CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT
400 PEARL STREET, DARLINGTON, SC
TUESDAY APRIL 5, 2022, AT 6:30 PM

Present: Mayor Curtis Boyd, City Manager John Payne, Councilpersons Sheila Baccus, Bryant Gardner, John Segars, John Milling and Elaine Reed. Also present was Mrs. Lisa Bailey, City Attorney Kevin Etheridge, Police Chief Kelvin Washington, Recreation Director Mr. Lee Andrews, Building & Codes Officer Sheila Jones, W&S Superintendent Charles Shugart and Vondell Brockington, Ms. Gloria Hines, Street & Sanitation Superintendent Alex Gainey, Ms. Rosa Hudson, Mr. Brian Gandy, Ms. Jackie DuBose, Mr. John Lewis, Mr. Ernest Boston, Mr. Bill Lynch, and other visitors.

Councilman Howard Nettles was not present at the meeting.

Mr. Bobby Bryant with the News & Press was present.

INVOCATION & PLEDGE OF ALLEGIANCE
Prayer by Councilman John Milling followed by the Pledge of Allegiance

APPROVAL OF MINUTES
Councilwoman Elaine Reed made a motion to approve the minutes of our Regular City Council Meeting on March 1, 2022. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.

Councilman John Milling made a motion to approve the minutes of the Special City Council Meeting on March 15, 2022. Councilwoman Elaine Reed seconded the motion. Councilpersons Baccus, Segars, and Mayor Boyd voted in favor of the motion.

Councilwoman Elaine Reed made a motion to approve the minutes of the Work Session on March 26, 2022. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.

APPROVAL OF MEETING AGENDA
Councilman John Milling made a motion to approve tonight's meeting agenda for April 5, 2022. Councilwoman Elaine Reed seconded the motion. Councilpersons Gardner, Baccus, Segars and Mayor Boyd voted in favor of the motion.

REPORT OF STANDING COMMITTEES
Darlington Downtown Revitalization Association- Lisa Bailey

Lisa told the council they have her full report in their packets but what she wants to talk with them about tonight is the Taste of Darlington which comes back to the track "Too Tough to Tame" on Thursday from 7:00-9:00 pm rain or shine because it will be held in a covered area. She said this year they will have a host of hot and cold food and drinks, a variety of decadent desserts, sandwiches, finger foods, meats, ribs, etc. It is age 21 and older only. This is an adult affair. Price is $30 for tickets purchased in advance or $35 at the gate. Tickets can be purchased at the City of Darlington water department, Carolina Bank offices in Darlington and Hartsville, Joe's Grill, and The Healthy Food store in Florence. Mrs. Bailey said she is giving a special thank you to all of our sponsors WBTW News 13, Georgia Pacific, Caresouth Carolina, McLeod Health, North Industrial Machine, First Citizens Bank, SPC Credit Union, The News and Press, Herald Office Systems, Cumulus Broadcasting, Classic Country 100.1, The Fox 102.1, Crown Beverages, Raceway Ford of Darlington, The Greater Darlington Chamber of Commerce, The City of Darlington, Coca-Cola, Carolina Plantation Rice, Sunbelt Rentals and MPE Electric.

Darlington Downtown Revitalization Association

Report for Council – April 5, 2022

Congratulations to **Brandon McInville** whose chili was crowned the Best in Town at the **Joe's Grill Annual Chili Championship** in March! Second place went to Carla and Ronnie Anderson, and third place went to **Chef Von of the City Water Department**. The classic car show winners included Fan Favorite **John Norton**, Harriet's Choice **Curtis Boyd,** Mitchell's Choice **Joey Evans**, and Olivia's Choice **Clay Anderson**. The annual event will be scheduled in early March next year, so plan to attend!

Enjoy Darlington's biggest and best social evening under the lights at the Track Too Tough To Tame **from 7 to 9 p.m. Thursday, April 7, at the DDRA's Annual Taste of Darlington at Darlington Raceway!** Tickets are $30 in advance and $35 at the gate. Age 21 and older only please. Parking, adult beverages, and a huge variety of food included. Come hungry!

Then, the following week, we kick off Spring with the DDRA **Annual Golf Tournament Wednesday, April 13, at Darlington Country Club.** Enjoy an afternoon of golf, a delicious buffet lunch, and fellowship with area business leaders.

Thank you for agreeing to fund our **Saturdays on the Square Concert Series** for 2022! The slate of bands has been secured for May through September.

- May 14 – Muddy Creek Revival (Southern Rock & Country)
- June 11 – Mike Taylor & the Holiday Band (Beach Music Hall of Fame)
- July 9 – The Saxxy Keyz (Jazz)
- August 13 – The Rick Strickland Band (Beach Music Hall of Fame)
- September 10 – John King (Country – Songwriter for Hootie & the Blowfish in 2015)

The DDRA continues our monthly **Member Breakfasts at 8 a.m. on Thursday, April 21, at Taki's Diner, 609 Pearl St.** These meals are at no charge for members and a small $5 fee towards the meal for all others. The event, typically on the last Thursday of the month through October, allow our businesses to build connections and strengthen our local economy.

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.

GREATER DARLINGTON CHAMBER OF COMMERCE- Representative was not able to make it tonight.

CITIZENS WISHING TO APPEAR BEFORE COUNCIL (5 Minutes Per Person Maximum)
Mr. John Lewis said tonight I want to address our last meeting. He said comments were made and I want to clarify. Mr. Lewis said this is my fifth meeting. The first meeting I attended was to address some road repairs and at that time on the agenda was a statement that we were not allowed to ask questions. He said I made a comment about the repairs and then I made a comment about not being able to ask questions he said the next meeting he came to I thanked you Mr. Mayor for making the repairs. I also brought up the repairs at North Street which had not been made. Again, we still had the comments in there about the citizens not being able to ask councilmember questions. At that time, I believe one of the council members said that they had never approved that. So, the next meeting I attended that had been removed and I brought up my concerns about how we had raised the water rates here and the late fees and everything. I think the water rates were raised about 40% and that put a hardship on some of the citizens and I thought we could have done it a little bit differently, maybe in increments. Mr. Lewis said, "And I had also questioned the minutes of the meeting the first two times and I apologized for that and after one of the meetings you stopped me out here and you quoted this book about city council meetings, so I went back and did some research and I came back in here and I said, Mr. Mayor you were right; and you were. The State says that there must be one council meeting per month and it's up to the council as to whether we can speak. And the council determines the amount of time, usually 5 to 10 minutes. Some places allow 3 minutes. So, I admitted to you that I was wrong. During these meetings there had been a couple of comments made by citizens that they were concerned about the sewage in their areas and how this has been an ongoing problem. Mr. Lewis said the first meeting I sat there, and I listened to it. The second time I heard it, I made comments about being concerned about it. Anytime you have raw sewage coming up and we have children playing or anybody else there's always the possibility of someone getting seriously ill. I never said at one point that we had to do something right now. My concern was, are we going to look at it and how are we going to address this issue. This has been going on, from what I understand, for over 20 years. Mr. Lewis said, "Mr. Mayor, I know you haven't been here that long, but I'm going to tell you something, there is no way in you know what that if that was over where I live at North and Oak and Spring or down at the Country Club that that would have never gone on like that. So, it makes me concerned as to why we are letting this happen. It's in the poor section; it's in the black section and I'm sorry that makes me feel like we've been discriminating for a long time and it's not right. It also makes me wonder where DHEC and EPA has been. Mr. Lewis said, "You called me a whiner the last time. You said I was up here whining. I've never been up here whining. I've been up

here expressing some concerns and all I've ever wanted was when a citizen comes up here and they have a serious problem like that that the City Council addresses it and they say, "look we know we've got an issue, let's get together and let's make a plan as to how we're going to address this. We don't have the money. Maybe there's a way to go out and get grants. Mr. Lewis said, "We've got a lady here that has written a lot of grants for Darlington, and I think she could look into it and maybe we can come up with some money to address these issues".

Mr. Ernest Boston said I'm here on behalf of the Darlington High School Band. He said he is the Booster President for the Darlington High School band. Mr. Boston said on the 24th of this month the Darlington Jazz band will have a showcase on the courthouse yard, and he is asking council for their support. He said our kids really don't receive the proper support that they need in the community. Mr. Boston said the Darlington Jazz band traveled to Spartanburg for a State competition and they received superior results in that competition. He said the Darlington High band has been performing excellently all these years. Mr. Boston said, "My grandson started with the band in the sixth grade and he's now a sophomore". Mr. Boston said he has been active with that band and has been the president the last two years of the booster. Mr. Boston said, "We're asking for your support, but mostly we need your participation". He said, if people don't see our city leaders supporting our children…we talk about our children, how bad our children are, but they don't see that support structure coming from leadership, so what does that tell them. Mr. Boston said under the leadership of Brandon Johnson very seldom do you hear of any disciplinary problems with the kids. When graduation comes, there's going to be a signing day and over 90% of the kids that are graduating and who want to get a scholarship and who go to the tryouts, generally get anywhere from a two to four-year scholarship. Mr. Boston said that's saying something about the band program and that's saying something about our kids. That tells me that if our kids are doing that, we should be there to support our kids. Mr. Boston said, "I'm going to piggyback on something you said Mr. Mayor. You said you want people to be attracted to come back downtown. With this showcase…as I talked with Mr. Johnson, this is one of those things. We're going to go around to the businesses and tell them if they want to open up, they can put tables outside and allow their patrons to come and sit outside so they can enjoy an evening of music. He said there's supposed to be two other bands coming to perform along with Darlington High Jazz Band. Mr. Boston said he's hoping to get a flyer to Mrs. Bailey this week so she can put it on the city's website. This event will take place on Sunday from 5-8 pm. Mr. Boston asked, "Why are we doing this"? He said before the pandemic the band always started with approximately 200 students on the marching band. That last year before the pandemic we got down to 183. If the kids are not doing their work they cannot play and they cannot practice. If their grades are not where they ought to be, we have a study hall. If you do not pull your grades up you cannot practice and you cannot perform. He said they are trying to buy a box truck to haul the equipment around and not put the equipment on the bus with these kids because they don't want anything to happen while the kids are traveling. He said they are trying to raise money to purchase a box truck and ask people for donations. Mr. Boston said they do want council members to come out and show their support. He said they are not asking anything from the city, only their support. Councilwoman Reed asked, "So you really don't have a figure you'd like for the city to give"? Mr. Boston said, "This is our first time and there's baby steps to be taken. He said he may come back to the city in a couple of months and say they are

doing another showcase and ask for support at that time, but right now they're only asking for support by council's presence at the showcase. Councilwoman Reed said, "Give us at least some kind of figure because a lot of us do support this school individually, but if you want the city you've got to kind of be specific because this money is being distributed specifically…."

Jackie DuBose said she wanted to give an update on her program "Jumping to New Heights ". Ms. Dubose said she emailed Mr. Payne to see what they expected her to deliver in a hard copy. She said she missed this month because she was told everything was already allocated for this month. Ms. DuBose said, before this month is out what is a date she can have everything submitted. Mr. Payne said mid-April. Ms. DuBose said, I'm also being certified in high traffic for child trafficking. She's a mandated reporter for Darlington because she drives a school bus, and she wants to be certified in that as well. Ms. DuBose told council she just wanted to give them an update.

NEW BUSINESS

a)City Hall Cornerstone Loan to Historical Commission- Councilman John Segars

Councilman Segars said the original City Hall was located on the square where the parking lot and the mural are located now. He said the Sprott Family owned that building when it was demolished, and city hall was moved to its current location. He said the cornerstone for that building (built in 1901) was put on loan to the city and it is now displayed out in front of the city hall on a sitting bench out there. Councilman Segars said you probably walk by it and didn't even realize that's what it was. Councilman Segars asked Mr. Brian Gandy to speak to council because he has a use for that cornerstone in the new museum that's going up. Mr. Brian Gandy said they are very fortunate because Mrs. Carolyn Betts Phillips left them a windfall of money that's beneficial for both the citizens of the County as well as and specifically and uniquely for the citizens of Darlington. Mr. Gandy said with Darlington being the county seat the museum of course is being built in your city and as much as it is a county museum, it is somewhat equally a city museum to a certain extent. Mr. Gandy said, "With that, what I want to do is I'm going to give you some information that I really have not put out into the public realm. If you look at the next page after the title page which is part of the plans, they are designing a two-story atrium area that when you walk in the front of this building you will see the façade of our 1875 courthouse life size. When you look to your left-hand wall you will see a 1980 rendition graphic wallpaper of the approach coming up Pearl Street to the Courthouse Square. You will see wagons on either side of that dirt street, no sidewalks and shoppers walking those streets with two wagons sitting in front in that lobby atrium area. You will have one Victorian courting carriage bought at the Carrigan Carriage Company in Society Hill and the second a farm wagon that was bought at the mule company in Hartsville, SC with cotton loaded on the back of it to take that flat two-dimensional image and combine it with the three-dimensional image of the courthouse and the three-dimensional image of the wagon to sort of create an appearance. If you look up you will see an antique ten step ceiling with a huge lantern hanging there creating the appearance that you're standing on the steps of the porch of the courthouse. Mr. Gandy said if you look to your right you will see a graphic wall depiction of the Frank Milburn Town Hall. He said they have already been given one of the clocks face off of that original structure and if you flip over about four pages you will see the rendition of that clock face. He

said they are working with an artist that does stain glass work and they are putting the stain glass back behind the clock face for us and the plan is to have that on display by the graphic wall presentation of that building; have that telling time and it would be mighty nice to have that cornerstone underneath advertising that Frank Milburn Building. Mr. Gandy said Frank Milburn was the professional architect under permanent contract with the Southern Railroad Company. He built major construction projects all along the east coast and all across Florida and into Alabama. Mr. Gandy said just to give you an idea, here's one of his original publications works that that particular building is actually featured in. There's about five of these that are known to be in museums and libraries across the country; we have one here in Darlington. There is a major structure, it's sad we lost it, but we do have things to tell the story about that building and what it did for the community. Mr. Gandy said, "So I am asking you all if you all would partner with us and put that on loan. He said there are pictures in there of how it looks now; it's in bad shape, the concrete slab it's on is dropping. He said another thing as information for them is, it's marble; marble does something that calls spoil. He said if you look on the photograph the 1901, looks fuzzy and grainy like the letters have elongated. That's where water sat in those letters. It was never designed to that, and marble is not designed or strong enough to accommodate freezing weather, so the longer it sits there horizontally, that spoiling is going to continue. He said if a concerned garden club member or a concerned citizen sprays bleach on it within ten years you'll never read another letter on it. Mr. Gandy said, "So my line of thinking is to preserve that, let's partner with the museum, let's put it back upright like it's supposed to be on exhibit that advertises this building and what it did for our community and let it be there for everybody to enjoy it. Mr. Gandy said I didn't even know that piece of history existed until Mike & Karen came by the historical commission and they were talking about it. He said this is with their support; they are the ones that put it on loan to the city. He said bear in mind, even though this is a county museum, it is uniquely situation in your city. It's just as much your city museum as is anything else. The benefit from this particular institution is directly related to your town, our town, we will draw folks here. Mayor Boyd said, "I have no problem with it being given it back to you for the museum and I'm 100% in agreeance with it. Mr. Payne asked Mr. Gandy if he thought it would need to be treated before it is displayed since it's been out in the elements for so long? Mr. Gandy said, "It does. It will. We actually have in our facility a product called D2 which is the same stuff they use to clean the White House and all the monuments on National Mall with and it is the only approved cleaner used by Arlington and they keep it on premises all the time. Mr. Gandy said he can do a 15-minute treatment on it with a little bit of sunlight, and it will look like it just came from the carver. Mr. Gandy said sitting out from that right about where it's at they will have a bench made out of some of the steps from the old courthouse.

Councilman Bryant Gardner made a motion to approve the city hall cornerstone loan to the Historic Commission. Councilwoman Elaine Reed seconded the motion. Councilman Milling, Baccus, Segars and Mayor Boyd voted in favor of the motion. Mr. Payne asked if we had a time limit on that or leave it indefinitely? Mayor Boyd said, I think indefinitely because it was on loan to us according to the rules and we're going to give it back to them. Mr. Payne said, "I was trying to avoid any future confusion. Mayor Boyd said, "we're not loaning it to you, but giving it to you.

b)First Reading Ordinance 2022-04 – Amendment to Regular City council Meeting Start Time and Public Comment – John Payne, City Manager

Mr. Payne said, “I’ve been here for eight months now and one thing that I hear from council members, from the public and from the staff is, how long are we going to be? Are we going to be there until 9 or 10 o’clock at night? Mr. Payne said he has done some research of the area councils to see when they start. Hartsville starts at 5:30; Florence does theirs at 1:00 in the afternoon. He said he believes the County starts at 6:00. Mr. Payne said his reason in doing this is to start us sooner so that people (especially as we’re going into the summer months) because we have a lot of weighty issues that require time, just so we’re not here so late at night. Mr. Payne said in doing his research he found there’s an ordinance from Municode that was never ratified by council back in February 2019. There was a first reading of a motion regarding public comment. And the proposed ordinance for the section was to have two minutes and then there was some other requirements that anybody who wanted to speak had to get before the city manager six days in advance which is a logistically nightmare. Mr. Payne said in researching these other entities, Florence City does not allow public comment; you have to be put on the agenda. Hartsville City and the County of Darlington limit it to two minutes; ours is 5 minutes at this point. Mr. Payne said, “There seems to be some confusion, public comment is not written into the law. It is a privilege and not a right. It is not a violation of the first amendment. He said the purpose of this meeting is to conduct the affairs of this city. You are the legislative body, and you have issues that you have to deal with once a month. You as a council give the privilege to the public to come speak to you. Mr. Payne said public comment is just that. It’s public comment and it’s not designed for public dialog. But I believe that there should be a public comment so what I have written here (and obviously you can change it) but we do need to strike section 2-82 because it was never ratified. It went through a first reading, and it went through a public hearing, but there was never a second vote. So, we have an ordinance from Municode in our ordinance book that was never ratified. Mr. Payne said he is proposing that we start the regular meeting at 6:00 and to allow two minutes for public comment. Councilwoman Reed said, “I would like to see it at 6:00 because I’m definitely one of the ones that have a concern about the late-night meetings and the long meetings, but I do want to keep…I think we have moved, and we have come so far that we have increased our citizens attending that we don’t want to appear to do anything to stop that. And I think we’ve come very well in coming to this point so I would like to see it remain at five minutes and the language that we use now so that there can be a little dialog because we have managed to stop with the disruptions and that kind of thing. Councilwoman Reed said, “I think we’ve done very well with how we have come to the point that we are, and I don’t want this ordinance and the change of meetings to indicate anything else. I would like for the meeting to be at 6:00 but I would like for the time limit to continue to be at five minutes and the two

bullets that we have". Councilwoman Baccus said, "I agree with that. I don't think we need to change it from five to two because changing it from five to two makes me feel like we're trying to silence the community, that we don't want to hear their voice. They only get to speak to council once a month. Why would you want to limit them from five minutes to two minutes? I don't agree with that. I think it should remain five minutes because they only get once a month to speak to council". Mayor Boyd said, "I agree with them, I'm fine with five minutes". Mayor Boyd said the two minutes was done back in 2019 and it was voted on 100% by everybody here on council (as far as I know), my understanding. He said the majority of council voted that in, but it wasn't completely approved so that's where the two minutes come from so we're just bringing that back up and asking for….I prefer the five minutes also. I have no problem with five minutes because I'm here to hear what the citizens have to say. Mayor Boyd said, County Council does it two minutes with 15 people, so they limit it to 30 minutes. He said, " I would say 5 minutes and limit it to 6 or 7 people. Mayor Boyd said, "I could limit the time to 30 minutes. Councilman Gardner said, "I was against this the previous time whenever they tried to pass this, but we need to change it; the ordinance is wrong right now with two minutes. I agree, keep it at five minutes but add in there a 30 maximum time limit. Mr. Payne asked, "Mr. Mayor can I have a point or order for clarification"? We're not trying to stifle anybody's voice, but when this passed in 2019 the former Mayor is the one that proposed it and Ms. Baccus herself voted for it. I'm not trying to reinvent the wheel, I'm kind of staying with what they proposed in the past. I'm just trying to keep council being able to move in an orderly fashion so they can conduct its affairs. Councilwoman Baccus said, "First of all, let me clarify your information. When that issue came up in 2019 it was an issue where certain citizens was coming to council meetings attacking the mayor. That's when that came up in 2019 and then it was decided that we weren't going to do that, and we decided not to vote for that so that's what stopped it in 2019". Councilwoman Baccus said, "But now you are bringing it back now to my implying you don't want to hear the citizen's voice. That's what it sounds like to me. Mr. Payne said, "That's not the case". Councilwoman Baccus said, "Excuse me, I'm not talking to you". Councilwoman Baccus said, "That's what it sounds like to me that we're trying to stifle the citizens and they deserve five minutes. You only get five minutes in 30 days". Councilman Gardner said, "Just for the record to reflect we have an ordinance that is not the law that was voted on once that you voted for to bring it down to two minutes". Councilwoman Baccus said, "And I explained why I voted for it". Councilman Gardner said, "And then we fought it to keep it at five minutes and somehow it got to our municipal code. He said we have to vote on it to clarify it. Nobody is trying to limit anybody". Mayor Boyd said, "We're all saying we want five minutes. Councilwoman Baccus said, "And I was just clarifying what happened in 2019 for the implication of what City Manager Payne was trying to imply." **Councilman Bryant Gardner made a motion to approve first reading on ordinance 2022-04**

amendment to regular city council meeting start time and public comment. Start time will be amended to 6:00 PM and the public comment will be changed from two minutes to five minutes and we will have a total or no more than 30 minutes for public comment. Councilman Elaine Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted in favor of the motion.

c) <u>First Reading on Ordinance 2022-05, Zoning Designation for Property at Richmond and Spring Streets – Lisa Bailey, Planning Director</u>

Mrs. Bailey said this is the property at the corner of Richmond & Spring Streets that have been cleared and we recently annexed into the City and now it needs a zoning designation. Mrs. Bailey said the Planning Commission reviewed it and has recommended the designation of R-6 (High Density Residential). She said the property owner will be building six houses on that property. Councilwoman Reed asked, "The ones that's next to it, or is that the only one in the city? Mrs. Bailey said, "If you're following on Richmond Street, the other properties…the property right next to is also R-6 and the apartments. If you follow the other direction on spring Street there's Richmond, there's the property and then you have stuff that's not in the city on one side. On the other side it's all R-10. Councilman Gardner asked, "So the Barfield side of Spring Street is all R-10"? Mrs. Bailey said, "Yes". Councilman Gardner asked, "You want R-6. Now R-8, would that effect the development"? Mrs. Bailey said, "I'm sure it would and of course the other issue is R-8, there's nothing R-8 right there and that would be spot zoning. Mrs. Bailey said, "So those are kind of your choices, R-6 or R-10 given the shape of the space". Councilman Gardner asked, "So you couldn't do R-8 if its R-10 across the street"? Mrs. Bailey said, "If you're only zoning one parcel it's got to be something that it's contiguous with". Mayor Boyd asked, "So the R-6 would allow him to put six houses there"? Mrs. Bailey said, "Yes, he went to Sheila in the codes office first to ask how many houses he could put on this piece of property".
Councilman Milling made a motion that we approve First Reading of Ordinance 2022-05 Zoning for the property at Richmond and Springs Streets as R-6 that's being designated as tax map #164-06-01-103. Councilman Bryant Gardner seconded the motion. Councilperson Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.

D)<u>American Rescue Plan Resolution – John Payne, City Manager</u>

Mr. Payne said they have talked a number of times about the ARP and the funds that we have received through it. The final ruling of the Department of Treasury they added a carveout if you will; there's an option to move up to $10 million dollars to what's called "*replacing lost revenue*". This does two things: 1) it makes reporting much simpler and 2) it gives city council more latitude in how you're going to spend these funds. He said

most of this money needs to go to the infrastructure. Some has been allotted for premium pay, but there are other items that the city can pay for out of the coffers that we can move this money over to. If we don't move this money over to this replace and lost revenue then you're more limited in the ways that you can spend the money. Mr. Payne has a resolution which only takes one reading and he's asking that we transfer the funds over. It will have its own line item and every penny that's spent out of it will come before this council, so nothing is going to change as far as the council goes in managing the funds. Mr. Payne said all he's asking is that we create a line item in the budget and the monies are placed there in the general fund instead of in an American Rescue Plan. **Councilman Gardner made a motion to approve the American Rescue Plan Resolution electing to expend allocation to lost revenue in the American Rescue fund. Councilwoman Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted for the motion.**

e) **CDBG Resolution For Infrastructure Improvements E. Broad and S. Main Streets – John Payne, City Manager**

Mr. Payne said what this does if you recall a few years ago we had the sewer collapse on East Broad Street, and it was quite costly we are trying to do preventive maintenance instead of repair Mr. Payne said preventive maintenance is less costly. He said we are working with the COG, and they have identified a CDBG grant that we can apply for but in order to do that we have to have this resolution. He said what it would do is the other end of East Broad up to about Hardee's and then it would hang a left and go down S. Main Street towards Florence. He said we had to conduct surveys and those were done. We had to have at least 51% low to moderate income. He said they've got about 60-70% and those have completed and submitted to the COG. Mr. Payne said but this is a requirement before we can make the application for the $1.25 million dollars we have to have this resolution passed. Mayor Boyd asked if this was for storm drains or for sewer drains? Mr. Payne said, "What we're going to do is…they call it pipe bursting". Mayor Boyd asked if this was for storm drains and Mr. Payne said, "no, it's sewer but it re-enforces the line to keep us from having a collapse. Mayor Boyd asked how far down S. Main does it go? Mr. Shugart said, it's a total of about 4,600 square feet on broad Street and S. Main Street. Mr. Payne said, "linear feet". Councilwoman Reed asked does it go up to Macedonia? Does it pass Macedonia? Mr. Shugart said, "I can't tell you exactly where it goes. I don't have the prints in my hand, but it covers all of the line that's been determined to be of the same age and of the same condition that did collapse on Broad Street and ends right where the line is newer and in better condition. Mayor Boyd said, "So that everybody understands, a mile is 5,280 feet so you're talking just under a mile". Mr. Shugart said, "From what I understand you all didn't complete all of East Broad two years ago when you did it so there's a short section on East Broad Street and the rest of it is on….Mayor Boyd interrupted and asked, the total 4,600 linear feet is from E. Broad Street down?

Councilwoman Reed said, “My understanding, East Broad Street right up to Main Street, that’s where we’re going right”? Mr. Payne said, “Yes, correct”. Councilwoman Reed said, “OK we’ve got that. Now what we want to know and what we’re asking is what part of S. Main.” Mayor Boyd said, “So we have a total of 4,600 linear feet, so if you start on Broad Street approximately at Dixie Federal Credit Union which is only about a 10th of a mile from there to Hardees; and then you go down probably about 7/10 - 8/10 of a mile which will probably take you (as a guesstimate) at least to Circle B gas station”. Mayor Boyd said, “So that’s about how far we’re going down and the line bursting is so that you don’t have to do what happened at Broad Street is what they’re saying.” Councilwoman Baccus said, “So the surveys that were taken in South Darlington last week for the citizens in South Darlington and where else it was done at. Is this the grant that you’re applying for to do this repair”? Mr. Payne said, “Yes ma’am.” Councilwoman Baccus said, “So the survey also that we talked about in our work session, and if I’m correct, this is the same area that you said or maybe I’m hearing it wrong, that would…the same grant would benefit fixing the problem on Jessamine, Chestnut and Reid Streets”? Mr. Payne said, “No ma’am this is sewer. That would be stormwater.” Councilwoman Baccus asked, “So you’re applying for a different grant to take care of…so when are we applying for that grant”? Mr. Payne said we’ve got to wait for the general assembly to pass their money. Mr. Payne said, “Mr. Gainey and I and a few others went to meet with the State Director of RIA a few months ago and we are waiting on the general assembly to determine how much money they are going to allocate for that.” Mr. Payne said that would be stormwater, this is the sewer project. Mayor Boyd asked, “With a $1.2 million dollar grant, we would have to match that with what”? Mr. Payne said, “The total project is just a couple hundred dollars shy of $1.6 million. Typically, the grant would pay for 78% of this. This is called leveraging our ARP money and we would pay the other 22%. Councilwoman Baccus asked did the camera come in yet that we purchased a couple months ago. Mr. Payne said we have paid for it, and it’s received. Mayor Boyd said, “So let the public understand that this grant is to help with sewer lines from East Broad Street down S. Main Street for line bursting and we would use the ARP funds plus any other grants that we can apply to it”. Councilwoman Baccus asked, “The grant that we received that’s supposedly fixing Joe Louis Blvd, when will that project be finished”? Mr. Shugart said, “We received the change order today that the contractor has applied to the funding agency for an extension on the contract until September 15th, which extends his contract 150 days”. Councilwoman Baccus said, “So now you’re saying September 15th that project should be finished”? Mr. Shugart said, “That’s what they’re saying. He said the funding agency hasn’t approved it; we only received it today and they only asked for it today, so the funding people have to approve it”. Councilwoman Baccus asked, “If they don’t approve it then what is the deadline”? Mr. Shugart said, “Well, I don't know.” Councilwoman Baccus said, “We have a deadline, when is it”? Mr. Shugart said, “The deadline is the

end of this month; the end of April for the contract." He said they are going to get an extension, I'm quite sure. Mr. Shugart said the city didn't sign the contract until the day after it expired. **Councilman Gardner made a motion to approve the CDBG Resolution for Infrastructure Improvements on E. Broad and S. Main Streets. Councilwoman Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted in favor of the motion.**

f). **Fair Housing Month Resolution – John Payne, City Manager**

Mr. Payne said this is just a resolution which is required by HUD. He said The COG asked us to have this passed this month. **Councilwoman Reed made a motion to pass the Fair Housing Month Resolution. Councilman Gardner seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted in favor of the motion**.

g) **Budget Adjustment Request and Meter Reading Device Bids, Charles Shugart, Water and Sewer Superintendent**

Mr. Shugart said he's here to ask the council to move some money around in this budget. He has line item 914-277T for sewer bed repair with a budgeted amount of $350,000. Mr. Shugart said, "We have determined that sewer beds don't need that repair yet and we have done an exploratory dig out there which you all approved several months ago, and we are doing further testing to decide exactly when sewer beds will be needing to be repaired". He said we're doing this reactively and we want to start doing it proactively by testing the sand beside the bed and see how long it takes for them to get saturated sludges to see when we actually do need to replace them. Mr. Shugart said he would like to take that money that we've got in sewer treatment and spread it out in his water budget, sewer collections and sewer treatment budgets in several different line items. Mr. Shugart said he wants to take $235,000 from 914-277T and spread it among several of his line items so they can do some of the things he needs to do. Councilman Gardner asked, "Do you remember how much it was to replace our filtration for the water"? Mr. Shugart said, "The water filter replacement project, we had four of those and right off memory I'm going to say they were $65,000 apiece. He said we haven't done any of those. They are one of our recognized projects that we are looking for funding for. Councilman Milling said, "Mr. Shugart, when you move the $235,000 is that going to be replaced in next year's budget? Is that out of recurring funds or is that out of some capital funds"? Mr. Shugart said, "I don't want to put it in next year's budget. I haven't put it in my proposed next year's budget. I plan to use a different funding to fund that project when it needed, and it is a capital project". Mr. Shugart said, "You all haven't used any money in that line item until this year. We have a purchase order to use $35,000 of it. He said there's $350,000 in that line item and I plan to move $235,000 so that should leave about $90,000 in that line item".

Councilman Milling said, “Well, we know it’s going to have to come about some point in the future. We don’t know if in 23, 24 or 25, but at some point it’s coming”. Councilman Milling asked, “What’s your thought on where we’re going to get the money when we need it”? Mr. Shugart said, “By that time I think we’re going to probably use a grant that I’ll apply for, but I don’t think we will do quite what was expected”. He said I think we will actually go to some type of biosolids removal at the wastewater treatment plant with clarification or settling basins so that we don’t saturate our beds anymore. That’s the normal way most wastewater treatment plants operate today. Councilwoman Baccus said, “I can understand moving monies into some of these line items but…for example, radios and equipment last year we budgeted for $1,000 and we only spent $819, now you want to put $12,500 in radios and equipment, why”? Mr. Shugart said, “I didn’t make last year’s budget, I didn’t make the one the year before. I think you had the same radio item in all of those and instead of actually charging any handheld devices that are used as radio equipment to that, I don’t know where you all charged them, but I plan to buy two this year and I’m going to ask you to right after we talk about this and we’re going to charge those two tonight to that line item. Councilwoman Baccus asked, “You plan on buying them in this year’s budget”? Mr. Shugart said, “I want to move it tonight”. Councilwoman Baccus asked, “How much are these radios we’re talking about”? Mr. Shugart said, “Two handheld devices. They create a radio signal between the receiving station …..Councilwoman Baccus asked, “How much do they cost”? Mr. Shugart said, “You should have a bid in your hand. He said they are $10,584 for the pair”. Councilman Gardner asked, “Do we have three bids”? Mr. Shugart said, “We don’t. This is the sole source. We use sensus equipment and sensus equipment is sold by Ferguson and we should have a sole source letter as they are the exclusive distributor for sensus equipment”. Councilman Gardner said, “I’m fine with this if council is”. Councilman Gardner said, “The remainder of the money that we have, I would love for us to look into a water filtration system and getting those replaced”. Mr. Shugart said, “We have one of those that we know needs to be done; the others are scheduled in the next four years to be replaced if they show what’s called breakthrough. They filter out the iron and when the iron breaks through the filter and shows up in our potable water, then it has to be done but we aren’t showing any traces of it breaking through”. He said we know one of them has exceeded its normal life and it will cost us about $60,000. Mayor Boyd asked, “Can we go ahead and move the rest of that out of the other line item to have that repaired”? Mr. Shugart said, “We can. He said I left it in there as a buffer in case something happened or in case we saw something else that we needed and if that’s an area you’d like to do it, we can go ahead and get that ball rolling too”. Councilwoman Reed asked Councilman Gardner, “What makes you think that we need to do that now”? Councilman Gardner said, “He had brought that up previously as one of the things we need to do for our long-term plans”. **Councilman Gardner made a motion to approve the budget adjustment request and meter**

reading device bids; water and sewer line item 914-277T taking $235,000 from it. Mayor Boyd asked Councilman Gardner if we can go ahead and amend that to fix the other part. Councilman Gardner said, "I don't want to do that without the management. That would be more of them giving that advice which is one thing that I remember you bringing up". Mr. Shugart said, "I can put it together by the next council meeting and we'll get it on this budget. We probably won't get it done this year, but we can get it in here and this budget will pay for it with this money". **Councilwoman Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted in favor of the motion.** The following line items is where the $235,000 will be allocated: 913-387-traffic control equipment $4,100; 912-231-small hand tools-$4,300; 912-381-buildings & fixed equipment-$8,500; 912-217-auto operating expense-$11,000; 912-390 radios & equipment-$12,500; 912-227 machinery & equipment-$13,700; 912-256 meter replacement-$55,000; 914-241C uniforms - $3,500; 914-231C small hand tools - $5,700; 914-380C vehicle replacement-$55,000; 914-227C machinery & equipment-$55,300; 914-231T small hand tools - $1,000 and 914-279T other operating expenses - $5,400.

Darlington Raceway Throwback Race Parade – Lee Andrews, Recreation Director

Mr. Andrews said the Throwback Race Parade is the springtime version of the Throwback Race Parade for the Southern 500. He said they are bringing it back this year; there will not be a parade in September. This is the parade this year. It will be Mother's Day (May 7th) weekend since we have two races. Mr. Andrews said the reason they picked this weekend is because it is their throwback weekend because the Labor Day Race will be the beginning of the points chase so they're focusing more on the race itself than the pageantry. Mr. Andrews said the parade will start on Edwards Avenue to Pearl Street; go all the way down Pearl Street to gate 39; go into the racetrack and end at the Xfinity Garage area. Mayor Boyd asked what time. Mr. Andrews said 6:00 or as quickly as they can get the pits cleared to get everything in there. Mr. Andrews said this is something that we've done as our part of the parade and that's to provide floats. He said they need ten floats and of course the city council is invited to ride on one. The floats are $525 apiece from southeastern Floats. Mr. Payne said this is the same company that provided the Christmas parade floats and these funds can come from H-tax. Councilwoman Baccus said, "So we're going to provide ten floats for the race parade"? Councilman Milling asked, "Are we going to get any news coverage?" Lee Andrews said, "Absolutely, it's already out". Councilwoman Baccus asked, "How long have we been providing these floats"? Mr. Andrews said, every year that I've done the parade, we've paid for the floats". Councilwoman Baccus said, "I think the Mayo Alumni needs to come ask for some floats". **Councilman Milling made a motion to authorize the expenditure of $5,250 to furnish the floats for the Darlington Raceway Throwback Parade. Councilman Gardner seconded**

the motion. Councilpersons Baccus, Reed, Segars and Mayor Boyd approved the motion.

i) City Hall Wiring Quotes – John Payne, City Manager

Mr. Payne said, "Mr. Mayor, as we all know we've got some serious telecommunication issues in this building but the first thing we need to do is re-wire it". Mr. Bill Lynch with Asset Technology said he received three quotes" one from Lee Security Systems, one from Foxfire Networks and one from National on Demand. Mr. Lynch said one of the big issues that we have here at the city system is that the phone system that we have here is so old and in disrepair and it needs to be replaced. To do that, we will be going to a Voice over IP system which is pretty much the standard out there these days. We need to do wiring and also if you look at the wiring that's currently through the building it's in quite disrepair and reflects poorly as to what it needs to look like. Mr. Lynch said one bid is for $19,000 the other is for $32,000 and the third bid is for $48,000. Mr. Lynch said you're probably wondering why there's such a difference in price. The cheapest bid of $19,000 is from Lee Security Systems. It's done primarily through a CAT 6 cable, so the way that the network is set up you've got a central location where the servers are with the switches and its sort of like a hub and spoke model. There are lines that go to different switches throughout the building and feed the rest of the locations throughout the entire complex. He said the standard these days for a lot of those drops are to run fiber, so the first bid is primarily just CAT6, the other two ….and I actually have a third one but I couldn't get the gentleman to come back and give me a full building quote but the difference in the type technology that's being used is that the two more expensive quotes utilize fiber which provides a much larger throughput than CAT6. Mr. Lynch said if you look at the way technology has increased over the past two decades you can tell there's going to be a lot more improvements and for those drops going up front it would be best for us to use one of the larger two quotes. Mr. Lynch said, "You've got three quotes here, I would suggest going with the $32,000 quote which actually has five fiber runs. He said each one does it a little differently. The Foxfire quote has five fiber drops going so you have the central office; you've got one going up to the front; one going to the planning area; and another one going up front to the water & sewer and then dropping back towards where the fire department is one upstairs and one downstairs. Mr. Lynch said the gentleman that did National on Demand is a little more expensive because of the way he was planning on running the cable. He has only two fiber drops, but what he was planning on doing was removing the light fixtures and running the cable through the ceiling joist above and trying to make it to where he didn't have any lines going down the hallways, so it's a different style wiring. He said the third quote is fiber and it was put out by CPS Alarm Systems where it was just the front half of the building. He said his quote back in June of last year was for $17,000 so if you can imagine the other half probably doubling that it would be in the $30's close to $40,000

range if he did the whole building utilizing fiber. Mayor Boyd said, “This is to upgrade the wiring so that the phone system and computer system will run….Mr. Lynch interrupted and said, “And doing it with fiber it will be once and done but if you do it with CAT6 later on we might be coming back saying, “hey we need to redo this again” so I would suggest doing it with the fiber”. Mr. Lynch said, “I’ve used both the first two guys in cabling jobs. Foxfire Network recently did Dedicated Community Bank and redid all of their wiring previously and they are very pleased with the work they did. Mr. Payne said, “Mr. Mayor, this is one of the projects that I was talking about where we could use the ARP money that you moved over to the lost revenue, I would suggest we use that”. Mayor Boyd said, “What we had suggested before because this is about $32,000…..I had asked….I was trying to figure out where to bring the money from and I suggested that we’ve got people just like the Chief as an example; he’s not quitting, but he’s retiring in December so the money he would have gotten next year from the Rescue fund money that we gave to the employees, he won’t get. The ones that quit prior to this already, you came up with approximately $30 something thousand dollars. Mr. Payne said, “It was closer to $40,000” that was already allocated to be spent for employees that we can take and put back in the bucket and be used to try and fix this. So that way we still can leverage the money. Councilwoman Reed said, “So, it’s absolutely necessary, I mean we’ve got to approve it.” Mayor Boyd said, “I want people to see how we’re using the rescue money.” Councilman Segars asked, “this just includes the wiring, we’ve still got to buy the phone system is that correct”? Mr. Lynch said, “The phone system these days are usually based on lease, so you just have basically a service charge, and the phone are included so you’re not having to buy the phones. Mr. Lynch said the current phone system that we have was probably installed in 2003. The company that developed the phone system went out of business in 2009 and I have been buying phones in bulk from eBay just to try to find one or two that work to put in place, and they don’t work well. **Councilman Bryant Gardner made a motion to approve the Firefox Networks quote in the amount of $32,006.50 for city hall wiring. Councilwoman Elaine Reed seconded the motion. Councilpersons Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.**

Executive Session – For the purpose of receiving legal advice pertaining to a matter involving hospitality tax bond funds. City Council may or may not act following executive session. **Councilman Bryant Gardner made a motion to go into Executive Session at 8:00 PM. Councilwoman Elaine Reed seconded the motion. Councilpersons Milling, Baccus, Segars and Mayor Boyd voted for the motion.**

5 Minute Recess

Councilman John Milling made a motion to end executive session at 8:48 PM. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.

Reminder

Taste of Darlingrton this Thursday - 7:00 PM at the Racetrack
Tuesday May 3, 2022 – Regular Monthly Meeting of Darlington City Council – 6:30 PM.

ADJOURN

Councilwoman Elaine Reed made a motion to adjourn the meeting at 8:49 PM. Councilman Bryant Gardner seconded the motion. Councilpersons Baccus, Milling, Segars and Mayor Boyd voted in favor of adjourning the meeting.

_____
Mayor

ATTEST:

_____
Clerk & Treasurer