

CITY OF HARTSVILLE, SOUTH CAROLINA  
PUBLIC HEARING AND REGULAR COUNCIL MEETING MINUTES  
May 11, 2010

**Present:** Mayor Pennington IV  
Mayor Pro-Tem Andrews  
Councilmember Braddock  
Councilmember Graham  
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 Heathman  
Parks & Leisure Services Director Gardner  
Police Chief Kemp  
Public Service Director Clemons

Press

**Absent:** Councilmember James

PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON MAY 7, 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 Wilson lead in the invocation and pledge to our flag.

MOTION BY COUNCILMEMBER ANDREWS TO WAIVE READING OF AND APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF APRIL 13, 2010; SECOND: GRAHAM; CARRIED: ALL AYES.

**PRESENTATIONS**

Chief Kemp presented newly promoted Sergeant Gloria Mack. Mayor and Council congratulated Sergeant Mack on her promotion and thanked her for her service to the City.

Pressley Coker, Coker Farms, felt the need to come before Council to express the gratitude of Coker Farms for their support. He also thanked other local, state, and national representatives as well as the Historical Commission and other groups for their support. Out of town people comment on how Hartsville is unlike other cities, the high level of service provided, and how impressed they are with Hartsville; it is important everyone understands what differentiates Hartsville from other cities. Recently the staff at Coker Farms felt like David fighting Goliath then the City spoke in support of Coker Farm, a City that does the right thing is one of the many qualities that make Hartsville great. He invited all to come out for Coker Farms Fall Festival in October. It is important to educate everyone on the role agriculture played in the founding of our great city; Coker Farms Fall Festival is a fun way to educate people on the agricultural history of Hartsville.

There was no Parks Committee update.

Lenora Lefew, HDDA, gave information on Hartsville Idol. Jeff Martin, chair of Idol Committee, was also present. Hartsville Idol auditions are held for two days only on May 22 and May 29 from noon to 4pm at Southern Candy Kitchen. Organizers hope to draw people downtown during peak business hours. She thanked Council and staff for their support. The police and fire departments helped pull together an emergency action plan for the event; it is incredible to see what they do. Idol will have a command center at Burry Park behind the stage ready to dispatch needed personnel to make event safe and fun. Organizers have interest from people all over area. The schedule is every Saturday in June, taking off the weekends of July 4<sup>th</sup> & July 31<sup>st</sup> and wrapping up 8 weeks of performances on Saturday, August 7<sup>th</sup>. We hope to draw people in to Burry Park and coordinate with the Veteran's Memorial by giving the series a Veteran's Memorial theme. She invited Council to attend the event. Hartsville is an amazing place.

**MANAGEMENT UPDATE**

Liz Taylor, Darlington County Complete Count Committee Co-Chair, gave a Census Update. According to the Census Quality Assurance Office the Darlington County Questionnaire Assistance Centers distributed forms locally with the most distributed in Hartsville and the most contact in Hartsville. The Hartsville distribution centers were the Coach T.B. Thomas Sports Center & the Hartsville Library. The Complete Count Committee finished up with their work. A group of Census workers is using a downtown City building to meet and stage operations.

The MASC Annual meeting is July 15-18; please review the registration packets and get info to City Clerk's Office by May 27. If anyone needs assistance, please contact City Clerk's office.

**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 4010: AN ORDINANCE TO AMEND THE CITY OF HARTSVILLE OFFICIAL ZONING MAP BY AMENDING THE ZONING OF TAX MAP PARCEL NUMBER 057-06-02-028 CONSISTING OF APPROXIMATELY 5.5 (+/-) ACRES OF PROPERTY OWNED BY DEBBIE MYERS AND LOCATED ON THE UNIMPROVED PORTION OF HEATLEY DRIVE FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-2) – TABLED UNTIL THE JUNE 8, 2010 MEETING.**

Reading by Title and Presentation – City Manager: City staff received a request from RPM Engineers, agent for Ms. Myers, asking for a continuance of the request. At the May meeting, we received a request from both RPM Engineers and Ms. Myers' attorney for a continuance. A meeting on this proposed project is scheduled for May 28, 2010 with Ms. Myers, her attorney, RPM Engineers, and a City representative.

City Clerk Skipper the City published notification for a public hearing on this item in the local newspaper of record for both the April and May meetings. Council may honor the request by postponing the public hearing and final reading until June, hold the public hearing and postpone final reading until the June meeting, or hold the public hearing and approve or deny the request. If the public hearing is postponed until the June meeting, a third ad at a cost of approximately \$70 will have to run in the local newspaper prior to the June meeting.

Open/Close Public Hearing (State name and address for record) – Mayor – No public input.

Motion to table Final Reading until the June 8, 2010 Council Meeting: Andrews; Second: Wilson; Carried: All ayes.

**NEW BUSINESS**

**FIRST READING ORDINANCE 4011: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 UTILITIES FUND BUDGET – APPROVED.**

Reading by Title and Presentation – City Manager

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

**FIRST READING ORDINANCE 4012: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 GENERAL FUND BUDGET AND ACCOMPANYING REVENUE STRUCTURE – APPROVED.**

Reading by Title and Presentation – City Manager: during the Budget Retreat Council discussed amendments to add \$129,000 in expenditures. This action will cause a dip into the contingency fund balance. If Council approves the budget with the amendments made today, the numbers can decrease but cannot increase at the final reading. Does Council wish to hold another budget meeting to discuss the allocations prior to final reading of the ordinance at the June meeting?

Mayor Pennington allocate the funds from the contingency fund.

Finance Director Douglas staff will need a week to prepare the budget books.

City Manager Myers after a brief discussion a budget discussion will be held at the June 1, 2010 Worksession at 6pm.

Mayor Pennington please send the budget books to Council ahead of time for review prior to the meeting.

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

**FIRST READING ORDINANCE 4013: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 SOLID WASTE FUND BUDGET – APPROVED.**

Reading by Title and Presentation – City Manager

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

**FIRST READING ORDINANCE 4014: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 HOSPITALITY FUND BUDGET - APPROVED**

Reading by Title and Presentation – City Manager

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

**FIRST READING ORDINANCE 4015: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 ACCOMMODATIONS FUND BUDGET – APPROVED.**

Reading by Title and Presentation – City Manager

Approval of First Reading and Waiving of Complete Reading: Motion: Graham; Second: Braddock; Carried: All ayes.

**FIRST READING ORDINANCE 4016: AN ORDINANCE TO ADOPT AND APPROPRIATE THE FISCAL YEAR 2010-2011 STORM WATER UTILITY FUND BUDGET – APPROVED.**

Reading by Title and Presentation – City Manager

Approval of First Reading and Waiving of Complete Reading: Motion: Andrews; Second: Wilson: Ayes: Shirley, Graham, Andrews, Braddock, Wilson; Nays: Pennington; Motion Carried.

**FIRST READING ORDINANCE 4017: AN ORDINANCE TO AMEND CHAPTER 90 “VEHICLES FOR HIRE” ARTICLE II “TAXICABS” DIVISION 3 “DRIVERS” SECTION 90-107(C) “INVESTIGATION AND REPORT WITH RECOMMENDATION BY POLICE; ISSUANCE OF PERMIT” OF THE HARTSVILLE CITY CODE – TABLED UNTIL THE JUNE 8, 2010 COUNCIL MEETING.**

Reading by Title and Presentation – City Manager

Mayor Pro-Tem Andrews there was much discussion of this item at the Worksession; afterwards he looked at the Columbia ordinance. He is concerned with denying a license to a person charged but not convicted of a crime. In an interview this past week, Senator Graham said a person on the terrorists watch list could still buy a weapon. He requests the City Attorney review the constitutionality of the language.

Motion to table until the June 8, 2010 Council Meeting: Andrews; Second: Wilson; Carried: All ayes.

**RES 23-10: TO EXTEND THE PLANNING COMMISSION’S REVIEW PERIOD OF THE CITY CODE SECTION ON ADULT BUSINESSES – APPROVED.**

Planning Commissioner McGee: the Planning Commission requested a legal opinion from MASC and the City Attorney on the proposed language. The Commission will present a recommendation to Council upon receipt of the legal review.

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

**RES 24-10: APPROVAL OF BID AWARD FOR MOWING SERVICES AT THE HARTSVILLE MUNICIPAL AIRPORT – APPROVED.**

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

**RES 25-10: APPROVAL OF BID AWARD FOR STREET SWEEPING SERVICES – APPROVED.**

City Manager Myers: the recommended contractor will save the City money and will haul the debris to the landfill.

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

**RES 26-10: APPROVAL OF THE CITY OF HARTSVILLE’S SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) ENHANCEMENT GRANT APPLICATION FOR THE SOUTH FOURTH STREET ENHANCEMENT PROJECT.**

Motion: Andrews; Second: Graham; Withdrawn.

City Manager Myers: a contract issue has come up related to this item. Staff would like to discuss the proposed contractual arrangement in executive session and re-address this Resolution after executive session.

Motion to amend the agenda to hear Resolution 26-10 after executive session: Andrews; Second: Shirley; Carried: All ayes.

**RES 27-10: AUTHORIZING AN AGREEMENT WITH BROWN MEMORIALS OF FLORENCE, LLC FOR ENGRAVED PANELS FOR THE VETERAN’S MEMORIAL – APPROVED.**

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

Council unanimously passed this item. Council is excited to see the project underway and hopes for a ground breaking next week.

**RES 28-10: APPROVAL TO CONTRACT WITH CATTAILS TREE FARM, LLC TO ACT AS AGENT FOR THE CITY TO SELL TIMBER AND REFOREST TREES ON THE WASTE WATER TREATMENT PLANT TRACT LOCATED ALONG BLACK CREEK – APPROVED.**

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

**COUNCIL COMMENTS**

**Councilmember Graham** thanked those who participated in the Great American Clean-Up; she would like to see it as a quarterly event. She thanked Senator Malloy for his help in getting Sixth Street resurfaced. She thanked staff for their hard work in putting together the budget. Thank you to all those in attendance.

**Councilmember Wilson** thanked all for attending the meeting. He appreciates Mr. Coker's comments; Hartsville is a lovely place to live. People commented the other day on what a nice community we have in Hartsville; these types of comments should have bearing on what we want to continue to do. He thanked HDDA for putting on Idol; he plans to attend. Thank you to all of those who worked with the Census.

**Councilmember Braddock** staff did a great job on budget.

**Mayor Pro-Tem Andrews** it is not always pretty but staff does good job putting together the budget; this year was an especially tough budget.

**Mayor Pennington** this was a great week in Hartsville with many events: the First Annual Jazz Festival at Butler High School, Coker College graduation, and downtown events. Council is working hard on budget with help of staff. Council appreciates Mr. Myers work; we are forever indebted to you. He is excited about Coleman Lew bringing leadership in to carry us thru the next 10 years. We have a long way to go on some of these items but we are looking to make some good changes in Hartsville and will be meeting with county to let them know of our goals. He is delighted to see Judi Elvington at the meetings again.

**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, TO DISCUSS PROPOSED CONTRACTUAL ARRANGEMENTS, AND TO DISCUSS APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS - APPROVED.**

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

**RES 21-10: SETTING OF AND APPOINTMENTS TO CITY AD-HOC COMMITTEES – APPROVED.**

Motion to amend to resolve that Council gives unanimous consent for the Mayor to recommend members for appointment to the following ad-hoc committees and notify the Clerk's office with contact information and to appoint staff liaisons: Renee Douglas for Utility Billing Committee, Liz Taylor for the Graphics Design Review Committee and James Clemons for the Environmental Review Committee: Andrews; Second: Shirley; Carried: All ayes.

Motion to approve as amended: Andrews; Second: Wilson; Carried: All ayes.

**RES 26-10: APPROVAL OF THE CITY OF HARTSVILLE'S SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION (SCDOT) ENHANCEMENT GRANT APPLICATION FOR THE SOUTH FOURTH STREET ENHANCEMENT PROJECT – APPROVED.**

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

**MOTION TO ADJOURN – APPROVED.**

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

Adjournment at 8:15pm.

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Carl M. (Mel) Pennington IV  
Mayor

ATTEST: \_\_\_\_\_  
Sherron L. Skipper, CMC  
City Clerk