CITY OF DARLINGTON

REGULAR COUNCIL MEETING

December 6, 2022

6:00 pm

The Regular Meeting of Darlington City Council was held December 6, 2022, at 6:30 P.M. in the City Courtroom of City Hall at 400 Pearl Street.

Present at the meeting: Mayor Curtis Boyd, Councilpersons John Segars, Shelia Baccus, John Milling, Howard Nettles, Bryant Gardner and Elaine Reed. Also present was City Manager John Payne, City Attorney Kevin Etheridge and a room full of citizens.

The meeting was called to order at 6:00 PM by Mayor Boyd.

PRAYER

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

APPROVAL OF MINUTES

Councilman Gardner made a motion to approve the minutes of the November 1, 2022, council meeting. The motion was seconded by Councilman Nettles. All in favor.

APPROVAL OF THE MEETING AGENDA

Councilwoman Reed made a motion to approve the meeting agenda. The motion was seconded by Councilwoman Baccus. All in favor.

REPORT OF COMMUNITY EVENTS

Ms. Cliff Wilson on the behalf of the DDRA stated that they had given 8 grants to small businesses located in the city limits of Darlington in 2022. She said they had gone over budget but that was a good thing because it showed growth within our city. She said they will begin the new year with their annual meeting January 8 at the purple fish. She stated that in the new year that they would be focusing on their by- laws and their original mission, economic development. They have two fund raisers planned for the spring, the Annual DDRA golf tournament and the Taste of Darlington. Ms. Wilson stated that they

wanted to express their gratitude to Chief Washington for his service, all the help he had given DDRA and wish him well.

No one present from the Darlington Chamber of Commerce.

CITIZENS WISHING TO APPEAR BEFORE COUNCIL

1. **Chief Washington said when he first came here to the city four years nine month two weeks ago; we started this journey. We had a police department that had been broken into and some guns stolen. We had some issues in the clerk office and there was a cloud hanging over the department. He said that he promised a few things to council. First that he would bring creditability back to this agency and he did. He promised to keep the City of Darlington police department off the front page with anything negative and we did that. I told you that I would never do anything in my personal or private life to bring any embarrassment to the City of Darlington, and I haven't. We have had quite a few achievements while I've been Chief. He quoted Romans 8:28 "All things work together good for those who love the lord." We have had our disagreements, we have had our fallouts, but all things work together good for those who love the lord. Serving as Chief for the City of Darlington has been a wonderful experience and I am very grateful. He wanted to thank the city leadership, the city department heads and other city officials for their assistance over the last four and half years. He wished the City of Darlington continued growth and success.**

2. **Pastor Kyle Myer with the Dominion Church explained to council that on March 24, 2022, his learning center located at 1034 Pearl Street had a wave rushing coming out of the front door. He stated that just a month prior the church had put in 65,000 of the ministry's money into renovations. Forty minutes after receiving the phone call he has over 15,000 gallons of water pumped into the building due to the negligence of a city worker turning a sewer tap while looking for a water leak, which caused the building to be flooded. The accident had been reported to our insurance company and he had received a letter from the city attorney stating basically the city would not do anything. Mr. Myer felt right is right and wrong is wrong and due to the city's negligence, that had caused over $20,000 worth of damage that dominion church should not have to pay for it. He stated to council that he feels as grown people the city should make this right because it was the city employee's fault. He acknowledges that the pipe was not capped off but he also says that he didn't ask for anything to be turned on. He closed in statements asking council will they do the right thing? Ms. Reed ask had he filed the proper claims and Mr. Myer stated that he had and that he received a letter from the city attorney basically**

saying that they would do nothing about it. Mr. Meyers also stated that he rents the building space from Mayor Boyd. Mayor Boyd said on the day of the flood that there was a leak at the old KFC building that he owns, and he asked for the water department to cut off the water. In doing so, one of the city workers turned on the wrong meter. Councilman Milling noted that this should be discussed in executive session due to the fact it may be a legal matter. He suggested getting all the information from the insurance adjuster, possibly a meeting with council and look into situation gathering all the facts for the next council meeting in January.

3. **Ms. Janie Lathan explained to council that they have asked for 6 months how much revenue is coming in and what the expenditures are for the Water and Sewer Department, and they still have not received that information. She said if they need to get a foyer request to get that information, they will do that, but they shouldn't have too. She explained just like they had to get a foyer request to learn the city manager had given the person in charge of the water department a thirty thousand dollar pay increase after our citizens water bill was increased during a pandemic and twice since then. She said that there was never a public hearing to explain why there was going to be an increase. Also, she said given this significant increase in the one person's salary she asked the Mayor and council to see about given the Police officers an increase in their salary. Ms. Lathan said that she hopes that Mayor and council be a part of the hiring process of the next city police chief.**

4. **Mr. Shawn explained to council that there was something about the water department that has been weighing on him. If this council doesn't be careful, she knows what she's talking about, and she is going to end up taking one of your council seats.**

5. **Mr. Patel with 120 South Main Street said he is being charged $100 for storm water fee and that is not correct. The mayor said fees is calculated by the street and sanitation department. Council said they will look into it. Mayor stated that he will go by there tomorrow.**

Mr. Payne said that he wanted to correct some information that had been mentioned earlier that was not correct. As far as the Water and Sewer Department goes, running a water department is not like balancing a check book. The auditor will have the audit results in February. As far as the hiring of the police chief, it will not be done like last time. He also stated that under the form of government they are under, city council has no input

on that and it is up to the city manager who he hires. He again points out that he is aware of how it was done in the past, but under the law that is not how it was suppose to be done.

OLD BUSINESS

- **Second reading Ordinance No. 2022-11, Annexation of Lochend Drive. Motion made by Councilman Milling to approve, seconded by Councilman Bryant. All in favor.**

Councilwoman Reed said she would like to take the opportunity to discuss what had happened with the Police Chief. Mayor Boyd interrupted Councilwoman Reed and said she was off course, and they must move on course. Councilwoman Reed thought that Mr. Payne had been allowed to speak off course and she requested that it be noted in the minutes that she was not allowed too.

NEW BUSINESS

- **Ms. Shelia Jones stated that with the current ordinance principal free-standing signs on the by-pass are permitted to be as high as 40'. She said they are requesting to amend the sign ordinance to include those parcels of land which are in the General Commercial district, on South Main Street and South of the 52 by-passes to be permitted. Mr. Milling ask Ms. Jones to have something typed out for the second reading. First reading on Ordinance 2022-13, Change Pylon Signs Maximum Height. Motion made to approve by Councilman Milling. Seconded by Councilman Gardner.**

- **Ms. Sheila Jones stated that she comes before council to request changing the City Ordinance as it pertains to Article II Table 1 Schedule of Permitted and Conditional Uses, and Off-Street Parking Requirements by the Zoning district. First reading on Ordinance 2022-14, Change Residential Uses in GC to include Multifamily and Apartments. Currently, Multifamily residential structures are not permitted on parcels of land zoned General Commercial. We are requesting an amendment to this ordinance to include Multi-Family Dwellings to be permitted in the General Commercial district. Motion made by Councilman Gardner, seconded by Councilman Nettles. All in favor.**

- **Sewer Pump Stations Renovations Change Order. The change contract price will increase by $30,038.12. Motion made by Councilman Gardner, seconded by Councilwoman Reed. All in favor.**

- **Georgia Pacific Property Donation Resolution. Mr. Payne said his intention is use this property for stormwater drainage which can save the city over $1M. Motion made by Councilman Gardner to approve resolution, seconded by Councilman Reed. All in favor.**

- **Mr. Lee Andrews presented mayor and council with information only about a splash pad for the city. Mr. Andrews was instructed to get bids and report back to council.**

- **Mr. Alex Gainey presented bids to repair a portion of the parking lot at 119 East Hampton Street, Gardner Law Firm. Trees planted by the city over a course of many years has damaged the parking lot. Council recommends for them to file it with our insurance company.**

- **2023 City Council Meeting Calendar. Motion made to approve calendar by Councilman Gardner, seconded by Councilman Nettles. All in favor.**

Motioned to go into Executive Session by Councilman Gardner, seconded by Councilman Nettles. All in favor.

Motioned to leave Executive Session by Councilmen Milling, Seconded by Councilman Gardner.

Motioned to go back into regular council meeting by Councilman Nettles, seconded by Councilman Segars.

Motioned to adjourn meeting by Councilman Nettles, seconded by Councilman Gardner.