

**CITY OF HARTSVILLE, SOUTH CAROLINA  
PUBLIC HEARING AND REGULAR COUNCIL MEETING MINUTES  
OCTOBER 12, 2010**

**Present:** Mayor Pennington IV  
Mayor Pro-Tem Andrews  
Councilmember Braddock  
Councilmember Graham  
Councilmember James  
Councilmember Shirley  
Councilmember Wilson  
City Attorney Driggers

**Staff:** City Manager (Interim) Myers  
City Clerk/Admin Services Director Skipper  
Deputy Clerk DuBose  
Finance Director Douglas  
Fire Chief Burr  
Parks & Leisure Services Director Gardner  
Police Chief Kemp  
Public Service Director Clemons

**Press**

**PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON OCTOBER 11, 2010 AND DULY POSTED IN CITY HALL. PURSUANT TO CITY CODE SECTION 2-36 AND 2-47 UPON MOTION(S) MADE TO WAIVE THE READING OF ORDINANCES AND RESOLUTIONS IN THEIR ENTIRETY; THEY ARE READ BY TITLE ONLY. APPROVED ORDINANCES AND RESOLUTIONS ARE FILED WITH ORIGINAL MINUTES AND NOT REPRINTED HEREIN.**

Mayor Pennington called the meeting to order and asked Councilmember Braddock lead in the invocation and pledge to our flag.

**MOTION BY WILSON TO WAIVE READING OF AND APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF SEPTEMBER 14, 2010; SECOND: ANDREWS; CARRIED: ALL AYES.**

**PRESENTATIONS**

Fire Chief Burr introduced newly hired firefighters Oliver Segars and Ricky Nettles and Chaplin Tim McKnight. In September, firefighters Wesley Young and James Veney were promoted to Engineers.

The Mayor presented proclamations declaring Red Ribbon Week to promote awareness of drug and alcohol abuse, Domestic Violence Awareness Month, and Disability Employment Awareness Month. A Breast Cancer Awareness Month proclamation was signed; groups in Hartsville held a Relay for Life event, Pink Ladies Sip 'n' Shop, and a wear pink day to raise awareness of breast cancer.

Al James, President of Hartsville Toastmasters, accepted the Toastmasters Month proclamation. Toastmasters is dedicated to helping members improve their public speaking skills; they meet the second and fourth Mondays of each month. On October 25, 2010, they will have an open house at Black Creek Arts Council; everyone invited to attend.

Mayor Pennington presented the proclamation and thanked Mr. James and other Toastmaster members for attending.

Evelyn Patterson, Darlington County Head Start Director, and Francesca Jackson, Darlington County Head Start, accepted a Head Start Awareness proclamation.

Mayor Pennington presented the proclamation; when he attended the balloon release he was impressed by kids and awed at the work that these ladies do.

Dr. Mac Chapman, Museum Commission Chair, gave an annual update to Council. Commissioners are very excited about the recent completion of renovations of the old Quality Hardware and Messenger buildings. In January, there will be a public grand opening. This completes a great project; the Commission is looking forward to beginning work on phase two.

Mayor Pennington thanked the Commissioners for their work and for a wonderful addition to downtown. The building looks good and it is nice to see the preservation of the old hardware store.

**MANAGEMENT UPDATE**

City Manager Search Update – the first candidate interview with Council went well. Two more interviews are scheduled and Council will be working through the rest of the candidates.

Director Clemons presented the 24<sup>th</sup> consecutive Tree City USA award to Mayor and Council.

City Staff, HDDA, Parking and Beautification members and Phil Eubanks, arborist consultant met recently. HDDA has agreed to fund a report from the arborist on the downtown trees. City Manager Myers thanked HDDA and the Parking and Beautification Commission for their funding and support.

The grand opening ribbon cutting at Rod's café is tomorrow at noon. Councilmember Braddock handled the Frogmore's ribbon cutting on Saturday and did great job.

City Manager Myers informed Council of numerous phone calls asking when Hartsville will allow trick-or-treaters for Halloween because Halloween falls on a Sunday this year.

Mayor Pro Tem Andrews stated Halloween is Halloween, celebrated on October 31. If we change it, there will be more than one day of trick-or-treating. Most churches do their own celebrations on Friday or Saturday. He recommends leave it as is.

City Manager Myers reminded everyone that Christmas is coming up quickly. The Christmas parade and Music in Burry Park will be on Saturday, December 4. He asked if there would be a Christmas tree in Burry Park this year courtesy of the Mayor.

Mayor Pennington weighed the option of waiting until the last minute to make a decision as he did last year but has heard there are a few people out there offering large trees.

City Manager Myers will have staff look into options.

Mayor Pennington asked The Messenger to put out word the City is looking for a Christmas tree donation.

City Manger Myers received a letter stating the requested funding for the City's \$1.59 million water meter system was determined to be an eligible project.

Mayor Pennington noted that the first City Manager candidate was impressed with the City's relationship with HDDA.

#### **CONSENT AGENDA – Received as Information Only**

Monthly Financial Statements

Committee Minutes/Reports

Hospitality and Accommodations Tax Reports

Development Report

Monthly Airport Report

Quarterly HDDA Report

#### **UNFINISHED BUSINESS**

**PUBLIC HEARING AND FINAL READING ORDINANCE 4022: AN ORDINANCE TO AMEND THE CITY OF HARTSVILLE OFFICIAL ZONING MAP BY AMENDING THE ZONING OF TEN PROPERTIES; THREE PROPERTIES WITH FRONTAGE ON RAILROAD AVENUE BETWEEN CHINABERRY STREET AND COKER AVENUE (TAX MAP NUMBERS 056-07-01-039, 056-07-01-040, AND 056-07-01-042 FROM INDUSTRIAL (M-1) TO CENTRAL BUSINESS (B-1), TWO PROPERTIES WITH FRONTAGE ON RESERVOIR STREET (TAX MAP #'S 056-07-01-081 AND 056-07-01-038) FROM INDUSTRIAL (M-1) TO PROFESSIONAL (P-1), FOUR PROPERTIES WITH FRONTAGE ON SOUTH FIFTH STREET BETWEEN LAURENS AVENUE AND DAVIS STREET (TAX MAP #'S 056-10-02-025, 056-10-02-023, 056-10-02-022 AND 056-10-02-021) FROM INDUSTRIAL (M-1) TO CENTRAL BUSINESS (B-1) AND ONE PROPERTY WITH FRONTAGE ON SOUTH FOURTH STREET BETWEEN LAURENS AVENUE AND DAVIS STREET (TAX MAP #056-10-02-020) FROM INDUSTRIAL (M-1) TO CENTRAL BUSINESS (B-1) - APPROVED.**

Reading by Title and Presentation – City Manager: this is final reading on a proposed rezoning as recommended by the Planning Commission.

Open/Close Public Hearing (State Name and Address for Record) – Mayor – No public input.

Approval of Final Reading and Waiving of Complete Reading: Motion: Andrews; Second: Graham; Carried: All ayes.

**PUBLIC HEARING AND FINAL READING ORDINANCE 4023: AN ORDINANCE TO APPROVE A ONE YEAR LEASE RENEWAL OF THE OLD RAIL PASSENGER STATION TO THE OLD DARLINGTON DISTRICT CHAPTER OF THE SOUTH CAROLINA GENEALOGICAL SOCIETY – APPROVED.**

Reading by Title and Presentation – City Manager: the Genealogical Society has been using the rail passenger station for a number of years, this action approves a one-year lease renewal. He recommends approval of the renewal.

Open/Close Public Hearing (State Name and Address for Record) – Mayor – No public input.

Approval of Final Reading and Waiving of Complete Reading: Motion: Graham; Second: James; Carried: All ayes with the exception of Mayor Pro Tem Andrews who recused himself from discussions and voting due to a potential conflict of interest due to membership with the Genealogical Society.

**NEW BUSINESS**

**FIRST READING OF ORDINANCE 4024: AN ORDINANCE TO ANNEX AN APPROXIMATELY 0.17(+/-) ACRE PARCEL OF LAND, TAX MAP NUMBER 057-06-03-070, LOCATED AT 1308 ROBINSON STREET AND THE ADJOINING PUBLIC ROAD RIGHT-OF-WAY INTO THE CITY LIMITS OF HARTSVILLE – APPROVED.**

Reading by Title and Presentation – City Manager: this annexation is part of our program with Habitat for Humanity; he recommends approval.

Approval of First Reading and Waiving of Complete Reading: Motion: Andrews; Second: Wilson; Carried: All ayes.

**RES 63-10: TO EXTEND THE PLANNING COMMISSION'S REVIEW PERIOD OF THE CITY CODE SECTION ON ADULT BUSINESSES – APPROVED.**

Planning Commission Chair Boiteau: City Attorney Driggers discovered portions of the proposed ordinance were unconstitutional. The Commission requests an extension in order to remove unconstitutional language used from another municipality and ensure ordinance is in compliance.

Motion: Andrews; Second: Graham; Carried: All ayes.

**RES 64-10: APPROVAL TO NAME THE NEW STREETS IN THE HARTSVILLE GARDEN APARTMENTS – APPROVED.**

City Manager: the Planning Commission with input from the developers and approval from Darlington County E-911 recommend naming the lane going into the complex Tailwind Lane and the inside loop as Breakwater Circle. Both names approved by E-911. It is Council's role to approve street names.

Motion: Andrews; Second: Braddock; Carried: All ayes.

**RES 65-10: APPROVAL OF DECISION ON THE NOVEMBER 2, 2010 WORKSESSION DUE TO ELECTION DAY – APPROVED.**

City Manager: on Election Day, City offices will close. Does Council wish to keep the meeting on Tuesday, move it to Monday November 1 or cancel the meeting?

Motion to move the worksession to Monday, November 1, 2010 at 6pm: Andrews; Second: James; Carried: All ayes.

**RES 66-10: AUTHORIZING THE CITY MANAGER TO RESEARCH POSSIBILITIES FOR THE RAIL PASSENGER STATION CABOOSE – APPROVED.**

City Manager: Per Mayor Pro Tem Andrews' request, he talked with Kathy Dunlap regarding the history of the caboose. The caboose was a gift to the Museum from Seaboard Systems Railroad. It is a 1960's model, donated in March 1986. City employees help build the track to put the caboose on and local railroad workers assisted in having it set on the tracks. The only cost at the time of installation was the sand, gravel, and time of the city crew. An Eagle Scout troop working on merit badges helped clean the interior and exterior of the structure to prepare it for becoming an exhibit area for Hartsville Railroad memorabilia. At the time, the Hartsville caboose was the only display model between Greenwood and Myrtle Beach. The Museum removed all artifacts from the caboose in 2000 due to vandalism of the structure.

Mayor Pro Tem Andrews: after all the possibilities discussed about the caboose, the final decision will come back before Council.

Mayor Pennington: yes.

Mayor Pro Tem Andrews: have we confirmed there is lead paint on the caboose?

Mayor Pennington: yes.

Mayor Pro Tem Andrews: an Eagle Scout project could be an option. It is easier to dispose of a caboose than to buy one later. The \$70,000 refurbishing cost is not an immediate option but we can preserve it for future refurbishing.

Mayor Pennington: explore all options from refurbishing, mothballing, demolition and removal. He suggested calling Lancaster and Chester Railways to see if there are funding options they are aware of that we are not.

City Manager Myers: the City of Greenwood is constructing a railway park and looking for railcars; pictures of our caboose were submitted.

Motion: Andrews; Second: Shirley; Carried: All ayes.

**RES 67-10: AUTHORIZING THE USE OF FACILITIES AT BYERLY PARK BY THE COKER COLLEGE LACROSSE TEAM – APPROVED.**

Motion: Braddock; Second: Wilson; Carried: All ayes.

**RES 68-10: APPROVAL OF A LETTER REQUESTING SCDOT TO CONSIDER A ROUND-ABOUT AS A TRAFFIC SOLUTION FOR THE FOURTEENTH STREET, HOME AVENUE, CAROLINA AVENUE INTERSECTION – APPROVED.**

Mayor Pennington approval does not commit to a roundabout; it only requests SCDOT consider it as an option. Mayor Pro Tem Andrews read an article that a roundabout at a problem intersection in Indiana reduced traffic accidents by 90%, because there are no left turns.

City Manager Myers SCDOT feels this is a dangerous intersection and a high-risk area. They would like to receive a letter from Council asking them to review options.

Councilmember Shirley believes a roundabout could be a problem but hopes he is wrong.

Mayor Pennington this action only puts the option on the table for consideration; it does not approve a roundabout.

Motion: Andrews; Second: Wilson; Carried: Aye: Andrews, Braddock, Graham, James, Pennington, Wilson. Nay – Shirley.

**RES 69-10: APPROVAL TO CONTRACT WITH CTC PUBLIC BENEFIT CORPORATION TO CONDUCT THE BROWNFIELDS ASSESSMENT – APPROVED.**

City Manager: the City received and reviewed eight applications from qualified firms. CTC was most qualified and had detailed information on Hartsville; staff is comfortable recommending them.

Motion: Andrews; Second: Braddock; Carried: All ayes.

**RES 70-10: APPROVAL TO CONTRACT WITH BP BARBER AND ASSOCIATES FOR ENGINEERING SERVICES FOR THE SOUTH HARTSVILLE WATER UPGRADE PROJECT – APPROVED.**

City Manager: a number of consultants applied and went through the interview process. BP Barber does most of our engineering work and they are highly qualified to conduct the work.

Motion: Graham; Second: Wilson; Carried: All ayes.

**RES 71-10: APPROVAL OF A REQUEST TO FEMA TO SUSPEND THE PRELIMINARY FLOOD INSURANCE STUDY – APPROVED.**

City Manager: FEMA did a study on waterways including Black Creek and Prestwood Lake. The new high water mark would put a fair amount of the lower part of Hartsville and Sonoco in the flood zone. It also affects the Progress Energy nuclear power plant; which is an interesting dilemma as the Nuclear Regulatory Commission says Progress Energy is 8 feet over the flood line but FEMA says no. FEMA says if there is no new information, they will proceed with maps. Progress Energy and Sonoco requests Council ask FEMA to hold back to give them more time to develop their data.

Mayor Pro Tem Andrews asked how this affects homeowners.

City Manager Myers FEMA adds two feet to the flood line level, properties under that level are in the flood zone.

Mayor Pro Tem Andrews asked how the change would affect homeowners insurance.

City Manager Myers if not in a flood zone, homeowners have the option to buy insurance; if they do not have insurance and get hit with water the damages are not insured. Homeowners are required to have flood insurance if they are in a flood zone. Progress Energy and Sonoco are asking us to go to FEMA requesting a little more time to develop their data.

Mayor Pennington lives in the flood plain so he will abstain from vote.

Motion: Andrews; Second: James; Carried: All ayes with the exception of Mayor Pennington who abstained from voting because he lives in the affected area.

Ernestine Lighty, 329 Lincoln Avenue, thanked the Mayor for visiting and walking with her and thanked Police Chief Kemp for taking care of litter problem in her neighborhood.

Mary Alice Wilson, City of Hartsville representative on PDRTA Board, thanked the City for working with PDRTA.

Mayor Pennington is meeting with PDRTA Director Baroody tomorrow at 4pm.

Mary Alice Wilson impressed by lacrosse team. Will the team dominate Byerly Park or does the City have a place for them?

City Manager Myers stated they would use the two enclosed football fields during times when recreation is not using those fields.

**COUNCIL COMMENTS**

Councilmember Wilson: we are moving forward, we might be moving slow but we are moving. He thanked the community for giving Council the time to do things we need to do. He also thanked the community for getting out and doing some things in the community that need to be done. If this continues, we will continue to see Hartsville grow and get better. He thanked City Manager Myers for his work. Staff does a great job; we couldn't do it without them.

Councilmember Shirley: hopes City Manager Myers goes to Egypt, has a great time, gets homesick and ready to come back to Hartsville. You are not off the hook yet because when you come back your name may still be on that door. We are blessed to have City staff; thank you.

**Councilmember Braddock:** welcomed and congratulated the new hires, promotions, and Chaplin at the Fire Department. He is excited about the demolition of the old Pizza Hut, signals the start up of the new First Citizens Bank campus. He noted the renovation of Tony's Fireside Grill and hopes something comes in soon. Glad to see the City's partnership with Coker College Athletics and their new athletic director who has big ideas. He enjoyed Saturday morning's ribbon cutting at Frogmore's. There are many good things going on in Hartsville.

**Councilmember Graham:** thanked citizens for showing their concern. She thanked staff for their hard work; do not know what we would do without them. We are progressing and moving along.

**Councilmember James:** commended efforts helping Hartsville grow. She thanked Lenora Lefew, HDDA, for her efforts for the Candle in the Dark program; this event is a collaboration of Coker College, HDDA, Pee Dee Coalition, Head Start and others. There will be a march from Davidson Hall with candles. She encouraged everyone to visit Head Start centers this month during Head Start Awareness Month. People are coming into Hartsville but believe we are missing citizens who are not coming out to events.

**Mayor Pro Tem Andrews:** Council has only met with one City Manager candidate but it is always interesting to get an outsider's perspective of Hartsville. He is looking forward to meeting with other candidates.

**Mayor Pennington:** got a clean bill of health for Mary Clare in Charleston today, she will have surgery in March. He looks forward to working with Chaplin McKnight. He enjoyed taking the candidate around Hartsville; they walked thru town, met Sam from theater and other downtown folks. Even in the worst of times, people in Hartsville have such a positive outlook on life even the homeless. He tipped his hat to Clerk's office for organizing interviews.

**MOTION: TO ENTER EXECUTIVE SESSION PURSUANT TO SC CODE FOIA 30-4-70(a)(1)(2) FOR RECEIPT OF LEGAL ADVICE, TO DISCUSS LEGAL UPDATES ON OUTSTANDING LEGAL ISSUES AND PENDING LAWSUITS, AND TO DISCUSS APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES AND COMMISSIONS.**

**Motion:** Andrews; Second: Graham; Carried: all ayes.

**MOTION: TO VERIFY THAT ONLY THE ITEMS STATED IN THE MOTION TO ENTER EXECUTIVE SESSION WERE DISCUSSED DURING EXECUTIVE SESSION – APPROVED.**

**Motion:** Andrews; Second: James; Carried: All ayes.

**RES 39-10: APPOINTMENTS TO CITY AD-HOC COMMITTEES – TABLED UNTIL THE NOVEMBER 9, 2010 MEETING.**

**Motion to table until the November 9, 2010 Council meeting:** Andrews; Second: Shirley; Carried: All ayes.

**RES 72-10: APPOINTMENTS TO VARIOUS CITY BOARDS, COMMITTEES, AND COMMISSIONS – APPROVED.**

**Motion to re-appoint:** Phylanda Thomas to the Hartsville Housing Authority Board and Thomasena Davis to the Zoning Board of Appeals: Andrews; Second: Graham; Carried: All ayes.

**MOTION TO ADJOURN – APPROVED.**

**Motion:** Andrews; Second: Shirley; Carried: All ayes.

**Adjournment at 9:50pm.**

---

**Carl M. (Mel) Pennington IV**  
Mayor

**ATTEST:**

---

**Sherron L. Skipper, CMC**  
City Clerk