from 20% to 50% of your municipality's' revenue. There are a lot of folks who would like to eliminate the business license but the

reality is that there is n where to replace that revenue it is a critical revenue. In the last ten years we have seen legislation propose that we restrict and limit the revenue and so with your help and other municipalities the business license standardization act was passed this pass September. It was basically a compromise to try to bring all the parties together and provide a standardization. The goal is to be better business friendly. So what will standardization require? What will the City of Darlington have to do? You are going to have to standardize to the model structure that we worked to get adopted into the law. One of the biggest components of that is one Standard License year. The license year going forward will be May 1 – April 30. Your current year normally operate January 1 – December 31, so you are going to have to transition to the new license year. Also, there is a classification system that you are going to have to follow and we are already working with your staff to do what's call rebalancing . The legislature did not want this to be a windfall of new revenue for municipalities and so we are going to be working with you to rebalance under the new structure to ensure new revenue neutrality. Your staff is working with us currently to work with the model on rebalancing. He said later this fall your staff will be asking you to adopt the model business license ordinance so there are a number of steps that we need to get you to compliance by January 1, 2022. The key is you still set your rates and even though there is standardization, there is going to be a standard date, there will be standardized applications, standard classification system. He said you still will be able to set those rates. He said he just wanted to give them some face time on License Standardization and will be glad to answer any questions they may have on the information that you have read. Councilman Milling asked, "will we lose four months of revenue?" He said "no". Again, we are just giving you a recommendation, you surely can adopt your own processing, but what

we recommend is that you extend your license for four months. In essence you just issued your licenses in January, so we are recommending you to extend those to the end of April. Basically, it's a sixteen month period they still are only gonna pay for twelve months based on twelve months revenue. You're just giving that length on the license. We have been working with Ms. Pridgen and your staff and we recommend by ordinance to go ahead and adopt the new calendar year by ordinance establishing that year and that will create that sixteenth month period and then later this fall you will adopt the full model ordinance where you would update your rates that will reflect rebalancing. Councilman Segars asked, "Will you prorate the twelve months?" He said that they will not be paying anymore. The rate will still be based on twelve months of the gross revenue so there is no additional revenue to the customer.

OUTDOOR LIGHTING – DUKE ENERGY REPRESENTATIVE

Mayor Boyd said they were not able to make the meeting tonight. He said they sent out an email to everyone and the proposal that she gave was to change all of the lighting to the new lighting at Food Lion the shopping center at Pearl and Main Street to go through and change all the current lights that we have now. The bill will drop to around $95.00 in total, but as she stated when they actually go out and start changing lights there may be lighting that they are not billing us for, lights could go up, but to do that it will cost around $8,000.00 that would be incurred for that and that would not have to be paid by the city of Darlington until they get ready to do it. They have other cities that are actually in the process of trying to get it done so we need to get in line if we decide to do that. The thing that needs to be changed this month is our current ordinance. Right now, our lighting ordinance is anything that Duke Energy has on the shelf, and these are her words, she said would be in violation to our current ordinance, so the lights they put

up, to my understanding does not really meet our ordinance. Mayor Boyd said we will have to table that currently and work on changing the ordinance to the lighting that they have to our Ordinance. Mayor Boyd said we can look at it in our workshop, we will table that tonight.

MR. BARRY BRYANT AND MR. LYNCH – WIRING DISCUSSION OF UPGRADING CREDIT CARD SYSTEM

Mr. Lynch said he has four things to discuss, the first thing is the credit card system. In talking with N-Court today they will be able to adjust to the current contract that you guys have, and we should be able to have a portal for business licenses and codes up in about two weeks and get it on the website within three. Mayor Boyd asked, "Is it the same thing we have now?" Mr. Lynch said it's the same thing you guys currently have so there is no extra cost. It will be the exact contract you guys have now and also in line with whatever you guys are doing with Sanitation and that time we probably will build a portal for the Sanitation payments as well. Mayor Boyd asked again about the cost to the City. Mr. Lynch said the convenience fee is passed onto the user. Mr. Lynch said the second thing is something that needed to be done for a while which is the re-wiring of the network. Anybody who goes through the building can see wiring that has been pieced together and it reflects on the City of Darlington and we are getting ready to implement a new phone system as well. Mr. Lynch said they have used Elite System here to do our wiring. They just finished the town of Elgin. He said they are cheaper out there, but he does a pristine job, basically he put together a proposal for wiring the front half of this building that which will take care of basically centralizing a lot of stuff, get rid of a lot of the wiring hanging down from the ceiling to make it more usable and clean. Mayor Boyd asked for the quote on that. Mr. Lynch said it was $9,357.43, it's thirty-nine drops you are going through bricks, you are

removing the wiring from the corner of the Codes area putting a rack mount up, right mounting the switches going into the Water Department. You are getting rid of that rat's nest that's up against the back of the wall and all the hanging cables that are coming from the ceiling and draped on the side. There will be a nice wiring trail around and it's going to clean up the area and make the City look more professional. Councilwoman Baccus asked, "Is it all cosmetic." Mr. Lynch said, it's also the wiring is getting old and eventually it does wear out and so basically the catch six is going to be used for your phone system as well. Mr. Lynch said the phone system is going to voice over IP not analog, so we need wiring for that too, it's more than just cosmetic. The third thing we recently upgraded was our security system that you use on your software. We have received some complaints and pulling in the warranty information and everything we have about twenty four systems that are six years or older. Some are nine years old and they have four gigabytes of ram, the ones we sell today have normally sixteen gigs so what happen in the Water Department, you can go there tomorrow and talk with Ms. Bruce or Ms. Charlotte and you talk to them about the speed of their systems it's running slow, it's decreasing their performance of what they are capable of doing. Mr. Lynch said they need to be replaced, so the rule of thumb is if you buy a computer and get three years out of it, it has paid for itself. If you get two more years, it paid you for two years after the fifth year. Mr. Lynch said because Microsoft windows updates everything else and a lot of these systems they have spindle hard drives and so when you update an older system to Windows 10 computer something happens on these older hard drives, where it just spins the input, and the output is not fast enough to process the data and it create issues. Mayor Boyd asked, "If he had a price on that." Mr. Lynch said that he can get one. He said this was dealing with a phone call

from Mrs. Bruce before I came up here, so I just did the report and pulled that information, and I can get you a price. Mr. Lynch said and the last thing is the software. There is software out there for the trash pick-up stuff, but we will just have to research that. Mayor Boyd said Ms. Pridgen was asking if we decided to go with the wiring do you need to bid that out since he is contracted through the City of Darlington or vote on it. Councilwoman Baccus asked, "Was he talking about what Mr. Lynch does or Mr. Bryant." Mr. Lynch said that it is totally one hundred percent Mr. Bryant. He said he just trust his work he has done work for him, if you want to use him or if you want to bid it out, it's entirely up to you guys. Councilwoman Reed asked who Barry Bryant was. Mr. Lynch told Mr. Bryant to come and introduce himself and tell them what he does. Mr. Bryant said he was Elite Security System on multiple occasions I've done a lot of wiring jobs for Asset Technology for Mr. Bill Lynch. He said we just got done taking over the City of Elgin. We did all the wiring throughout the City and the Police Department. They had the same situation going on with wiring hanging down and old wires after a period of time and things are pieced together. Like Mr. Bill said you are going to start having problems and when you upgrade to a new voice IP system for this phone system that you are going to be getting if one goes out, it can knock them all out, so we need to get the wiring updated and get everything backed up to where it needs to be. He said it can take hours to locate the problem because they would not have a clue as to where the problem is at. Mr. Bill suggested Council do a walk through. Mr. Lynch said when he get finished everything will be labeled, nice and neat and everything works. Councilwoman Baccus asked what happened to the update for the tablets that they have had for two years? Mr. Lynch said those tablets were bought before Council started working with them. He said they sat in a box for two years and that technology moves on Apple does updates. Mr. Lynch

explained somethings that they did on the tablets. Councilman Gardner said that we need to bid this out because it's over $5,000. Mayor Boyd told Mr. Bryant to provide us with a bid and they will get two more bids.

DISCUSSION OF ADMINSTRATION BUILDING

Mrs. Rock said as some of you have noticed my office has moved to City Hall to the Council Chambers, she said she is still moving kind of back and forth otherwise she would have been the only person in that building.

The building was constructed in 1856.

The City purchased the property from the Thomas family for $177,000.00 in 1999 and restored the property in 2003.

Current Assessed Value is $176,000.

The Dargan House Restoration Project repaired damage from the October 2015 storm, approximately $51,000.00 – including a grant from the State Historic Preservation Office

In the last year, most of the interior was painted, the front door entrance area was painted, and the handicap ramp replaced. She said if we are not going to use the property Council needs to decide what they would like to do. Mrs. Rock said she has shown it to some developers and different folks that are interested in business but has not had a price to give them or any kind of leasing opportunity. She said I don't know what you guys are open to. If you are interested in selling it, I would suggest the City get a licensed appraisal of the property($400-$800) and a Commercial Inspection Report($2,500 to $5000) so that we know what the details are. She said the building is total turnkey. You can go to work in that office, there is nothing outdated or wrong with it so in that sense it is probably good leasable

office space. Councilwoman Reed said that this sounds like a work session. Mayor Boyd said if we lease it, it will still be something we would have to continue to maintain, and that would be part of the issue with an older house like that. It would need some love and care. Of course, we don't want it torn down because it is a beautiful house. He said if it continues to sit it will deteriorate, we don't want the City to be responsible for. Mayor Boyd said he and Ms. Pridgen suggested for Mrs. Rock to leave the building because it was only two people there. Mayor Boyd suggested that they can talk about the building in a work session if everybody is in agreeance. Mrs. Rock said to get the appraisals done it will be under $5,000 if you wanted to sell the property. Mrs. Rock said you probably won't get more than $10 a square foot but due to the average daily traffic on that street you would get $5 to $8 a square foot. She said the house is about 3,500 square foot. She said we have tried to get different developers from different businesses coming into town and I have shown them both that building and the Council on Aging Building. The Council on Aging have expressed to the City that they are not going to stay there forever, and they have a plan to build a new location. She said both of those buildings are eventually going to be on our table. Are we going to rent them out to somebody or we going keep them, do we have use for them or we going to sell them? Councilwoman Baccus asked, "Did Council on Aging have a date as to when they maybe leaving?" Mrs. Rock said that they don't have a date, but they have purchased the property that was the old Chevrolet place on the other side of the railroad tracks on Pearl Street. They took down that building, but now they are also looking at property on the ByPass but with Covid I think their grant cycle got kind of shifted in terms of getting that funding. They were hoping to get to build the property, so they probably pushed it back a year or two. Mayor Boyd asked Council would they like to

discuss this in a budget session. Councilwoman Baccus said that she thinks they should.

VACANT BUILDINGS ORDINANCE – Mrs. Rock

Mrs. Rock said one of the problems Council and the citizens has asked them to address is vacant commercial property and to address that. In doing some research I found some other towns across the country and there are other towns in the cities of South Carolina which are Sumter, Columbia, Greenville that are doing this. They have a vacant building registration program. She said basically what this is is that you all have seen the vacant buildings downtown (shown on the screen) this building has been empty for at least a decade and she is sure there are others around town that you are familiar with, so the problem is the vacant building can attract transients, homeless people, trespassers, and criminals, create blight in neighborhoods, create fire risks, safety hazards, are used as dumping grounds, decrease property values and discourage economic development. She said it also causes us additional costs for Codes Enforcement, Police, and Street and Sanitation Departments, lower property values which lower our revenues, less economic development and opportunities for citizens and potential businesses. She said but this cost should not be borne by the general taxpayers of the community but rather by those who choose to leave their buildings vacant and that's what the program proposes to do. Mrs. Rock said our proposed solution would be to require registration if your building is vacant for thirty days or longer. So, if you have a property you need to register it with the City that it is vacant and you will get a certificate or something. This will help incentivize property owners to maintain buildings and identify people who are responsible and actually get some contact information for

property owners. It's not just what the County has which is simply a post office box for some folks. This program also has owners correct any imminent public health and life safety violations such as garbage accumulation, junk vehicles, securing properties, or other immediate hazards to the public. It will allow the City to track costs and other information for grants. This will also allow property owners to work with the City. It allows owners to provide property plans and timelines. Mrs. Rock said this gives the City contact information to get damages and losses reported in a timely fashion. This would encourage people to either occupy their property, fix it or sell it to somebody. She said in terms of dollars and cents in your packet you got the more detail version of the ordinance with all the figures. The fee essentially would be around $400.00 to $500.00 for a vacant property registration that is not in compliance so this would give us a way for Codes Enforcement to look at these properties and say, "Hey you got some major violations here, and you need to correct them, or you need to register this and pay us $100." She said if it's in compliance, it's nothing wrong with the building it's painted fresh or looks fine, they just holding on to it waiting until their kid grow up to open their business or whatnot. They can keep it like that as long as it looks presentable and it's a safe place and that they can ask for the exemption to get it reduce to $100. This allows us to fund Codes Enforcement work. Mrs. Rock said it is a $100 per property per year. Now we have just a rough review from Codes Enforcement you have got probably 100 to 125 properties that you need to register. She said at the minimum, if everybody is in compliance, which they are not, but let's say they are, that registration fee for those vacant properties of $100 level would generate $10,000.00 to $12,000.00 in additional revenue for the City for the Codes Enforcement or other purposes and that's assuming everybody goes through the process. She said now if about half of them don't fix

it up and they end up paying four or five hundred dollars then you are talking about $25,000.00 to $30,000.00 in additional revenue and it will go up from there as the years go on because if something is vacant for one to three years, it would be like a $1000.00. If they fix it, they can get it down to $100, but if you are not going to fix it up we are gonna keep charging you more so that we can get you to sell it, fix it up and occupy it, or do something. This just gives us another tool to try and clean up our neighborhoods and remove the blight that we've seen in so many places. Councilwoman Reed asked, is this registration fee is it what time to what time is it a yearly thing? Mrs. Rock said it will be an annual thing, and of course once it becomes occupied you aren't going to have to pay the fee. Once the building is vacant for 30 days you would need to apply so it will give people some time to circulate change over renters that sort of thing. Councilwoman Baccus said, "Even if the ordinance says this and somebody chooses not to register, how are you going to enforce it?" She said, "Again it will go to Codes Enforcement." They will have to go through the normal code enforcement process, but this is just again another way for us to get this stuff cleaned up. Right now, we've got a commercial building appearance code that Code Enforcement can enforce, but that's only commercial vacant property. What about those vacant houses that are boarded up in neighborhoods? She said why are people letting their property go like that and it's costing the City in terms of development in terms of the neighborhood property values, there is a cost to us that isn't accounted for when there is no fee attached. Councilwoman Baccus said that the question again, if it goes to Codes Enforcement how is she going to enforce it? Is she is going write them a citation? Mrs. Rock said she would have to write them a citation and we will go through the court process. Councilwoman Baccus said then it goes before the judge and the judge decides how much it is going be so at

the end of the day the judge decides what it will be. Mrs. Rock said, "yes, at the end of the day the judge will decide as they always do." Mrs. Rock said and then of course we can add those fees, the lien on the taxes and that sort of thing as always. Councilwoman Baccus said how about the process that went on with Tyner Warehouse for five years. Mrs. Rock said she believe it was longer than that. Councilwoman Baccus said we never got any money. Mrs. Rock said no ma'am. Councilman Milling asked what is the solution? Mrs. Rock said, "This is just another way for us to at least encourage people to do something right now." Not doing anything is not helping. Mayor Boyd said, If I tell my child that I will give them a two-hour restriction or a two day restriction and I don't never do it, what good does it do, so we have to enforce this. I am full for this because as you said we have how many buildings? Mrs. Rock said at least a hundred. Mayor Boyd said he get tired of asking for buildings to come down and for buildings to be fixed and he can't fix them all and if this is going to help us get them fixed and it does way way more damage to our City than people realize because an empty building discourages people from coming into our town, so again as Councilman Baccus said you know when she writes the citation that's what we asked for before the trash and waste on the side of the road and we approved for somebody to be fine $100 but unless they are fine and then they write them a fine then it goes to court of course so it needs to be fixed. Councilman Gardner ask our Municipal Association and City Attorney to look into this and find a way to give our ordinance some advice on the way to make it enforceable, work with our City Attorney and Municipal Association to see if it is some way to help us. Mrs. Rock said that we have sent it to both of those agencies and I'm just kind of looking for issues with it and nobody seemed to have an issue with it. Mrs. Rock said this is just like a speeding ticket you know everybody speeds at some point; you get

caught speeding you get the ticket. Mrs. Rock said at least it gives us another tool for the Code Enforcement Department to use to try and get a handle on it. Right now, what we are doing isn't working so let's try and do something else to try to get a hold of these vacant building problems. Councilman Gardner asked giving the building inspector and the Fire Chief access to the buildings once a year, I would love that part of the Ordinance so give them access to the inside of the building. Right now the only thing they are allowed to do is to walk around on the outside and walk on the roof. Mrs. Rock said and if they are required to have a registration form for that property and if it's vacant that gives codes enforcement and the Fire Marshall a reason to walk in the door. Ms. Jones said that would have to be written into the Ordinance. Mrs. Rock said it is in the Ordinance. Ms. Jones asked was it written in that Ordinance? Mrs. Schafer said," Yes it is." Councilman Gardner ……. Mrs. Rock said we are trying to get a way for us to address…….. Mayor Boyd asked could the fines be applied to the tax notice or any other way. Councilwoman Reed said just to use the analogy to the speeding ticket let's just say like if you don't pay it like your license will be suspended. It has to be some consequences in here. Mrs. Rock said the consequences is going to be these fines are going keep tacking on to their taxes as a tax lien, so if they don't pay it's going keep getting added to their taxes every year and at $400.00 to $1,000 a year that's going make their tax bill real high and then it will be sold by the County. She said let's just say if I have a property that's vacant and I have left it in disarray and I say that I'm not going to pay this ticket well that $400 fee is tacked on their taxes, then you get your property tax bill it's already higher because you are not living there, it's already 6% because it's not something that you are occupying so instead of 4% now you got $400 more dollars on it. Mayor Boyd said we can look at it two different ways because now what you are saying

opposite of what we just heard. If Ms. Jones walked up to this building and it's empty, and she says, well I can't get a hold of them to say it's $400 fine, she fines them, sends them a letter and they ignore the letter, then she applies that $400 fine to their taxes. Mayor Boyd said, and if they do come in and say I'm not paying this. Mrs. Rock said it is already on their taxes. Mayor Boyd said, they can say I want to see the judge then they have the right to go to court just like Mr. Tyner did with the other piece of property that he kept going on and on. Mrs. Rock said she is not sure about the legal because she is not a lawyer. Ms. Jones said we need to find out whether it's going be a fine that's imposed or whether a citation that is written because it is two different things. The citation that's written goes in front of the judge then it will be a judgement. If it's a fine that is imposed, if the language is in the Ordinance the fine can be put on their taxes. If the taxes do not get paid, then the county puts it on hold. If the property does not get sold in the tax sale due to being consistently fined, then the vacant property will be more than it is actually worth. Nobody will buy it, sending it into forfeiture, making nobody responsible for maintaining it, and it is still a vacant property. Councilwoman Baccus asked if everybody is going to get notified, and if you can't contact them or find them, then you can't notify them. Lisa Rock explains that you can send a notice to their registered address of record, and if they do not receive it after that then there is nothing you can do. Mayor Boyd acknowledges that you cannot catch them all, but with the fine there is a possibility of people not paying their taxes and letting the property disappear. Ms. Sheila Jones from Codes enforcement explained that a major problem in the City of Darlington with these blighted properties is heir property. The people do not live in state, or the people that are here can't afford to fix the property, but they do not want to get rid of it either because it is heir property or there are so many hands that are in it that nobody

wants to touch it because they do not want to put money into something that they can't have. At this point there is not a fool proof plan. We can do the best that we can do, but to say that this can fix the problem, it's not. Mayor Boyd acknowledges that this vacant building registration can help a lot, but right now you have an issue that the fire marshall and codes cannot walk into a property that we most likely know needs to be condemned, and is sitting right next to another building but you can't get in there to look at it. This will give you the aspect of getting them condemned and forcing them out that way, because if that building continues to sit there without coming down, if you take it down it helps the city's insurance. If that building catches on fire, it catches the whole City of Darlington on fire. Ms. Sheila Jones from codes agrees with the Mayor and is on board with the Vacant Registration Building Plan, but doesn't want to sit in front of council and say that is going to be a fool proof plan, but it will be another tool that they have. (Mayor Curtis Boyd says to have recorded the fines in the ordinance to where the citizens holding onto vacant properties will have to pay them as much as possible in a restricted form as possible, the ordinance needs to be written specifically that it will be towards their taxes. Councilman Milling asks to have Lisa Rock bring us a proposed ordinance so that they have something definitive and asks about the sections highlighted in yellow. Mrs Rock said that it is in their packets in details. Mrs. Rock explains that those are areas she thought Council might have questions about or interest in in the ordinance. Some areas are also where she checked the City's codes, because this is based off an ordinance that was found. Councilman Milling asked if this has been referenced or checked in other areas. City Intern, Macie-Lynn Shafer, explains that other cities in South Carolina have also enforced Vacant Building Registration, and as of yet they haven't had any legal problems. They have been slow to enforce due to

the pandemic, but no problems have arrived as of yet. The other cities say that if it goes to court then it is up to the judge or to how the ordnance was written. Sumter has had this for 2 years, and Columbia just started last year but they haven' had any major issues. Mrs. Rock explained that she read about this in an article for community development and they do this across the country. It is something that people are trying to do to give cities a tool to deal with vacant properties. Councilman Bryant Gardner asked about where the access to the building is located in the ordinance. Lisa Rock finds it in the ordinance on the fifth page and explains that one of the things that is on the form is that it gives citizens a place to give emergency contact information because some of the property is heir property and they might have somebody that is local that the city can contact instead not somebody in New York. Councilman Bryant Gardner asked about section 18- 278 inspections about half way if the owner or the responsible party is not available to provide access to the interior of the building, the City may use any legal means to gain entrance to the building for inspection purposes, should we put a timeline on this after thirty days of no response. On inspections he suggests putting a timeline on how long citizens have to respond to the notice before codes can legally enter the premises without their consent. Lisa Rock agrees to insert that language into the ordinance. Ms. Jones comments typically in codes every fourteen days after notification, and that we need to research as to what those legal resources are for us to gain entry. Councilman Gardner said to get the changes done and let's vote on this next meeting. Councilwoman Reed said to vote on it with the suggestive changes. The council votes to table this project until more information on the legalities is presented and the other suggestions are made to the ordinance until they vote on it.

Amending the floodplain ordinance- Sheila Jones

February 9th, 2021 Ms. Sheila Jones met with Jessica from DNR through zoom and on site in regard to the City's Flood Damage Prevention Ordinance. The meeting went well, but the ordinance is out of date. Sheila was sent the changes that needed to be made and that is what's in your package and I put on there the changes that are required including the map dates that are used, definitions that have changed – Section 46-39, specific standards, floodways in our ordinance is underneath elevation and it should be a standalone #5, elevators needed to be changed and bulletins Codes was referencing needed to update to new ones. Ms. Jones went into detail with the packet that was given to Council. These are the changes that need to be made in order to be correct by May 17th. Ms. Sheila Jones provided the letter from Jessica and reports from their meeting in the packet given to Council. Councilman Milling asks if the ordinance that the City was operating on was the one from 2013 and if no changes had been made to it since then. Ms. Jones confirmed. Mayor Curtis Boyd asks if we have a motion to approve the proposal to change the City of Darlington's Ordinance Article II Flood Damage Prevention. Councilwoman Reed made a motion, Councilwoman Baccus seconded the motion. Councilpersons Milling, Gardner, Segars and Mayor Boyd approved the motion.

Board of Commissions Appointments- Williamson Park

Councilman Bryant made a motion to approve Steven Carroll to the Williamson Park Board. Councilwoman Reed seconded the motion. Councilman Milling abstained from voting because he is his son-in-law. Councilpersons Baccus, Segars and Mayor Boyd approved the motion.

Resolution for CBDG Grant

Councilwoman Reed said that she thought they had taken that off. Interim City Manager Gloria Pridgen explains that this is the Grant we are working on that they need the names in order to move on with this grant, they need a resolution. Councilman Gardner made a motion to approve Resolution for CDBG, Councilwoman Baccus seconded the motion. Councilpersons Gardner, Milling, Segars and Mayor Boyd approved the motion.

Department Head's Reports

No questions on the reports.

Interim City Manager Pridgen said she had some tentative dates for Work Session set up for Monday, April 26th at 6 PM is a budget meeting, Tuesday, April 27th is a work session at 6pm for Sanitation and Vacant Building Registration, and Thursday, April 29th at 6pm is another Budget meeting. Council members discussed the dates in questioned.

Mayor Curtis Boyd proposes setting up a work session in order to go through the applicants that have applied for the City Manager Position. Councilwoman Baccus said the applications are supposed to go to the Municipal Association and they bring Council the top 5 to interview. Mayor Boyd said he did not think they made a decision on that. Councilman Gardner suggested to discuss it at the work session on April 26th. Mrs. Lisa Rock explains that the deadline for applicants for the City Manager position is April 29th so you will still be receiving applications pass that time. Mayor Boyd said we need to discuss how we are going to do them. Mr. Barrineau said he spoke with Ms. Pridgen what they had done with other cities is they can select to receive all applicants and they would go through the applications and ranked them. He said that they will have a committee meeting and give back to you not a ranking but likely the top six or so whatever number you

would like, it would be the indviduals they would think would be worthy based on the job description that you provided based on their education and knowledge. Mr. Barrineau said they would do whatever they want them to do, they are there to serve them. Mayor Boyd said Council will discuss on April 26th, he also asked will there be an additional charge. Mr. Barrineau said no sir. Councilman Milling said that we have April 26th as a budget workshop, he said these workshops takes about three nights or so do you have any additional proposed dates set aside. Interim City Manager Pridgen asked Council how they wanted to do the budget sessions. Council had discussions about how they will do budget sessions.

REMINDERS

Tuesday May 4, 2021, at 6:30 PM – Monthly City Council Meeting

Monday, May 31, 2021 – Memorial Day Holiday – City Offices Closed

ADJOURN

Upon motion of Councilwoman Sheila Baccus, seconded by Councilwoman Elaine Reed, the meeting adjourned at 9:23 PM.

_____

Assistant Clerk & Treasurer

ATTEST:

_____

Mayor