CITY OF DARLINGTON
REGULAR CITY COUNCIL MEETING HELD IN THE COURTROOM/COUNCIL CHAMBERS LOCATED AT
400 PEARL STREET, DARLINGTON, SC
TUESDAY MAY 7, 2024 - AT 6:00 PM

Present: Mayor Boyd, Councilpersons McRavin, Baccus, Gardner, Milling, Segars and Reed. Also present were Hunter Thomas, William Jackson, Anna Dewitt, Dyan Cohen, Sheila Jones, Rosa Hudson, Jannie., Lathan, Rose, Pruitt, Scott Bryant, Melissa Altman, Maxi, Hunter, Kevin Etheridge, Lucas Reed, Steve Abbott, Pat Cavanagh, and other visitors.

Merry Morgan Smith is not present at the meeting.

1. **INVOCATION** Reverend Edwin Mills (Risen Assembly)

2. **PLEDGE OF ALLEGIANCE**

3. **Citizen Participation** (Citizens wishing to appear before council will be allotted 5 minutes per person with a maximum of 30 minutes for the session)
Personal attacks nor disruptive behavior will be permitted.

Councilwoman Angela McRavin said she wanted to thank all the citizens who attended our very first public forum on Saturday, April 27, 2024. She said this is the beginning of them being open and transparent to everyone. We are a small governing body, and we need you to let us know what you are concerned about and make certain that the work that we are doing is actually work that concerns you. Councilwoman McRavin said, “I appreciate everyone that came out and know that I heard you. We heard you. We acknowledge the fact; we acknowledge those feelings and those concerns that you have for your particular areas and know that the mayor and this council are going to be working toward all of those concerns and fixing those things. Some of them did not happen overnight; they were issues that have been ongoing for decades, so there is not necessarily a quick fix, but it is something that we will be dedicated to making certain that we work towards fixing. I just wanted to say I appreciate that, and if you see things that are needed in your community, or you are driving around and you see something that needs to be addressed, let us know. She said we can’t see everything. You are our eyes and ears, so give us a call. Councilwoman McRavin said, “You can go online to get our contact information. She said to call until you can reach one of them. She said to call and let us know what’s going on and don’t just assume that we know because maybe we don’t. McRavin said, “Once you bring it to our attention, it’s in our court. It’s our ball to play and make certain that we address it.” She said we are a governing body that works for you.

Albert Johnson said I have one problem before I get started. I have a drainage problem on my street, and they came and put some dirt down there. Does the drainage problem have anything to do with the sewer problem? He said, “I had a drainage problem across the street. The state came and put some dirt down there and they said I had a drainage problem. Mr. Johnson asked

if that drainage problem had anything to do with the sewer problem on Lee Street." Councilwoman Baccus said, "I guess the water department needs to go around there and take a look at it." Mr. Johnson asked, "Is the water and sewer two different things? Councilwoman Baccus said, they are two different things. Mr. Johnson said, "I just wanted to know if that drainage problem on First Street would have anything to do with my sewer problem on Lee Street"? Councilwoman Baccus said, "On Lee Street? No, First Street has nothing to do with Lee Street." Mr. Johnson said, "OK, I just wanted to know that." He said I'm here today to tell you what happened a couple of weeks ago. Mr. Johnson said the mayor told him to come to the office and I spoke with him, Sheila, and Charles. He said, "You know what they told me? That they weren't going to give me a dime, and if I came to speak today, they were not going to let me speak and if I tried to talk, they were going to escort me out. I want to know if that's a policy. Councilwoman Baccus made it clear that it wasn't her, but Sheila in Codes. Mr. Johnson said, "Sheila didn't say too much. It was Charles and the Mayor that did all of the talking." Mayor Boyd said, "Mr. Johnson, this is comment. Council this is comment." Mayor Boyd said, "Mr. Johnson as I told you the other day, if you want to come in and cause disturbance, yes, I will ask you to leave." Mr. Johnson asked, what disturbance did I cause? Councilman Milling said, "Mr. Johnson I think you were talking about some problem you had, and you had a power of attorney who gave you authority on behalf of a relative. Mr. Johnson said yes. Councilman Milling said I don't think that Power of Attorney gives you the authority you think it does. I would suggest that you talk with an attorney to see how much authority you have. Mayor Boyd said, "And that's what I told you to do, to contact an attorney. Mr. Johnson said I will get legal advice on that. Councilman Milling said, "I think that's the first thing you need to do before the city can recognize what it needs to do." Mr. Johnson said, "Ok, but you know I've been here before, and I haven't heard anything from the city. Councilman Milling said, I'm just trying to steer you where you might get some answers that the city is not in a position to give to you. Mr. Johnson said, OK, but I still want to know why the mayor called me in a meeting with him, Sheila and Charles and almost threaten me to say I will have you thrown out of the courtroom, you can't speak …. Mayor Boyd said, "Don't put those words out in the public that way sir. You're going to be dismissed ok, because you're not going to come up and lie in front of the public that way. You were asked to meet with us … Mr. Johnson you asked to meet with us, and I told you there is nothing the city can do. We discussed it and if you like to take it any further, take it to council …. to a lawyer." Mr. Johnson asked, "Were you supposed to tell me I can't come up here or you were going to not call my name and you were going to have me thrown out"? Councilman Milling said, "Mr. Johnson, "Obviously, you are here, and you are speaking so" …. Mr. Johnson said, "But He told me that." Councilman Milling said, "I'm sorry you and he had a disagreement." Mr. Johnson said, "You can't come there and we ain't going to give you a dime; like I need a dime." Mayor Boyd said, "Nobody said that. Thank you, Mr. Johnson." Ms. Lathan spoke up from the audience and said, "We've got freedom of speech in this country." Mr. Johnson said, "Yeah, but he told me I couldn't come to court, I couldn't come here; he wasn't going to call my name …. Mayor Boyd said, "Mr. Johnson we're not going to conduct ourselves this way. I don't have a lot of authority, but I do have authority in this room. If you want to talk out of place, you can walk out. If you don't want to walk out, the lady back there, or the chief will walk you out. I have thirty-six more times to be in this courtroom. Do not talk out of turn. We're on public voice and you make the City of Darlington look like an idiot. I am sick of it. You come up and talk. That

goes for the council also." Councilwoman Baccus said, "You make the city look like an idiot because you kept interrupting this man. Councilwoman Milling asked, "Can we have the next citizen that was interested in speaking." Councilwoman Baccus said, "If you're going to call somebody an idiot, start at home." Mayor Boyd said, "Mr. Johnson, one more time and you're out. Same with anybody else in the courtroom that wants to talk, you can be escorted, final warning. I don't want to hear anything else." Mr. Johnson laughed. Mayor Boyd said, "Mr. Davis would you please escort Mr. Johnson." Mr. Johnson asked, "What did I say"? Mayor Boyd said, "You just laughed, and I asked you to be quiet." Several people are speaking at the same time …. Ms. Lathan said, "I am leaving because this is the United States of America and I will not sit in a public meeting at the city where I pay taxes, (Mayor Boyd said, you can leave too, and he called for Chief Davis) Ms. Lathan went on to say we have freedom of speech. I will not be a part of this meeting and nobody else should be. Mayor Boyd said, "I'm not going to put up with it. If you're not going to act like an adult, please leave. Councilwoman Reed said, "Mayor I think your comments are enough from Council and Mayor." Councilwoman Baccus said, "He thinks he's a dictator."

Mr. William Jackson said, "Looking on the city's website on the proposed creation of a TN zoning which is traditional neighborhood zoning which really when you read into it, it is far from what I think of as a traditional neighborhood. It's pretty crafty, and non-disturbing language until you really look into the chart and what you can do, property setbacks, how close things can be. Mr. Jackson said if anybody there thinks he's against tiny homes, I am not. He said I am very much in favor of them when they are utilized right. He said one thing that really popped out in his mind is one instance on the setbacks which are side-by-side. He said if you look on the page with all of the information on there as far as the setbacks, front yard, backyard, etc. if you look under the TN, the minimum lot area is not applicable for residential or nonresidential or the width of the property. So, if you could put a 9-foot house on there your property can be 9 feet if you look at the side setback which is 5 feet you would think the property line 5 feet to the next house, however if you build this house out of proper materials there is zero setback. They can be A half an inch apart and then if you build a 14-foot house that's 14'x 30' that will give you 420 ft.² so every 14 feet you can have a house with a 10-foot front yard and a 15-foot backyard. Mr. Jackson said that's a little scary to me. He said his neighbor's house is one of the nicer homes in town as far as the historic district. It's a large house on a 1-acre lot. Lord forbids, if that house burns down under this premise, there's no guidelines on country club, historic neighborhood, Oakdale, Northside, Southside. There's no rhyme or reason on where these could be put and on my next-door neighbor's lot which is one acre, you could put twenty-four houses on that lot. Mr. Jackson said that does scare him tremendously, and I think this is probably one of the most dangerous ordinances there has been. He said he has been on the historic landmarks commission for 12 years. I have been on the board of zoning appeals for probably the last 10 to 12 years. Mr. Jackson said this one worries me tremendously, but I did find a work around. I know the properties that people want to build some houses on are the southwest and east side of town and most of those properties are zoned R-6 which is the minimum setback. He said the piece of paper which shows sixty-foot road width in front of the property, but asked hasn't it been changed to fifty feet. He said that would mean that lot would now …. there's a work around to get that lot from fifty feet down to thirty feet and the codes enforcement agent has the ability

to do that without having to go in front of anybody which speeds up somebody starting on a house, and it doesn't cost them the extra $200 to come in front of the Zoning Board of Appeals. He said his change that he found in the ordinance which he will read and strike: I said if you owned a piece of property when this went into effect, you could build a house on there, but once you died that permission died along with it. Mr. Jackson said if they could just reword that section and take the grandfather clause out and make it read: where the owner of a traditional residential lot of record that previously contained a dwelling but does not own sufficient land to enable him to conform to the dimensional requirements of this ordinance search a lot may nonetheless be used as a building site and the building official has the authority to issue a permit for the use of the property provided that all applicable setback requirements are not reduced below a minimum of 40% abuse charge.

Ms. Rose Pruitt said she's here to talk about the traditional neighborhood because she also read the proposed ordinance. She said she really would like to impress upon the Council and Mayor is the citizens would appreciate knowing what these ordinances are. They are difficult to come by. It's not a transparent process, and if you are going to read an ordinance, get up and read it. Tell us what it really says. Ms. Pruitt said, I see that you are going to amend the program about vacant buildings. She said that was something …. It was difficult even when I asked to get a copy of that. She said it's poorly worded and as a state regulator I enforce regulations every day and these are not very well thought out. She said hopefully the vacant building will be brought into a little bit more coherent language tonight so that everybody will know whether it's a vacant building. Ms. Pruitt said, as far as the traditional neighborhood, I am not very happy with it the way it is because right now it looks to me like if you put in this extra the TN designation, that you're saying that anybody can infill any property in any other zoning district just because you're trying to fill in some lots and that's going to cause chaos. she said she's chairman of the historic landmarks commission and they talked about it last night and it's so very vague that right now I don't know what your intention is. But your intention to me as a citizen looks like you're just going to infill any property. She said besides the fire and safety issues, I don't want to wake up with someone building a multi-family apartment on the lot next door to me. That is going to destroy our historic neighborhood. It's going to destroy anybody's neighborhood. She said I am also on the board of zoning appeals, and there have been two properties that have come before them and asked for variances on those setback lines. one they approved and one they did not. They have very different circumstances and I'm not sure that that's not OK. There are a lot of things in that renaissance plan that sounds OK, but it does not cater to us. She said we all want to see Darlington move forward and be successful, but we need to do that very carefully and very thoughtfully. these ordinances that are not well thought out, not very well put down on paper …. There needs to be better oversight and visibility for the citizens to figure out what you guys are doing. An ordinance that never gets read aloud or made available to the public is not transparent. Don Blakney said he's here to present his concerns of 129 Bacote Street and Magnolia Street. There are trees that are coming out of the ground onto the pavement of the road. He said in front of my house two cars can't pass one another on Bacote Street. If you go further up before Magnolia Street there are pine trees where the roots grow out of the ground into the road. Mr. Blakney said something needs to be done. He asked the Council if they would take a look at it and see if something could be done. Mr. Blakney said

there was almost a bad accident in front of his house yesterday because the tree roots are coming into the road and one car has to stop before the other can come by. He said two cars can't pass each other on the road because of the roots growing out into the street.

Maxie Hunter signed up to speak but had already left the meeting.

4. **For Council Action:**

a. **APPROVAL OF MINUTES APRIL 9, 2024 & APRIL 16, 2024,**
Councilman Bryant Gardner made a motion to approve the *April 9, 2024,* minutes which was seconded by Councilwoman Elaine Reed. Councilpersons Milling, McRavin, Baccus, Segars and Mayor Boyd voted in favor of the motion.

Councilwoman Elaine Reed made a motion to approve the minutes of the Special Council Meeting on April 16, 2024. Councilman Bryant Gardner seconded the motion. Councilman Segars said on page 7 to make correction from Mayor Pro Tem Milling to Mayor Pro Tem Segars. Councilman Gardner made a motion to approve the April 16, 2024, Special Council Meeting minutes as amended. Councilwoman Elaine Reed seconded the motion. Councilpersons Milling, McRavin, Baccus, Segars and Mayor Boyd voted in favor of the motion.

b. **First Reading of Ordinances:**
i**. Ordinance 2024-04: An Ordinance Creating a Traditional Neighborhood District (TN) as a Primary Zoning District in the City's Zoning Ordinance.** Mayor Boyd said we'll go through this tonight, but when it's presented as a first reading it doesn't mean that council approves or agrees on it. He said all of these ordinances a lot of times are hard to read. We want to make sure everyone understands what is being asked. Councilwoman Reed said, "In view of our citizens' comments I truly think that we shouldn't do anything. They should go back to the drawing board." She said it came to her attention that our department head for the codes department that is over This was not involved with this with the drafting and I think that needs to be cleared up and let's do it properly. Councilwoman Reed said, "I just don't think we need to do anything at all. Let's go back to the drawing board and get the proper people involved so that we can get something that is favorable to the council as well as our citizens." Councilwoman Baccus asked, "So you want to table it"? Councilwoman Reed said, "Yes." Councilwoman Baccus said, "So I'll second the motion." **Councilwoman Reed said, "I make a motion that we table ordinance 2020-04". Councilwoman Baccus seconded the motion.** Councilman Milling said, "Just in the way of discussion, I'd like to table it as well." He said some concerns I had were some that Ms. Pruitt had about the awkwardness of the wording. Councilman Milling said Ms. McRavin and I were talking, and the ordinance may need some minimum lot sizes because if you've got five-foot side by side if somebody plants a bush there and something catches on fire, it would be hard for Chief to get fire hoses in between the houses to fight the fire on the backside. He said, I don't approve of …. I want something in here that protects existing landowners such as Mr. Jackson, so that if it qualifies now, it can't be further subdivided so that it would become a nonconforming size lot. Councilman Milling said, we've got a plat that we've

seen previously, and I don't know whether we cannot identify the traditional neighborhood by way of a plat and just designate that this is what's going to be a traditional neighborhood and other neighborhoods would not be affected by it. Mayor Boyd said, my understanding was that it was not really a traditional neighborhood but that it can be sporadic throughout town. Mayor Boyd said, most or all of us have a lot of questions and concerns about it. Councilman Milling said, "I think the original purpose of it was to make those properties that were non-viable, viable, but not change the nature of existing neighborhoods." Mayor Boyd said, "I agree with the rest of the council that it should be tabled and discussed more." **Councilpersons Milling, McRavin, Gardner, Segars and Mayor Boyd voted in favor of tabling this item.** Councilwoman Baccus said somebody made a comment about the work session on the 14th. She asked wasn't that work session scheduled just to do a second reading of this. She said I don't see the point of the work session on the 14th since it was only about quick pushing this ordinance.

ii. **Ordinance 2024-05**: **An Ordinance Amending, Chapter 18 of the Darlington Code of Ordinances by Adding Article XII Establishing a Program for the Identification and Regulation of Vacant Buildings within the City**

Mayor Boyd read the amendment to ordinance 2024-05. He went over the three vacant building categorical classification standards and the fee structure for the ordinance. Councilwoman McRavin said, "In order to gain clarity I would like our codes officer to address my concerns." She asked Ms. Jones if she was involved in the structure of this ordinance and Ms. Jones said, yes, the amended version. Councilman McRavin said on page 3 item 4 under "demolition" is this date going to be counted from when a person originally filed their vacant building. Ms. Jones said it depends where they are in the process. If the property has already been condemned, while it's vacant it's already condemned so it's already in the process so it's not going to start being amended. As an amendment we are not starting the process over. She said if it's already been condemned, it's already on the demolition list, it's already being scheduled …. if it's anywhere in that … condemnation letter has been sent then we are not starting over with that. Councilwoman McRavin asked, "The people who actually filed and their building was vacant in 2021 and they presented a plan, but they still have not fixed these buildings, especially the commercial buildings, what is this going to do for that? Ms. Jones said this is the first reading so if we want to add language in there, respective to people that have already been noticed, we can add some clause in the ordinance to speak about it." Councilwoman McRavin asked about the inspection fees. Ms. Jones said, "The inspection fee is required, because that is how we categorize them." She said everybody is going to have to pay $50 every year for an inspection so that they can be categorized. Ms. Jones said, "Because if I go with the first year and they are doing everything right and then the second year I go, and they haven't done anything …. Councilwoman McRavin said, "It says at the bottom of the page if the property is abandoned or the owner or responsible party fails to complete the registration process, the property will be administratively registered as a vacant property." She asked, are they going to be fined and if so what means …. Ms. Sheila Jones said, "Not the first year. Ms. Jones said if you look at the penalties, they will be administratively put on the registration list. Whatever year that they are in they will be sent an invoice to pay their registration fee and if they don't pay it, then it goes on their taxes." Councilwoman McRavin asked about the $50 inspection fee. Ms. Jones said I can't charge an inspection fee if I haven't completed an inspection. Councilwoman McRavin asked, "If

they failed to register the property, in order for you to know that it's vacant, you will have to at least go to the building. Ms. Jones said I can go to the building, and I can look at the utilities and find out whether or not utilities are on. She said you can tell whether the property is vacant and then we send registered letters to the property owners. Councilwoman McRavin asked, "Will you send them that registered letter or are you going to say you owe me a $50 inspection fee. Ms. Jones said, "The first time this rolled out, I created pamphlets, explaining what we were doing; this is what you are responsible for. She said a letter went with it, a pamphlet went with it, and it was mailed out so everyone who we believed had vacant property would know what the vacant property registration program was and what their responsibilities as an owner. Ms. Jones said the fee schedule was included along with the letter and pamphlet. She said once this gets worked through and approved then I'm going to change all the pamphlets and we will start it over. Councilman Gardner said, "If there's a law change in this you can't retroactively …. so, I don't see how we can retroactively fine someone or associate …. Councilwoman McRavin said, "What I was asking is when we are putting these in and you're saying here 1,2, and 3, there are some people on that list who actually … especially people who own commercial property who said back in 2021 my building is vacant, they submitted a plan, and said they are fixing it, but the building is still vacant and it hasn't been fixed. They haven't been fined for their noncompliance, so what I am inquiring is, are they going to get to start over? Are we going to give them another extension on that"? Ms. Jones said, "In fairness, I think it to be equitable in it, because there was so much controversy with the vacant property registration that we couldn't enforce it the way that it was written. It wouldn't be fair to go back and say now since we didn't have our stuff together, now we're going to go back and charge you since it's been vacant for three years, so we would have to start over. Councilwoman McRavin asked, "For clarity, vacant buildings are not going to be required to have utilities"? Ms. Jones said they are not required to have utilities. Councilwoman Baccus said, "So this Article XII that you are asking us to …. the Exclusions, if I'm reading this right (correct me if I'm wrong), what it's saying is that the city is going to be exempt; the city's properties will be exempt from this vacant ordinance, so if we don't fix the city's properties, it's ok"? Ms. Jones said that was part of the ordinance that I was not a part of. Mayor Boyd said that was something different. Ms. Jones said, "I changed that because that wasn't something that was …. I asked council to come to me about their concerns for the ordinance … what they felt as though needed to be changed. I have only changed the stuff that was talked about. So, no ma'am, as it's written the city does not have to pay a fine or fee for having vacant properties. Councilwoman Baccus said, "So I'm going to tell the citizens if you have a property that's not up to par, we are going to fine you, but the city is exempt." Councilwoman Baccus said, "We've got property, and we should be held accountable to keep our property up just like the citizens are accountable to keep their property up. Ms. Jones said, "I don't know all of the property that the city owns off the top of my head, but I believe that most, if not all of the properties that the city owns in this jurisdiction are held to category one. Councilman Milling said, "That section X11 is a part of Ordinance 2024–05. Ms. Jones said Section 12-5 is not a part of this specific ordinance. Councilman Milling said, "A vacant building means any structure built for occupancy of residential, commercial, or industrial uses that is unoccupied. Councilman Milling asked, "Have we ever had or do we need to have "unoccupied for a period of 30 days". Ms. Jones said we can add that language in there. There was discussion about the time period for registration …. Ms. Jones said, "Why don't we just do it for

45 days because we're changing ownership. She said it used to say a new owner had 15 days to register their vacant property and I think that's a little quick, so we changed it to 45 days. That would give rental property owners time to get it turned and made ready to rent again. So, I think 45 days would be plenty of time and if they need over 45 days they need to register for it. Mayor Boyd said, "The ultimate goal behind this is really category two and category three. He said category one is really just an aggravation of your time to a certain point. Mayor Boyd said, "If a person has a house for rent and somebody's in and out …. they'll always be in and out … that's just more paperwork. If the house still looks good, and you ride by and there are no code violations, they don't have to pay a fee. They really shouldn't even have to bother to register for it, in my opinion. Ms. Jones said, "In part I agree with that, but at the same time our category threes were once category ones. Ms. Jones said, "But that's up to the council. If the council doesn't want to do it …. That's what we're here for, first reading. What changes would you like to make? Mayor Boyd said, "My opinion is if it's a category one I wouldn't even bother them. Ms. Jones said, "The problem with that mayor is that in order to categorize it, I have to inspect it; and in order for me to inspect it, they have to register it and pay the inspection fee." Councilwoman Baccus asked, "How is this going to be handled with companies or individuals who buy property from out of town? How are they going to know they need to register? Ms. Jones said, "Right now as of last year, I started a new policy within the department where Nita, goes on Q-Public every month and pulls all of the properties that have sold in our jurisdiction and sends them a "Welcome to the Neighborhood" letter which lists things that are important, names of Councilmembers and important phone numbers.

Consideration of Re-advertising the Sale of Property on Highway 151 Council discussed the one bid that was received to purchase three acres for $4,500. Councilwoman McRavin said, "I think we will probably need to address that at some point. She said I can understand him wanting that part that is right next to his venue so he can expand. Councilwoman McRavin said we probably need to take care of that and address it before we sell it to some large corporation. She said I don't think a large corporation would care about three acres. Mayor Boyd said the part that he is asking for juts out to the side so it wouldn't hurt the integrity of the property if the council is interested in doing that. Mayor Boyd said we can send this out to everybody, and the Council can discuss this on the 21st. Mayor Boyd asked the council if they were fine with putting this back out for bid. **Councilwoman McRavin made a motion to re-advertise the property for sale on Highway 151. Councilwoman Reed seconded the motion**. Councilman Milling said, "I'm in favor, but I think we need to consider where we're going to advertise it. Will we limit it to the local area or whether we want to advertise in Columbia Charleston, Charlotte …just in case there might be some builders or somebody who is interested in creating a residential subdivision. The property is right across from the school and if we could get it annexed it would be beneficial to the city. I am in favor of re-advertising, but I think we need to expand the area in which we are advertising." **Councilpersons Milling, Baccus, Gardner, Segars and Mayor Boyd voted in favor of re-advertising the property on Highway 151.**

Consideration of Advertising Exchange Street Properties for Sale Mayor Boyd said I've had someone ask about it. He asked the council if they are interested in putting those properties up for sale also. Mayor Boyd said, "I think it would make a good parking lot. He said the man doing

the master plan said it would be usable. We've got people saying that they would like to remodel it. Mayor Boyd said, "We don't need to sit on it and not do anything with it, we need to tear it down and make it a parking lot, rebuild it ourselves or sell it. Councilman Milling said, "I would think if somebody has got a proposal, they can bring it to council, and we can consider what proposal they may have as a part of … I don't know that I want to sell it willy-nilly, but if somebody comes and they want to re-develop it and turn it into a useful piece of property and we enhance our tax values, sure. Mayor Boyd asked, "Mr. Milling can we legally sell it that way if one person comes up or do we have to put it out for bid? And if we put it up for bid do, we just ask for proposals and what they want to do with it"? Councilman Gardner said, "I'm fine with putting it out for bid. If we've got one person that's interested, I would want to put it out for bid and open it up to the public. I said I don't want it to be advertised for 30 days and get one bid and that's the one we're going to go with. I want to keep it open until we find something that we are comfortable with. Councilwoman McRavin asked, "Is there a reason why we don't get a real estate agent to sell the property for us? Councilwoman Reed said, "If I remember our discussion, the reason that we even purchased the property was to be a part of the plan of developing downtown and now just to put it back out there to get money. Maybe Boyd said, "No ma'am, we don't want to sell it just to get money. If you listened to what Ms. Baccus said earlier, we don't want to have property just sitting there empty and we're not doing anything with it. We sent it to the Masterplan and the Masterplan people suggested that we renovate it or sell it. The city has options; sit on it and do what we're asking everybody else not to do - like the city has sat on the Carnegie Library for 37 years. We need to do something with that building and we need to do something with this building. What I'm asking the council is what would you like to do with it? Mayor Boyd asked, "Would you like to fix it up? Would you like to sell it? Would you like to tear it down and make a parking lot"? Mayor Boyd said, "My suggestion was a parking lot, but they say it's worth fixing. He said, "We have people that are interested." Councilman Milling said, "I'd say put it up for bids reserving the right to reject any and all bids." Mayor Boyd said, "Mr. Milling, to answer Ms. McRavin's question, are we not allowed as the city to hire an agency to put a "For Sale" sign out there and have a real estate agent try to sell it for the city or do we have to put it out for bid"? Councilman Milling said, "I think the city can accept bids on properties, but in order to sell property the city has to do it by ordinance. So, we can hire agents to try to market the property for us. We can put things out for bid, but whenever we decide to do something, we have to do it by ordinance." Mayor Boyd said once we put it out for bid, we don't have to accept the bid. **Councilman Bryant Gardner made a motion to put the Exchange Street properties out for bid and come back in 30 days and see if we received any.** Councilman Gardner said he didn't like the 30-day mark. Mayor Boyd said you don't have to put a date on it. You can still look at it in 30 days. Councilman Gardner said if we open the bid then that number is public, the next person can come in and low bid them. **Councilman Gardner said he would like to amend his motion to put the Exchange Street properties up for bid at a 90-day mark. Councilwoman McRavin seconded the motion. Councilpersons Milling, Baccus, Reed, Segars and Mayor Boyd voted in favor of the motion.**

There was discussion as to whether a vote was needed to table the vacant building ordinance. Councilman Gardner said there's no reason to table it. We can take it as information. The council agreed to receive as information.

Consideration of Directing Legal to Draft an Amendment to Article XII Legal Status, Provisions, Section 12–5

Mayor Boyd said the purpose of that …. Merry Morgan gave us this part here. It is in discussion of the sign ordinance. Instead of doing a variance, which was what we suggested to start with, they're saying it's better to create an ordinance allowing the city to do the sign. He said the county voted yesterday to assist us with the digital sign so we're in the process of trying to make sure everything is fine by adopting this ordinance which is Section 12-5. Councilwoman McRavin asked, "Is this just for the sign ordinance or is this also for things like vacant property and any other ordinance that we come up with? She said that's how I'm reading it." Councilman Milling said, "I've got that same concern because the ordinance is called Darlington Zoning Ordinance, and if it makes a reference to this ordinance, then it would be making reference to the entire zoning ordinance. He said if we're just trying to get digital signage maybe we need to take the section of the zoning ordinance that relates to digital signage and make amendments to that". Mayor Boyd said, "I don't see where it says anything about the zoning." Councilman Milling said, "The ordinance itself, Article XII Legal Status Provisions is a part of the Darlington Zoning Ordinance, so it makes reference to this ordinance. The ordinance that it is talking about, unless it is clarified somewhere different, is the entire zoning ordinance." Councilwoman Baccus said, "I don't agree with …council shouldn't have privileges … the city shouldn't have privileges that the citizens don't have when the citizens pay the taxes and pay the bills." Councilwoman Reed asked, "Why do we have to address it? When did it come up"? Councilman Milling said, "I think it was addressed when we were trying to make changes so that we could get things worked out with the county to redo the sign on the Square and our current zoning ordinance doesn't allow for digital signage." Mayor Boyd asked Ms. Jones if he could get her to speak. Councilwoman McRavin said, "She said she is unaware of this." Mayor Boyd said, "Let me clarify. We went to Ms. Jones and asked for a variance …Ms. Jones said, you guys asked to put a sign in core commercial and I told you …. Mayor Boyd started talking before Ms. Jones finished speaking …. Mayor Boyd said Ms. Morgan is trying to say that instead of doing a variance, which is not the correct way to do it and that we should create this ordinance." Councilwoman Baccus asked Ms. Jones if she wrote the ordinance and she said, no ma'am. Councilwoman Baccus said, "My problem is all of these ordinances are coming to us and they don't include codes enforcement. Why is she not included in all of these ordinances? Councilwoman Baccus said Merry Morgan has nothing to do with codes enforcement, that's not her job." Mayor Boyd asked Ms. Jones, "Are we allowed to do a variance according to your understanding"? Ms. Jones said, "From my understanding you are allowed to do a variance. She said our zoning ordinance says that the building official makes the decision. If a citizen or anybody wants to do something that goes against what our zoning ordinance is and I tell them "No," then their recourse by the ordinance is to go in front of the BZA so that they can hear what their position is and what my position is. The BZA has their form that they go through and make a decision whether or not they're going to give a variance or add stipulations. Whatever decision that the BZA makes is the decision that we go on." Councilman Milling said, "My understanding from her discussion is that the better way to handle this was through an ordinance, rather than making a determination and putting William and others in a spot as to whether or not all the proper considerations had been made on a variance issue to create an ordinance. I think an

attorney out of Columbia, Mr. Scott, worked with her on this, but I still have some questions about the wording, even though I understand where she was coming from". Ms. Jones said, "There are times when something comes through the BZA that an ordinance would be better which is why we changed R-6 from sixty feet to fifty feet because we found that we had an enormous amount of lots that were fifty feet. She said we did go through the proper channels to change that ordinance to fifty feet, and it wasn't until after that that we found 10 or 15 properties that were less than 50 feet. Some of the properties were thirty-seven feet or thirty-eight feet, so yes there are times when it's not fair to the citizens when we have fifty properties that are 50'. You can look at the map of the city and it's obvious that it was developed that way. Ms. Jones said it's the same rectangles down five streets. She said when we found that, that's when we looked at it and said we needed to make a change to our ordinance so that it's fair because it is $300 every time a citizen comes in front of the BZA and it wouldn't be fair to ask 50, 60, or 70 citizens to pay $300 for something that was intentionally developed that way. Councilwoman Baccus said, "And I have no problem with the ordinance being changed. My problem is, I think when they meet and discuss doing this, the codes enforcement office should be included in the conversations so whenever we change and agree to do or agree not to do something, Sheila would be involved in the conversation. Councilwoman Baccus said, I don't think we should be passing this until we get a better understanding."

Councilman Milling excused himself at 7:24 PM because of a family issue.

For Council Information

Department Reports (Updates)

Fire Department - Chief Cavanaugh said he's on budget with his department line items. He said he still has one open spot in the fire department and other than that they are preparing for the race week.

Police Department- Chief Jimmy Davis said he is still short of five officers. He said he has one potential new hire that he will meet with and offer them a position this week. Chief Davis said there are no new trends in crime. He said someone is going from neighborhood to neighborhood pulling door handles in Darlington, Darlington County and Florence, so lock your car doors. Councilwoman McRavin asked Chief Davis if he has been able to recoup any of the funds for the officers that left. Chief Davis said he had requested those funds, but he does not know if we have received them. Chief Davis said there are no increases for the police dogs. He said the guys worked hard on applying for a grant and received 100% of the grant which was $7,500 and donations for the remainder of the funds have come in. He said the concrete foundation for the kennel has been poured and they will be getting a fence put up around the pad for the new officer.

Codes Department - Sheila Jones said the first advertisement is going to go out for a new demolition company tomorrow in the News & Press so they can get three houses down before this fiscal year is over. They will accept bids until May 22nd and then they will have the bid opening. The first house is scheduled to come down the first week of June and then each week for three weeks and that will use up most of the $17,000 that's left. It will leave about $3,000 for

overgrown properties. She says she had already sent out twenty-one when the update went out. I've sent out seven more since then for overgrown properties. She said the owners have been responsive after we put the $500 sticker on there that says the next one will be a $500 fine for being a habitual offender. The undisclosed coffee shop had their first delivery for erosion control, so they are going to be breaking ground in the next couple of weeks.

Street and Sanitation - Lucas Reed said he assumed the role over the street, sanitation, and garage departments on April 15th so he really can't give a full update for the entire month. Lucas said for the half month he's been there they have made great strides in better communication between inter departments and they are also working on getting a better set schedule for the grass crews such as set locations and set times. He said that will deviate due to certain events that may come up. He said he has a schedule, but he didn't have time to make copies for council, but he can get them a copy after the meeting. Lucas said the first thing he told the guys was they would be working as a team. There will be no more individual working. They all will do everything together. Lucas said employee morale has boosted drastically and the performance of the workers has increased. Lucas said they are doing budget workshops 2 to 3 times a week so they can get their budget squared away and produced to you all and hopefully get approved. Lucas told the council anytime they have questions feel free to reach out to him.

Municipal Court - Melissa Altman, Clerk of Court, said she's never presented before, but she thinks her budget is going to be close to the same as it was last year.

Mayor Boyd said the courthouse is nearing completion, but they don't have an opening date yet.

Notice of Museum Grand Opening on May 18, 2024
The Darlington County Museum will have its grand opening on Saturday, May 18, 2024, at 10:00 AM.

The council asked about the applications for city manager. I told them the deadline for résumé submission is May 22nd. Mayor Boyd asked how many resumes we have gotten so far? I told him about fifteen. Councilwoman McRavin asked if we will also be getting something from the Municipal Association or do they send us … or will you just end up sending the fifteen or whatever you all get. I told her whatever the council tells me to do. If they tell me to do it the way we did it before, I will send the file to MASC and ask them to send back however many you all want. Mayor Boyd said, "Once the deadline comes, which is May 22nd, then at that point if council agrees she can send it to the Municipal Association and have them send us back the top 2,4,5,8,10 whatever number you want. Councilman Gardner said, "That's fine, but I want to keep the advertisements open. He said, "I don't want to take them off until we finalize all we are going to choose." Mayor Boyd said, "She is saying she has fifteen resumes right now. Do you want to give her a number for the Municipal Association to send back? Or just tell MASC to weed out the ones that they think are not qualified"? Councilman Gardner said, "I think just leave it to the Municipal Association." Mayor Boyd said, "Tell them just weed out the ones that do not qualify."

Councilman Gardner said, “I would like for the council to consider getting new microphones.”

REMINDERS:
Tuesday, May 21, 2024, Council Budget Workshop
Tuesday June 4, 2024, Regular Meeting of Darlington City Council 6:00 PM

Mayor Boyd said to remember the City of Bennettsville in your prayers because they are going through a lot. They just had a dam to break which caused a lot of flooding.

ADJOURNMENT
Councilman Bryant Gardner made a motion to adjourn the meeting at 7:40 PM. Councilwoman, Elaine Reed seconded the motion. Councilpersons McRavin, Baccus, Segars, and Mayor Boyd voted in favor of the motion.

_____
Mayor

ATTEST:

_____
Clerk & Treasurer