**CITY OF DARLINGTON**
**REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT**
**400 PEARL STREET, DARLINGTON, SC**
**TUESDAY MAY 2, 2023 - AT 6:00 PM**

Present: Mayor Curtis Boyd, City Manager John Payne, Councilpersons John Segars, John Milling, Bryant Gardner, Elaine Reed, Howard Nettles & Sheila Baccus. Also present was Codes Enforcement Officer Ms. Sheila Jones, St. & Sanitation Superintendent Alex Gainey, Police Chief Jimmy Davis, Fire Chief Pat Cavanaugh, Assistant Police Chief Michael Cooke, Officer Hunter Parker, Officer Wiggins, Officer Sharon Blakney, Mrs. Rosena James, Ms. Brook Sylvester, Mrs. Janice Funchess, Mrs. Marlene Williams, Mr. Steve Abbott, Ms. Jannie Lathan, City Planner Ms. Merry Morgan Smith, Superintendent, Recreation Director Mr. Lee Andrews, City Attorney Kevin Etheridge, Ms. Gloria Hines, Ms. Rosa Hudson, Mrs. Lisa Bailey, Mr. Linwood Epps, W&S Superintendent Charles Shugart, and other visitors. Also present was a representative from the News & Press.

**INVOCATION & PLEDGE OF ALLEGIANCE**
Prayer by Mayor Boyd followed by the Pledge of Allegiance

**APPROVAL OF MINUTES FROM REGULAR MEETING ON APRIL 4, 2023**
**Councilman Bryant Gardner made a motion to approve the minutes of the April 4, 2023, Council Meeting. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.**

**APPROVAL OF MEETING AGENDA FOR MAY 2, 2023**
**Councilwoman Elaine Reed made a motion to approve the meeting agenda for tonight's meeting May 2, 2023. Councilman Howard Nettles seconded the motion. Councilpersons Gardner, Baccus, Milling, Segars and Mayor Boyd voted in favor of the motion.**

**CITIZENS WISHING TO APPEAR BEFORE COUNCIL (5 MINUTES PER PERSON, 30 TOTAL MINUTES MAXIMUM)**
***Neither personal attacks nor disruptive behavior are permitted**

**Mrs. Lisa Bailey** said she just has a quick question about whether these meetings would be put on YouTube or Facebook. Mrs. Bailey said, "They have not been put on YouTube since I left, and it's been kind of spotty on Facebook. I know sometimes in this room it's difficult with internet connection, but I just had that question".

**Ms. Brook Sylvester** gave an update on things the Chamber has planned for Freedom Fest. She said it is June 24th from 4pm – 9pm. She said the fireworks show is about 13 minutes long and it starts at 9pm. They will have the amusement rides & retail vendors like they normally do. This year they will be adding a petting zoo which will also be free.

**Shawn Odom** said he came to talk about somebody who is in my opinion not qualified to be in the position he's in. Mayor Boyd said, "Shawn, we're not here to talk about anybody in particular". Shawn said, "There's no personal attack. I'm not naming the person personally. I'm not naming any names. He said we have a budget coming up and I feel like we need to have a more extensive investigation into the budget making sure everything….nobody is double dipping…that kind of audit. He said I was looking at the agenda and I don't see the city manager's contract up there. I think his contract needs to be renewed this year. I would love to see that on the agenda, but I don't see it up there. (Inaudible) And I see a few problems in the city with the roads and everything in south Darlington. I tried to call the city manager's office, but nobody picked up and that's just a problem for me as a citizen of Darlington.

**NEW BUSINESS**

**1ST Reading Ordinance 2023-03, SC Local Revenue Service Program, John Payne, City Manager** – Mr. Payne said, "Before we start, I found on page 1 third paragraph from the bottom, if you change ordinance 2023-03 to 2021-17 and then insert the date December 7, 2021.

Councilman Nettles said, "Mr. Mayor I'm sorry, Mr. Payne… we have a citizen who emailed about speaking but they didn't realize they had to sign a sheet and I apologize. Councilman Nettles said she emailed last week about being on the agenda to speak but she didn't realize she had to sign in. Mayor Boyd allowed the young lady to come forward to speak.
The young lady said, "My name is Ms. Ashley and I live on Spring Street. Ashley said, "I want to know what the city is doing to do correct the issues with the sewer system here in Darlington, specifically on the Spring Street area. My home was recently damaged by the failing sewer system in this city. Two rooms in my house are completely ruined by the backup that happened on April 8th. The day before Easter and the day of Easter the city's sewer system pumped into my house and in my yard for 22 hours straight. Had I not been home, my entire house would have been destroyed. Multiple rooms in my modest home and the outside of my home being completely unusable may not seem like a big deal to anyone but me. I've worked hard to buy my home, decorate my home and make my home a safe and comfortable environment for my family. I've spent my hard-earned money to make this home what I wanted just for a good portion of that to be lost in the 22 hours that it took the city to stop the flow of sewage from coming into my house. Instead of spending the evening of April 8th dying easter eggs with my family and preparing our easter meal, my family spent 8 hours wading in sewage to try and save what we could from being lost to the literal river of human waste that was flowing through my house. We spent the next two days in a hotel because of the unsanitary conditions in the house and the fact that you couldn't flush toilets or run any water until sewer backup stopped. For the next five days, instead of my dog being able to run in the very large fenced in backyard that I provide for him, he was restricted to a small patch of grass next to a busy road because that was the only area of my property that was not flooded with sewage. It took nine days for the crew from the water department to remove the tampons, maxi pads, toilet paper and solid waste from my property until after I made multiple phone calls and trips to the water department. For weeks, the smell outside of my house has been unbearable…so bad that my neighbors say things about it when they see me outside. Even now, when it gets hot outside or it rains, you

can still smell it. We were unable to attend my daughter's regional volleyball tournament because I had to meet with an adjuster to try to get the ball rolling on being able to get my home repaired. Aside from the damage to my home, every piece of furniture that I own in those rooms is gone. Family pictures, gone; family heirlooms, gone; that isn't all. There were countless other items destroyed due to this situation. The city's insurance adjuster says I'll get depreciated value for my belongings. How do you put a cost on a blanket that was crocheted by your deceased grandmother? What is the depreciated value of that? How do you replace that? I still have furniture outside of my house that is damaged by human waste because I can't get rid of it until everything is dealt with with the adjuster and then when it is dealt with, I'm then told it is my responsibility to dispose of those things. But in the meantime, I have to look at it and smell it. The Director of Utilities has offered to put fresh pine straw…..has offered to have fresh pine straw brought to my house to be put in the flower beds that were washed out during the sewer backup. Ashley said, "I didn't have pine straw in my flower beds then nor do I want pine straw in my flower beds. I have river rock in my flower beds". Trying to find someone that is willing to or has the time to come repair my home has proven to be an issue. I've contacted numerous contractors to come in and look at my home to see what can be done and when, but as soon as you say sewage backup, nobody wants to talk to you. The few that will talk to me are extremely busy and tell me they won't have any time available for months. In the current condition that my home is in there is nowhere in my home to relax. We have access to bedrooms, the bathroom and the kitchen, of course, but to come home from work in the evening and sit down and be able to watch tv, that isn't possible unless I want to sit on a concrete floor and watch a tv that's plugged into an outlet that hangs between two studs. My den doesn't have floors, it doesn't have walls or insulation. My back door doesn't close properly unless you kick the bottom of it. It's no longer a relaxing environment to come home to and frankly, the exposed nails and the wires hanging in the room aren't safe. I've spent the last three weeks coming home from work cleaning my house over and over again. I have sanitized doors, walls and surfaces….I have washed everything that can be washed…I have Lysol everything that can be Lysol. Toxins from sewage waste are airborne. That means that even the areas that weren't touched by the sewage backup are still affected. When a river of human waste runs through your house, it never feels clean again. I've listened to different officials and employees from the city's water department place the blame on other people and other businesses but no one's willing to talk about what's actually going to be done to fix this so no one else has to deal with the horror that I've been dealing with for over three weeks now. I was told a check valve was going to be installed so this problem wouldn't happen again. One part, I'm being told could have saved thousands of dollars of damage to my house. If that is the case, why isn't this done to every single house that's on the failing sewage system in this city? What is the city going to do to fix this problem? What is the city going to do to fix this wrong with me? This same issue happened to a house down the same street from me over two years ago and there's been no resolution for that family. I was told once I got the bill for the sanitizing and the removal of the floors, the walls and the insulation, I could pay the bill and I'd be reimbursed. I was told the same for the contractor and the repairs. Just pay it, I'd be reimbursed. Or I was told I could file a claim against my homeowner's insurance, and I would be made whole. This is not a problem that I caused. Why am I responsible to pay a $7,000 sanitizing bill so I can be reimbursed? Why do I have to pay out of pocket for a contractor to repair my house? Why should I pay a deductible

and the increased premiums that I would incur because of filing a claim against my homeowner's insurance. The city needs to make me whole. The City of Darlington has known about the issues with this sewer system for years and has failed to correct this problem, but the citizens that are affected by this are supposed to deal with it and be satisfied with what little the city's liability insurance thinks we deserve.

Councilwoman Baccus said let me ask you a question so when you contacted the city about this problem they did not send somebody from Stanley Steemer to clean your house up? Ashley said yes they sent someone out and they ripped the floors and the walls and the insulation out of my house and it's still like that to this day. Councilwoman Baccus said, "And that's all they did? So, they did nothing else to fix your problem". Ashley said they removed the tampons and toilet paper after nine days. Councilwoman Baccus said, "But they did nothing else to help you"? Ashley said, "Nothing else has been done. She said the insurance adjuster refuses to call me back". Councilwoman Baccus said, "So, they kind of like pushing this issue off on you". Ashley said, "They told me I could pay for it". Mayor Boyd asked, "Did the insurance adjuster turn you down or has it been finalized?. Ashley said, "No, he just doesn't call me back". Mayor Boyd asked, "He hasn't finalized it, right"? Ashley said, "No". Councilman Gardner asked, "That's our insurance adjuster"? Ashley said, "Yes". Councilwoman Baccus said, "See, that's the same issue on Reid Street. They're doing the same thing to those people on Reid and Bacote and Lee and Jessamine and Chestnut". Ashley said, "I don't have $7,000 to pay a sanitizing company to come into my house. The city should pay for that. Ashley said, "I don't have however many thousands of dollars it's going to cost to fix my house. I didn't do this. I shouldn't have to pay for it". Mayor Boyd said, "If you will text me your number I will call you. He asked Ms. Ashley if she had his number and she said, no I do not, so he gave her his number. Mr. Payne asked Mayor Boyd if he could ask Mr. Shugart and Sheila to come in and discuss this matter. There's more to it than that's been discussed. Mr. Payne asked Mr. Shugart to explain what happened and what we've done so far. Mr. Shugart said there's a heavy rainstorm on Friday and Saturday and then Sunday our on-call people responded with Alex's folk with the vac truck. We jetted and rodded sewer lines all over the city including this area. We were at think 16 hours straight that Saturday went back Sunday and worked another 9 to 10 hours pulling towels out of the sewer line where she lives. on Spring Street and Medford and Barfield, whole towels. The sewer system can't handle whole towels, but we fixed it for them that day. We got it going. Since then, we've gone over and rodded the line and inspected all of the manholes. We went over to her home almost every day picking up trash, raking up….raking the yard and trying to clean what we could out of her yard. We went and bought a bagging lawnmower and cut her grass and bagged up what we could….going over her yard with a fine-tooth comb as you may say and just trying to get it clean. I offered to try to help. I didn't realize she didn't have pine straw around the flower beds. I thought she did, but we tried to offer everything that we could to help. Shugart said, we contacted the insurance company and have given them the information and that's where it is now. Mr. Payne asked, "What degree of towels and feminine products and things like that that you pulled out of the system"? Mr. Shugart said, "Truckloads. We do that all over the city. We can't…with this kind of thing happening we can't really guarantee the sewers work. We can't control what people put down sewers. We have areas where people put lots of plastic in sewers. We have areas where people put whole bed sheets in the sewers. Mr. Shugart said, "There's a

huge problem with bed sheets and people are flushing whole bed sheets down sewer lines. He said I talked to some people about that and how they do it and they hold the sheet over the toilet and flush it three, four, five times to get it down. That way they don't have to clean it. If they put it in the trash, they get caught and then they're in trouble. So, they flush whole bed sheets, pillowcases, whole towels and lots of plastic. And the biggest problem…the largest problem that I've had and…. we the city has probably spent a quarter of $1 million dollars cleaning out what are known as flushable wipes. Those things do not disintegrate in sewers. Toilet paper disintegrates from the time it hits the water at the toilet by the time it hits the main, but these flushable wipes stay in the sewer line all the way to the sewerage treatment plant. And those things….we've got one area that's got five houses on it that we spent…I spent all day long on thanksgiving and thanksgiving night there pulling out bowling ball size clogs of flushable wipes and nobody in those five houses said they use them. He said we have this trouble all over and this is why cities have sewer ordinances saying they don't guarantee the sewers can work because people put stuff in sewers that they should not do. It happens all over the country. Councilwoman Baccus asked, so if it's backed up in this lady's house for 22 hours….Shugart said it flowed through her house probably for that long or longer, yes ma'am it flowed through some others too and while we were working on it. Shugart said we were standing there working on it the whole time along with several other places. It's not like she's the only one there's a lot of people having this trouble and there's a lot of sewers that are backed up and there are a lot if sewers that have deteriorated to the point where they need to be rebuilt because no one did that before in the past even though you admitted you knew it was happening back in January. (Shugart pointing his finger at Baccus and voice getting louder and louder) Councilwoman Baccus said, we're talking about her house. Shugart said, "You admitted that you knew about the manhole over on Farm Street overflowing and children playing in those yards and you did nothing about it the whole time you been on council". Councilwoman Baccus said, "Ever since I've been on council I reported that raw sewage on Farm Street". (Shugart & Baccus arguing) Councilwoman Baccus said, "The question is, for 22 hours it ran in this young lady's house and y'all did nothing about it"? Mr. Shugart said, "Yes ma'am we did do something about it". Councilman Milling said, "We are not getting into…..(Councilman Milling kept trying to speak but Shugart kept talking and going back and forth with Baccus) Councilman Milling finally said, "Mr. Shugart why don't you step out". Mr. Payne said, "Sheila please come and explain from a code perspective what you found". Ms. Sheila Jones said, "I have not been to the property, but Charles Shugart came to my office and asked…he said that it seemed as though the overflow from a bathroom that was an addition to the house from when it was originally built, and he asked whether or not permits had been pulled for a below grade toilet or bathroom. So, I looked at the file for the information that we have, and I looked through our software and I found that a permit for a bathroom had not been pulled. So, I told Charles, "No, I don't see where a permit had been pulled for a bathroom" and he said that the toilet where it overflowed was a below grade toilet which means that….very much like the problem we….anyway, so instead of it flowing towards the sewer main, the slope of that particular drain line flowed not towards the sewer main, it flowed towards the toilet. Ms. Jones said under normal Circumstances it would not be an issue because you flush the toilet and the voracity of the water that comes from the toilet pushes out, but if you have a backup, then it's possible and obviously likely that the sewer is going to come back because it's gravity. It's going to go the direction of gravity so if it

doesn't….it's going to go that way and so that is what happened because it was below grade". Sheila Jones said, "Much like if you have a basement and you have a toilet in your basement, you have to put a pump to lift it up to get it out of the toilet so it can go to the sewer main. This toilet apparently, I have not inspected it, I have not been to the property. This is from what Charles Shugart has asked me whether or not there was a permit pulled because it appeared there was an addition to the house, a toilet or a bathroom and the bathroom was made below grade. Mayor Boyd told Ashley to give him a call. Mr. Payne said, "What we'll do is, if you call and talk to her then I'll contact the insurance adjuster.

**NEW BUSINESS**

**First Reading Ordinance 2023-03, SC Local Revenue Service Program- John Payne, City Manager** – Mr. Payne said, "For years and years, the city has used the Municipal Association to collect some of our licenses, business licenses from insurance companies, brokers, and telephone taxes. Mr. Payne said, "They have changed their name. The new law, if you will remember a year and a half ago or so, the General Assembly changed the business license law and in doing so the Municipal Association has changed their name and they have rebranded themselves. We have been using this entity to collect these taxes for years and years and they are simply asking if we want to continue with them, that we pass this ordinance because it's basically putting a different name on the front door. Everything else stays the same but we need to pass this ordinance if we want the Municipal Association to keep doing this work for us. Mr. Payne said just in case anybody is curious, between insurance tax, the broker's tax and telecommunications tax, the last fiscal year the city collected $742,715 so it is significant. Mr. Payne said he is asking for First Reading given that where it says ordinance number, you change it to 2021-17 and then on 12-7-2021. Councilman Milling said, "Just so everyone will know, they charge 4% for the collection purposes. Mr. Payne said, "That money that I discussed was net that 4%". Mr. Payne said, "And you asked me this question the other day. If the city decided they did not want to use it again we have to just give them notice 90 days before the end of the calendar year. **Councilman Bryant Gardner made a motion to approve First Reading on Ordinance 2023-03 on 2021-12-17. Councilman John Milling seconded the motion. Councilpersons Nettles, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.**

**First Reading Tax Levy Millage 129.9793, Ordinance 2023-04 – John Payne, City Manager** Mr. Payne said as we do every year this is the levy of the millage for the city. Nothing has changed from the previous year. **Councilman John Milling made a motion to approve Ordinance 2023-04 our levy of millage for the fiscal year 2024. Councilman Howard Nettles seconded the motion. Councilpersons Baccus, Gardner, Reed, Segars and Mayor Boyd voted in favor of the motion.**

**First Reading Tax Anticipation Note, Ordinance 2023-05, John Payne, City Manager** Mr. Payne said, "Tax Anticipation Note gives us basically an insurance policy if something happens to the city's finances between September and this coming year in January when the county starts collecting the property taxes. If we have a shortfall and have an emergency, this allows me as city manager to go out and borrow funds for temporary care. **Councilman Bryant**

**Gardner made a motion to approve First Reading Tax Anticipation Note, Ordinance 2023-05. Councilman John Milling seconded the motion. Councilpersons Nettles, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.**

**First Reading Ordinance 2023-06, Fiscal Year 2024 Budget in Title Only – John Payne, City Manager.** Mr. Payne said, "this would be the budget for the year. At this point there are no numbers with it. He said we will start having in the near future budget workshops. Mr. Payne said, "This week I will be working with the accountant. We are going to work on revenues because they are going to change this year. He said, as I mentioned earlier we have to have two readings as a municipality, and this is just the first reading in Title Only. Councilman Milling asked, "When are we going to have those workshops? May is probably starting to fill up for many of us…..Mr. Payne said it will be late May or early June. We've got to the end of July to get everything. Councilman Milling said, "I know but I don't want to be caught in a situation where I made family plans or other plans and then all of a sudden…..Mr. Payne interrupted and said, "No I'll coordinate it with all of you all". **Councilman John Milling made a motion to approve First Reading of Ordinance 2023-06 for our fiscal year budget for 2024 in Title Only. Councilwoman Elaine Reed seconded the motion. Councilpersons Nettles, Baccus, Gardner, Segars and Mayor Boyd voted in favor of the motion.**

**City of Darlington 2023 Freedom Fest Fireworks Show – John Payne, City Manager**
Mr. Payne said as Brook mentioned earlier, they are preparing for Freedom Fest for the 4th of July period. He said last year the city paid for the fireworks and they are asking again that we do that. Mr. Payne told council they have a copy of the contract and agreement of $12,450. Councilwoman Baccus said, "question. If I remember correctly we set up a grant committee in order to eliminate separate entities asking the council for money. Why wasn't this included with the grant committee when they asked for money from the city? Why is this separate? Mr. Payne said, "Because the city in the past has paid this and I didn't consider it a grant. If the city, which it has in the past, has paid for the fireworks, you only allotted $35,000. If you had pulled this out of there you would have reduced the amount for the others, but since this city has been paying for these fireworks for the last few years, I separated it. Councilwoman Baccus said, "But that was the reason we were giving money individually to other entities in the past; we were supposed to be correcting that issue and that was the purpose of creating that grant committee to eliminate this type of issue so they should have been included with the grant committee instead of being a separate entity that we're just giving them money". She said, "why they are not included and applied like everyone else? They are not a special branch that we should just give them money instead of them being involved with the grant as everyone else was. Councilman Gardner said, "I understand where Councilwoman is coming from. Maybe next year we can fund the fireworks and do the contract ourselves and make it simple. Mr. Payne said, "We can do that". Councilman Gardner said, "We can still allow the city to get fireworks and we would take away this obvious issue that she brought up, which I completely understand". Councilman Gardner asked, "Do y'all want to cancel fireworks this year or y'all want to have fireworks"? Councilman Nettles said, "If you don't have fireworks you're not going to have a Freedom Fest". **Councilman Bryant Gardner made a motion to approve $12,450 for Freedom Fest Fireworks show 2023. Councilman Howard Nettles seconded the motion.**

**Councilwoman Baccus voted "No, because it was not properly done". Councilpersons Reed, Segars and Mayor Boyd voted in favor of the motion.**

**Infrastructure Report/Update, John Payne, City Manager**

Mr. Payne said, "If you will recall, when I interviewed for this job, one of the concerns that I mentioned was the state of the infrastructure in this city because it had not been properly maintained and it had not been properly funded for years and years. And that's why you see, basically, we have a crumbling system. Mr. Payne said, "What I did…and I started this a little over a year ago to show the public where the infrastructure money is going. He broke it down to spending by ward for calendar years 2010 – 2023 for Ward 1 – Councilwoman Sheila Baccus' Ward, Ward 2 – Councilwoman Elaine Reed's Ward and Ward 3 – Councilman John Segars' Ward. Mr. Payne said, "The total amount that the city has received (grants & expenditures) is $24,280,236 – Copy of his spreadsheet is attached. Mr. Payne said, "this is up to date and it includes the work that was done on S. Main Street when we had that sewer main that broke and down Lee Street. This also includes the money we just received from the SCIIP grants from the Rural Infrastructure Authority. We received $2,911,080; $1.6 million of it was for sewer pump station renovations; almost $700,000 was for the wastewater treatment plant basins rehabilitation and $564,400 was for a pump station that we are going to put at McLeod Hospital on Cashua Ferry Road. Councilwoman Baccus asked, "Since we are talking about this spending, what is the status of Allen Street Lift Station"? Mr. Payne asked if Mr. Shugart was still there, but he was not. Mr. Payne told Councilwoman Baccus he would have to get her an answer. Councilwoman Baccus said, "Next question. Ms. Merry Morgan said, "Allen Street Station is starting work with the RIA grant contract that we signed yesterday. Councilwoman Baccus said, "That's not telling me where they are at and the status of it. That's what I'm asking". Mr. Payne said, "I signed a contract yesterday and the work will start in the next week or so. That's what I'm told". Councilwoman Baccus said, "Joe Louis Lift Station, we have a brand-new lift station at Joe Louis that has a temporary pump for the last four months. We were supposed to be getting a pump to fix this lift station after it was damaged. What is the status of that pump for Joe Louis Lift Station. She said we've got a million-dollar station with a temporary pump. Mr. Payne said, "It was more like $1.8 million dollars. He said there was a part that failed. It was new equipment and a part failed. Councilwoman Baccus asked, "What is the status of that four months later"? Mr. Payne said, "I will have to ask Mr. Shugart to see where it stands today. He said it's my understanding that the part came in. I believe it's functional, but I'll have to ask". Councilwoman Baccus said, "On D Avenue in the last two months a sewer broke. There was a sewer line repaired on D Avenue and two months later the same area is caving in again. Why is this happening on D Avenue"? Mr. Payne said, "Again, I will have to talk to the water department. I don't have that information at my fingertips". Councilwoman Baccus asked, "Over on Pearl Street-on the corner of Pearl & Syracuse Street, I noticed that there's a waterfall or something being put on that corner. That lot….when that Southwest Darlington project was done, that lot was designated for a parking lot for Subway, so how is it now a waterfall is being put on that corner"? Mr. Payne said, "I don't know how that could happen, that's city property". Councilman Gardner asked, we're building a parking lot for Subway on city property"? Councilwoman Baccus said, "I didn't say we were building a parking lot. So how did it become now a park? Councilman Gardner and Councilwoman Reed were both talking at the same

time…Councilwoman Reed said, “The property …of course we were purchasing it from Council on Aging and until there was a decision to be made as to what we (city) would do with it, we said Subway could use it as extended parking, but there was no contract for them to do it. It was just an agreement until the city decided what we were going to do with that piece of property”. Councilwoman Baccus said, “So when did we decide a park was going to be there”? Councilwoman Reed said, “In our discussion about the entry points to Darlington (at that time we had a very active Beautification Committee) and they did…..this was just an empty area and the mayor agreed to help. Councilwoman Reed said, “I wanted something done in the area because that is Ward 2, he agreed. He (the mayor) agreed. The mayor said I will do it personally. I will do something until it is decided. Councilwoman Reed said, “That is something to make it beautiful because that is another entry point”. Councilwoman Baccus said, “I’m asking because I don’t know how it got there, so I’m trying to find out how it got there”. Councilwoman Reed said, “I’m just saying that is why and he said he would do it, and he has. She said every piece of equipment that has been put out there, the mayor did it. Mayor Boyd said, “Charles can back up everything that’s been done. Mayor Boyd said, “That’s an empty lot with a big piece of rock sitting there that never got moved, and I finally got it moved over and out of the way. I got the grass cleaned up and picked up out of my pocket. I put the water fountain out there and Mr. Shugart agreed to help me and we’re trying to make it look better. Mayor Boyd said, “It’s temporary and if it needs to be moved, it can be moved tomorrow, and you can tear up the paradise and build a parking lot”. Councilwoman Baccus said, “I’m just asking you a question. Did the council vote to put it there or did you just decide to put it there”? Mayor Ward said, “Council has not given me permission to pay to have Wells Park cleaned up and paved and taken care of. The council has not given me permission to pay and maintain the island coming in from S. Main Street. The council did not give me permission to go down….I did get permission from the city manager to cut and clean the sidewalks all the way down. The council didn’t give me permission to cut and clean anything, but I just went down there and cut and clean”. Councilwoman Baccus said, “I was talking about Pearl Street. I wasn’t talking about that”. Mr. Payne said, “To answer her question. The council did not have to do that. I had it within my authority and that’s how we’ve gotten to this point”. Councilwoman Baccus said, “The last thing I want to ask you is, over on Edwards Avenue this citizen has been complaining about a water leak in front of his house for two months. Why hasn’t the city fixed this water leak? Mr. Payne asked, “What is the address of the property”? Councilwoman Reed said, “It’s right at the corner of Lee and Edwards Avenue”. Councilwoman Baccus said, “It’s 212 Edwards Avenue all the way to Arnold Street”. Mr. Payne said, “I’m not personally aware of this matter, but again, we can get an answer”. Councilwoman Baccus said, “He’s been calling the city complaining for two months about the water pooling in his yard because it’s messing up his front yard”. Councilman Gardner said, “I’m curious abut this contract with Subway. Who signed a contract with Subway for parking”? Councilwoman Baccus said, “Nobody said that”. Councilwoman Reed said, “There’s no contract”. Councilman Gardner said, “I’m sorry I thought one of you all said that”. Councilman Milling said, “I got the impression they were told if they got an overflow and they needed a little space they can go across the street”.

**Splash Pad – Lee Andrews, Parks & Recreation Director** Lee Andrews said we got the rendering back from Vortex for Hampton Street. There’s a 13’ x 20” mechanical building that has

to be built so that every pump and everything would go inside of. We are stretched to the max with room at Hampton Street right now as far as that splash pad is concerned. We need a 60' x 70" area for it. Lee said he is suggesting tonight is we move the splash pad from Hampton Street to Orange Street. There is already a building at Orange Street that we can make a mechanical building. We will have to remove a couple of pieces of equipment and a building, but we can sit the splash pad right there. He said we can enlarge the parking area to go around the tennis courts that are there and maybe look at redoing the tennis courts and also making them pickleball. Mr. Andrews said, "I'm coming to you tonight to get a vote on moving the splash pad from Hampton Street to Orange Street". Councilwoman Reed said, "When I saw the splash pad on the agenda I made a…..I have no problem about the splash pad being moved but I did also offer another spot as of course I would like to see….as I said from the beginning when we were talking abut splash pad, I would like to see one at the Terrance Carraway or at the pool area. Since that time, I had been in…Representative Robert Williams was in conversation with me and I want to bring that here with another proposal because his interest of course is trying to keep that pool open. Since we're having to move this large splash pad that's too large for Hampton Street why not move it to…close the pool, use the pool area that already has these buildings that has the sources that would supply this splash pad. She said I would like to see it; it's not going to be a problem wherever we decide for it, but I wanted to make it known as to what our Representative wanted. I'm voicing that. That's a proposal that he would like to see as well because along with that there are other things for that area because we want to be able to use it. In doing so, we have plans to try to close that thoroughfare, just the street, that comes in front of the pool….close that and make that an area where it is a lot like a park, but just simply recreation (green space). Councilwoman Reed said, "I support the splash pad anywhere in the city….I just would like….I'm kind of with Representative Robert Williams and I would like for us to consider that as well because I don't think that was ever a consideration". Mayor Boyd said, "Well, I'll voice my opinion. I think it needs to be put more in the central part of town. Orange Street / Hampton Street Park is more in the central of town instead of putting it on one side on the other side of town and the pool area is kind of in a closed off area and I don't if there's any room in the pool area but Orange Street we looked over there and there's plenty of room to put it there. It's right in the middle of town by the tennis courts and the central parking to bring people into the town". Councilman Gardner said, "I would agree with that. I would love for it to be in a central location". Councilwoman Reed said, "I want you all to know that's an interest and he was very significant in getting that splash pad". Mayor Boyd said, "And we appreciate it. I think it would be more hidden back there compared to being the middle of town". **Councilman Bryant Gardner made a motion to approve the moving of the splash pad to Orange Street. Councilman Howard Nettles seconded the motion. Councilpersons Milling, Baccus, Reed, Segars and Mayor Boyd approved the motion.**

**Executive session**

**Mayor Boyd said we have an executive session to receive legal advice dealing with matters covered by attorney client privilege, including a potential contractual matter. The council may act following the executive session.**

**Reminder**

Tuesday June 6, 2023 - Regular Meeting of Darlington City Council 6:00 P.M.

**Councilman Bryant Gardner made a motion to go into Executive Session at 6:49 PM. Councilman Howard Nettles seconded the motion. Councilpersons Reed, Baccus, Segars and Mayor Boyd all approved the motion.**

***5 Minute Break***

*While in executive Session there was an item to be discussed which was a conflict to Mayor Boyd, so he recused himself from all discussion and the meeting was turned over to Mayor Pro Tem John Segars. (Signed conflict of interest statement attached)*

**Councilman John Milling made a motion to end the executive session at 7:51 pm. Councilman Bryant Gardner seconded the motion. Councilpersons Nettles Baccus, Milling, Segars and Mayor Boyd voted in favor of ending the executive session.**

***Back In Session***

Mayor Pro Tem John Segars said while in executive session we received information on a couple of topics, but no decision has been made and there is no vote at this time.

**ADJOURNMENT**

**Upon motion of Councilwoman Elaine Reed, seconded by Councilman Bryant Gardner the council meeting adjourned at 7:54 P.M. Councilpersons Nettles, Baccus, Milling, Segars voted in favor of the adjournment.**

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Mayor

ATTEST:

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Clerk & Treasurer