CITY OF DARLINGTON
SPECIAL CITY COUNCIL MEETING
HELD IN THE COURTROOM/COUNCIL CHAMBERS
400 PEARL STREET, DARLINGTON, SC
TUESDAY, MARCH 15, 2022 – 6:00 PM

Present: Mayor Boyd, City Manager John Payne, Councilpersons Bryant Gardner, Elaine Reed, John Milling, Howard Nettles, John Segars, and Sheila Baccus. Also, present: City Attorney Kevin Etheridge, Mrs. Lisa Rock, Ms. Gloria Hines, Mrs. Rose Pruitt, Mr. Steven Hobbs, Ms. Jannie Lathan, Mr. DuBose, Mr. Barry Clark, and other visitors.

Ms. Taylor Ford from the Morning News was also present as was Mr. Bobby Bryant from the News & Press.

Mayor Boyd called the meeting to order.

Invocation was led by Mayor Curtis Boyd followed by the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

Councilman Bryant Gardner made a motion to approve the meeting agenda for tonight's meeting. Councilman Howard Nettles seconded the motion. Councilpersons Milling, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.

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Public Hearing - Cashua and Spring Street Historic District Expansion

Mr. David DuBose said he's a resident of the City of Darlington and his interest here tonight is he's the court appointed personal representative for the estate of my late aunt Irene Garner Carrigan who is the owner of record of 126 Oak Street. Mr. DuBose said, "My duty….my comments today are not my personal opinion necessarily, but I have a fiduciary duty to the beneficiaries and to carry out my aunt's wishes through her will and be consistent with state law". Mr. DuBose said, "My first observation is that I went back and looked at the 2018 proceedings, all 222 pages of the minutes and I would note that one of the main topics discussed was whether or not a homeowner could appeal a decision if they didn't want to be included in the zoning area. He said on March 6th pages 6 and 7 at the time the discussion was they would have to amend city code to do that. He said I don't know whether anything was done on that matter but then Manager Mr. Garland said maybe they'll revisit this issue for city council, and I don't know whether that happened, but on April 3rd we went back, and the manager said we haven't looked at our City Historic Preservation Ordinance since 2007, 2008 and that we could have a work session to look at that. The then Mayor said, "We need to take a look at that, or the council did. The proponent of the proposal at that time sought to prepare an ordinance and certified letters and the mayor at that time said, "No", and another member of council said "Yes" that we need to check on a few more things first. There was a special

meeting on July 10th, pages 9 and 10 and one of the council members said, “I have no problem with the proposed overlay as long as the homeowner would be OK with that”. The mayor had a specific question - what if an owner doesn’t want to participate in being included. So, one of the other council members brought the question back, is there an opt out provision for the homeowner. The proponent of the proposal said, “No”. The only way to achieve is to be excluded from the ordinance in the first place. Mr. DuBose said, “Unfortunately I am here before you today to ask that you do that for the residence at 126 Oak Street for that property. He said the ownership would be in….and would have to be sold at some point in the near future and I think that should be a decision to be better made by the future ownership. He said if that and itself is not persuasive enough I would also suggest to this body that the state law that provides the authority for this council to do the overlay is broad but is not unlimited. He said this is a little bit of a quirky situation with regard to the Oak Street property because it is an island in and of itself, a zoning island. Mr. DuBose said, “And for whatever reason this body or this city in the past has sought to designate that as high density residential whereas the other homes or either across the street with Oakhaven being office commercial or the other ones along Oak Street being low density residential”. Mr. DuBose said, “I don’t know what’s proper, but I have prepared a copy of the map drawn out if it would be helpful to see these. He said the point that I have is the enabling act that was passed by the state legislature in 1994 is the South Carolina local government comprehensive planning enabling act, which has been on the code section 6-29-310, and I would point to today to 6-29-720 code section. Mr. Dubose said he reviewed State Supreme Court and other appellate decisions from the state and that section has only been addressed nine times in my research and it hasn’t been addressed to the specific subsection that I would like to bring to your attention”. Mr. DuBose said, “The overlay section 6-29-720C subsection C and subsection 5 as amended, says what is an overlay zone - it’s one which opposes a set of requirements or relaxes a set of requirements opposed by the underlying zoning district when there’s a special public interest in a particular geographic area’. He said, “Now if we put a period right there then I think that you would have the authority to do what you are suggesting I believe with regard to the Carrigan property, but it doesn’t stop there. It goes on to say it does not coincide with the underlying zone boundaries. I would suggest to you that overlaying the entire portion of that zoning area which happens to be one unit and it is by tax map purposes only one number for that, it’s not three. He said you were swallowing the rule if you were to allow that to go forward. Mr. DuBose talked about certain areas of the zoning map that he handed out to the council. Mr. DuBose said, “I would suggest to this body that should someone…. if you follow through with that I think it’s certainly subject to challenge whether the authority would exist for that. He said constitutional law particularly procedural due process and that is a right that we get through the U.S. Constitution the 14th Amendment as has been applied to the States from corporations”. He said, “I can cite case law from the state or from the U.S. Supreme Court, so that that applies here. He said there are a number of things that make up procedural due process, but the classic formulation is notice and an opportunity to be heard. He said I looked at the city council website up until yesterday and the only thing there was the wording that said, a special meeting March 15, 2022. He said there was a hyperlink for the agenda, but I don’t think it was ever linked. He said it is up today, but it’s just a very brief description so I don’t know whether this body will comply with procedural due process and that applies when it involves life, liberty, or property. Mr. DuBose said, “I was able to find a brief

description on the city's website under the events, but it was sandwiched between a notice for wings night at a local restaurant and pickleball. I would just suggest to this body that if you go forward with that tonight I think that's a real vulnerability should someone want to choose to challenge what goes on here. Mr. DuBose said I don't even know what the proposal is. It's not on the website that I could find. I am assuming that the property that I'm speaking of is included because I haven't seen it. He said, "Usually a body, every two years they start over, so I don't know what the procedure is in renewing this, whether it's gone through the proper steps and whether it complies with the city comprehensive city plan. On the website you show a comprehensive plan from 2005-2015. There is a document that says amended…shows a potential amendment for 2012. There's no cover sheet so it's not clear if the city ever adopted that. Mr. DuBose said, "For those reasons I would ask, and again this is not my personal opinion. I think the historic district, the other properties, I think they are very proper, and it could be proper here if the owner wanted that and as legal representative for that property I would ask you to either remove it or go forward with your proposal accepting that property. If you don't choose to do that I would ask you to keep in mind that I don't think or arguably this body doesn't have the authority by the state code to do what it proposed to do with regard to that one property". Mr. DuBose said, "I would suggest that…merely a document that shows up to the day before…it's titled June 19, 2018, this document that shows what the agenda is for today. I don't understand what that is. He said I would suggest to you that it's only potential for issues to arise later. He thanked them for the opportunity to stand before them and offer his comments. Councilwoman Reed said, "I just want to be clear. Is adding in requested residences to be included in the historic district, am I correct on that"? And you at 126 Oak Street do not want to be included in that"? Mr. DuBose said, "That's correct." Mr. DuBose said, "At this time, I think in the future, I think it can be very well received, but at this point, No I ask that this be removed.

Dr. Steve Hobbs said, "Irene Carrigan bought the house of the late Senator Spot Mozingo and it's already on the historic property of records. Mr. Hobbs said I knew Irene personally and I don't think she ever wanted her house torn down to put anything like a hospital or anything like that". He said, "Probably, maybe good to put a parking lot for Genesis." Mr. Hobbs said that's what she told me. I don't know if it contradicts what he's saying, but it's already on the historical property. Mr. Hobbs said, "With all due respect Mr. Milling, Mr. Nettles, I think you'll have a conflict of interest since y'all both are on the payroll of Genesis and Genesis wants to buy the property basically to increase their property and all". Councilman Milling said, "Well, I appreciate your interest in my conflict of interest, but there is no contract between the Carrigan estate and Genesis." Mr. Hobbs said ``I have the highest regard and respect for you I was just saying that there was just like a little conflict of interest; no offense taken." Councilman Milling said, "If there was a contract, if Genesis was proposing to buy the Carrigan house and there was a contract between the parties, yes I would say there's a conflict, but no offer has been made to Genesis to purchase the property. Councilman Milling said, I don't even know what the property has been appraised for". Mr. Hobbs said, "Well, Irene herself said you had been over there many times to offer to buy the property ". Councilman Milling said, "There was an offer before she died if she wanted to sell it to make Mr. DuBose's situation easier because he'd be dividing money according to her will and not dividing land or having to sell land according to her will, but that didn't work." Councilman Milling said, we don't have any ownership interest in the

property, he can sell it to whomever he wants to, and I don't know whether Genesis has an interest in buying any or all of it. Just have to wait and see." Councilwoman Reed said, "Let me be clear what you're saying. The house at 126 Oak Street is already a historic property"? Mr. Hobbs said, "The Late Senator Spot Mozingo, that was his home." Councilwoman Reed asked Mr. DuBose if he was aware of that. He said, yes I'm aware that it's Senator Mozingo's home, but I don't know what that designation is". Councilwoman Reed said, "I mean if it's already there." Mayor Boyd asked, "What does it take to get on the historical property record." Mr. DuBose said he didn't know. Mr. Hobbs said, "I was trying to see if it was on any property, and we found that in the records that it was already on the historic property listed as one."

Mrs. Rose Pruitt said, "To be on the national register you have to fit within a certain criterion". Mayor Boyd said, "This says S.C. Historic properties record, it didn't say national." Councilwoman Reed said, "It makes it seem like that house is already historic property." Mrs. Pruitt said, "That is from a survey that the City of Darlington commissioned back in 2002. At that time, I think they were surveying for the Spring-Cashua district, but they included the North and Oak Street area because those properties were recommended to be included in that area at the time and I don't know why they were not". Mrs. Pruitt said, "They are eligible…they were eligible at that time so we're moving forward with the application for the national register part of it. She said what you are going to be voting on tonight is the City's part excepting that into the city historic district. She said the National Registry, ``you have no control over it." Councilman Milling asked Mrs. Pruitt, "You don't know whether this property is or is not currently on any historic registry"? Mrs. Pruitt said, "Currently it is not. The only house on the North and Oak Street historic district is actually the house that Ms. Lathan lives in. Ms. Pruitt said that's the only one that's listed with the national register independently. She said that was a separate application. She said the Wilds-Edwards House on Edwards Avenue is not in a historic district, but the Wilds-Edwards house independently is." Mayor Boyd said, "Ms. Lathan's house is independently listed on the national register, so it is ok to pick…what is the difference between us just excluding him and going down." Mrs. Pruitt asked, "The difference between what exactly"? Mayor Boyd said making the whole section a historic section or handpicking….he doesn't want to be in. Let the ones that want to be in, be listed in the City of Darlington historical section." Mrs. Pruitt said, "Even being in a historic district in Darlington, the historic districts are voluntary; even the national register those are voluntary historic districts. She said everybody on West Broad Street between a certain area is in a historic district. Some of those properties are contributing and some of those properties are not contributing. She said there are a lot of misconceptions about what you can do with your property; what being in the historic district limits you to do. She said there may be some things you need to check with the historic landmark committee about, but those are typically….like I said, this is voluntary. Mrs. Pruitt said if you want to put a bathroom on your front porch, I'm not going to like it. Your neighbors aren't going to like it, but at the end of the year if you meet all of the zoning requirements, meet the regular building requirements, then you can go ahead and do that unless you accept federal money. Mrs. Pruitt said, I've written two grants for properties on West Broad Street, one of which is mine and I will be accepting that federal money and I'll be agreeing that I will not make changes to my property that are not appropriate and that are not approved by the S.C. Archives and History". She said that's a different matter; nobody else but those two properties in

Darlington are probably going to accept federal money, but the benefit for those living in that area is because I was already on the national register, I automatically qualified to apply for that grant. So, when a hurricane comes by and damages your property and you can't be made whole by insurance or whatever it is, then if the federal government offers those grants again, then you're automatically eligible. She said if you live in one of the properties on Edwards Avenue that's not in the historic district, but they are historic homes, they will qualify to be in the historic district. Then you could jump through a whole lot more hoops and still have that possibility for you but being on the national register automatically allowed me into that program. Mayor Boyd asked, "What are the benefits"? He said the benefits of being in a historic section is that…it was my understanding originally, that if somebody wants to get federal funding they can get it. Some of the disadvantages would be, now I've got to ask permission of what type windows or what type shutters I can put in my home or whatever that nature to that point. So, this house, the lady that's no longer with us, and he's in charge of, if he sells it as a non-historic home compared to selling it as a historic home, what are the advantages or disadvantages"? Mrs. Lisa Bailey said, "Should be getting more money if it's valued as a historic home because historic homes that are kept up have an increased value. Mrs. Bailey said, I have a list of comments to answer the questions that were made, but I'd like the rest of the public to ask their questions first". Mr. Payne said, "Mr. Mayor, just for a point of clarification and as far as Mr. DuBose, I'm not doubting what he said as far as the heirs go, but I have a signed document here. This was City of Darlington petition for inclusion in the historic district signed by Irene Carrigan on April 3, 2017. Mr. Payne said she signified that she wanted to be in the historic district." Mr. DuBose said, "I appreciate having seen that because I was told that it might be there but that was five years ago, and all of her wishes now are expressed in her will. Mr. DuBose said, "She talked to me about handling her will as much as five years ago and never mentioned it to me and never mentioned it to her attorney". Mayor Boyd asked if her will specifies now that she doesn't want to be in it. Mr. DuBose said, "No. He said once she has the will, that becomes what her legal statement is. Mr. DuBose said there's nothing in the will, but she never discussed it with me. I'm just suggesting that was five years ago and that has no bearing necessarily on what this body does today. Mr. DuBose said I'm the legal representative for the property. Had she wanted to include that in her will, she could have, but she did not. He said I think that's the counter argument that if it had been such as it was important to her….Mayor Boyd said, "So, in the will she didn't specify yes or no. Mr. DuBose said, "That's correct, and she could have, and she did not so I would suggest to you that means that it wasn't of that paramount importance. He said it's a high-density residential area and I don't know how you can put a historical overlay on a high-density residential area. He said presumably the fact whether it increases the value of the historical district does or doesn't, that's all speculation". Councilman Milling said, "Mr. DuBose, for purposes of the record, what is your profession"? Mr. DuBose said, I am an attorney. I am licensed in Commonwealth of Virginia, and I am currently inactive status because I don't live there and practice there anymore. Mr. DuBose said I'm a licensed attorney in good standing with South Carolina, but I do not practice here, but I've been a member since 2007". Councilman Milling said, "I asked that question because when you bring a statue, you're bringing us statues that you as an attorney have checked on". Mr. DuBose said, "Yes Sir. That's correct. I don't say my analysis is gospel, it's just my good faith representation to this body". Mrs. Bailey said, "To the last point that Mr. DuBose made about it

being an R-6 zoning district. She said the historic district does not dictate the zoning district or designation of a property. She said there are properties that are zoned industrial that are historic. There are properties that are core commercial that are historic. So, those are two separate issues, and this does not affect the other".

Mr. Barry Clark said he lives at 210 Cashua Street and has owned this house since 2006. He said he's seen the opportunity come and go for Cashua Street to come into the historic district. He said he now rises in strong support of that desire to occur. Mr. Clark said one of the single greatest things we can do is to preserve and protect our heritage and our town. He said, "Currently I'm seeing an encroachment upon our town in such a way that my fear is that our houses will be torn down; they'll be made into parking places". Mr. Clark said we've already seen that occur; we've actually seen whole streets taken up to allow that to occur. He said my fear is that if this doesn't pass, if y'all fail to help us protect our town, that corporate entities such as Genesis will come in and tear down that sweet lady's house who in 2017, 2015 decided that she didn't want her house sold to a corporate entity that may tear that house down. Mayor Boyd said, "My question is if it becomes a historic house can it not become a parking lot"? Mr. Clark said, it's currently zoned for high density residential, presumably I don't know what kind of historical designation you have for townhouses, but that's the way it's zoned now. Mrs. Lisa Bailey said, "In regard to that question, R-6 does not just allow townhouses, single family homes are also allowed. There are other uses that are allowed in the zoning district of R-6. She said there is a very lengthy chart that goes into that detail, none of those matters. She said this is not changing the zoning district at all. Mrs. Bailey said, "If you make it historic it can still have townhouses or any other use that's permitted in R-6". Mayor Boyd said if it becomes classified as historic either way it could still become a parking lot if it's rezoned. Mrs. Bailey said, "Correct". She said I don't know the exact dimensions of the parcel to tell you how much parking you could put there. Mayor Boyd said, I understand their position. Mr. Clark said, I want to see protection. Mayor Boyd said if that one was picked out and it wasn't a historic or it was historic if it becomes historic they still could sell it to Genesis or anybody in that area. (Lisa and the mayor were both talking at the same time) Mrs. Bailey said they still can sell it to Genesis, and they can still turn part of it into a parking lot and that's totally…. if that is acceptable by R-6 zoning, that is fine. Mrs. Bailey said, this historic designation merely is going to protect them from tearing down the house, which if excluded and only over a certain time period, would keep it from being destroyed. Mrs. Bailey said, "That designation, excluding it from the district knowing Spot Mozingo, who has such history in the State of South Carolina that was his house; how can you exclude that history from the historic district if you're going to make a historic district"? Mayor Boyd said, "By making it a historic area, that house, would it prevent it from becoming a parking lot"? Mrs. Bailey said it would prevent you from tearing the house down. Councilman Gardner said, "It would still be developable; it would just limit the parameters of development and curtail future uses". Mrs. Bailey said it would have to maintain a historic appearance from the street, that is all. Councilwoman Reed said, "Listening to everything everybody is saying, one thing that stuck out to me even if it's a historic district as far as the residences, it's volunteer. They still have to agree to be….Mrs. Bailey said. "The issue here is this was started in 2016-2017 by the Historic Landmark Commission. It was brought to this council in 2018 and dropped. There was no reason for it to be dropped and now here we are

four years later, and it still hasn't been done. And Mrs. Carrigan may have been under the impression that it had already happened, and we can't know that. Mr. DuBose said, "I can speak to that". Mrs. Bailey said, "I didn't know you could talk to the dead". Mr. DuBose said, "Your honor, I don't think we need to put up with comments like that". I've spoken with my aunt a number of times over the years, and she asked me to be her personal representative. She put it in her will, she knows that I'm an attorney, we've had discussions on numerous occasions and at no time did she ever mention the historic property. He said she did entertain the possibility of offers. Mr. DuBose said he's seen specific offers from potential buyers that would not, in my view, fit under this designation. He said you can't have it both ways. He said put restrictions on it like the state code says or it doesn't. If it doesn't, you don't need it. If it does, then I'm asking as a representative for the property, to be taken out. Mr. Clark said, "I ask respectfully that we seek to preserve and protect what we have". He said, I've seen Florence basically become a ghost town for their historic area and my concern is that if we allow commercial encroachment to continue in the way that it has, we too will suffer that same fate". Mayor Boyd asked Mr. Clark if his house is in the historical district. Mr. Clark said, "I am in the historic district, and I actually grandfathered in 109 Columbian Street. He said we erased that property line legally and grandfathered that house into the historic district.

Ms. Jannie Lathan said, my first question is what drove this need to have this type of hearing outside of the regular council meeting? Was there some huge sense of urgency? I know Mayor, you're all about transparency and making sure the entire town is informed of how our city is being run. Mayor Boyd said, "No emergency on my part". Councilwoman Reed said, "There were other questions as to why we needed to do it now. She said why we had to have a special council meeting". Mrs. Bailey said this has been put off since 2018 and there have been at least three property owners die and their wishes were to be in the historic district. Are we just gonna wait out until everybody is dead so that their personal representatives can say that *"Oh they didn't mention that to me"*. Ms. Jannie Lathan said, "To be clear, I am fully supportive. It is just that I did not get ample notice and I don't know if everybody else in the city did. Ms. Lathan said, I think the majority of the citizens in the City of Darlington would like to see this zoned as a historical district. Ms. Lathan said the residents in our community are really concerned about the aggressive expansion of Genesis. I know Howard is paid by Genesis. I know Mr. Milling is paid by Genesis and I am hopeful that Mr. Segars who represents most of that would be extremely supportive and vote in favor of this. Ms. Lathan said, "Thank goodness when they redistrict things I fell into Councilwoman Baccus district, and she has been extremely supportive of issues within her district and her constituency. So, I am hoping Mr. Segars and the members that we voted at large, who represent all of us, will also vote in favor".

Mrs. Rose Pruitt said I would like to remind you that there was a house on West Broad Street that got torn down. She said that was a property that was in the national register historic district. It did not go through the proper channels to be torn down, but the issue is whether or not a piece of property can be taken down that is in the historic district. The answer is, "*Yes it can be*". It can be demolished; it can be moved. In a situation like Mrs. Carrigan's house, if she were already in the historic district then if Genesis or whoever buys that and wants to build condos over there, then it's possible that what we would actually do is try to find a way to

preserve that house. She said it is the building that they are trying to preserve. She said at the end of the day, we cannot take your property for historic purposes. Mrs. Pruitt said while there are recommendations that they will make in the historic landmark committee, there are other things that we will help you do. At the end of the day, if that property gets sold and turned into condominiums, then we can't stop that. She said there is really no reason to reject the historic landmark status for any of these properties. She said you're not going to prevent Genesis from coming and taking over. You're gonna make them think about it twice, you're gonna make them do a few more hoops to jump through, but at the end of the day if they take the whole neighborhood for eminent domain then that's still….accepting federal money means that they have to….just like a federal contract bid, they'll ask you…I've seen some of those documents…they'll ask you…even the Catawba Indians had to approve my grant to put a roof on my house. Any facility, Genesis, Oakhaven, that accepts federal money, might have to have those approvals. It's more time consuming but it doesn't stop you from tearing your house down. Mrs. Pruitt asked if that would clarify things. Mayor Boyd said, "It is my time to clarify because I keep getting criticized about the house on Broad Street. And that house followed all of the procedures. Mayor Boyd said there's another house on Broad Street that's already looking bad; there are other houses in town that look bad as well. We'd all love to buy them and fix them. Mayor Boyd said he has encouraged the historical district and owners to try to find people to help buy houses so that you don't have to tear anything down. Mayor Boyd said, I encourage everybody to make sure that we save the historic district. Mrs. Pruitt said, "That's good because those grant funds need historic designation for people to get those and we're trying to get those for all those little old ladies on fixed incomes. She said if you vote against this then you are blocking them from keeping their property up, so think about that".

Mrs. Bailey told council they have a copy of the map in their packet and the ordinance in terms of some of the legal questions that were raised. (She read a letter about being a certified local government). Mrs. Bailey said, the Historic District In 2017 went door to door, not just in this historic district; they went in this historic district that we are proposing and also down Edwards Avenue and down West Broad Street a little bit further where the State Preservation Office suggested, recommending that we add these things to our historic district. She told Council this is in their packet as well. She said these are the exact properties based on this historic survey that was mentioned by Mr. Hobbs 2002. Mrs. Bailey said, "We took this information, those houses are still there. She said they didn't get un-historic". Mrs. Bailey gave council a list of the 14 properties. Mrs. Bailey thanked Ms. Lathan for coming and speaking in favor of the historic district as somebody who is already on the national register. Mrs. Bailey told the council also included in their packet is our historic preservation ordinance. She said the purpose of this is to preserve, protect and enhance the distinctive architectural heritage of this city. She said we don't have a lot of things in this town to promote; A racetrack that's not in the city limits, and historical features, that's what we have. She said it had been in our comprehensive plan over and over again about preserving historic architecture and capitalizing on it. Mrs. Bailey said, "So, we are following our comprehensive plan as has been the plan in the 2015, 2012 version, every version I've ever seen. Mrs. Bailey said, the current version that is under discussion, it is included". Mrs. Bailey said also included is the ordinance that explains how we are to expand the districts and we have followed that procedure. Mrs. Bailey said we have sent certified letters

to property owners multiple times. Every time we have changed a meeting date, I had to send them another certified letter and I've got all the little tabs that people signed that they got them". Mayor Boyd said, "I see that she wrote that in 2017. If I play the other side of the fence and I say, "*well let's just take that one section off, don't put that in there".* How does that affect people, the ones that are in there"? Mrs. Bailey said, "I don't see how you exclude probably the most historic house of the group and unfortunately, I hate to say this, but the delay the appearance of impropriety exists whether there's a contract or not". Mayor Boyd tried to talk but Lisa kept talking. Mrs. Bailey said, "And unfortunately that is why these people are here". Mayor Boyd tried to speak….Councilman Milling said, "Is it your job as an employee of the city to make attacks against two members of city council contending that we're doing something wrong"? He asked, "Is that your position"? Mrs. Bailey said, "No sir". Councilman Milling asked, "Then why are you doing it? You're the one who's talked about appearances of impropriety. You have raised this issue and I highly resent it. I think you've stepped outside of your bounds". Mrs. Bailey said, "Sir, I disagree entirely". Councilman Milling said, "You can disagree, but you're not in a position to argue with council members". Mr. Payne was telling Lisa to stop talking. Councilman Gardner said, "We all need to just relax a little bit. He said at the end of the day we're all trying to do what's best for the whole town. He said this house is a historic home. I understand your position. If your property was not just a single-family home I might even entertain it a little bit more, but at the end of the day it's a single-family home just like everyone else on the street. Councilman Gardner said we have to protect our town and part of that protection in my mind is our historic properties. Councilman Gardner said, "I hope to not offend you and I hope that in the future if you have an alternative use that you will bring it to us, and we'll be happy to address it and work with the State as best we can". He said but at the end of the day, in my opinion we need to move forward with this historic property. He said all of the different tones are not appropriate for any of us. We all have to figure out in the community how to work together. Day in and day out we come together and we're fighting; one side of town versus the other side of town; friends against friends; and we've got to figure out a way to work together. Councilman Gardner said, "I am disappointed in my community, and I want us to figure out ways that we can grow this town, but it's not going to be with fighting". Mr. DuBose said, it is the city that has created a high-density residential zone. Whether it's a house or not, that's not even on the table. This City has decided that property should be available to be made for townhouses or whatever. Councilman Gardner said, "You'll still be able to… inside the historic district. Mr. DuBose said, "I just reiterated it. I don't think you have the statutory authority….. Councilman Gardner said, "I understand. I am not a lawyer so I can't speak to statutory authority. I can only trust the municipal association who we have reached out to that said this is legal and binding". Mayor Boyd brought up again about the zoning…. **Councilman Gardner made a motion to approve second reading on ordinance 2022-03 Cashua Street Historic expansion. Councilman Segars seconded the motion**. Councilman Nettles said, "I believe I know the difference between when there is a conflict of interest and when there isn't. I came in here fully prepared to vote for this to go forward and now because of several things that have been said in public that I don't appreciate. I don't appreciate the fact that the implication is neither Mr. Segars nor I can separate the two so I'm going to recuse myself. **Councilpersons Milling, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion. Councilman Nettles recused himself.**

Councilman Gardner made a motion to adjourn at 6:58 PM. Councilwoman Reed seconded the motion. Councilpersons Nettles, Baccus, Milling, Segars and Mayor Boyd voted in favor to adjourn the meeting.

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Mayor

ATTEST:

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Clerk & Treasurer