

**CITY OF HARTSVILLE, SOUTH CAROLINA
REGULAR COUNCIL MEETING MINUTES
SEPTEMBER 8, 2009**

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

**Staff:
City Manager Pennington
City Clerk/Admin Services Director Skipper
Deputy Clerk DuBose
DEEPS Director Clemons
Finance Director Douglas
Parks & Leisure Services Director Gardner
Police Chief Kemp
Public Works Director Welch**

Press

PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON SEPTEMBER 4, 2009 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 McFarland called the meeting to order and asked Councilmember Wilson lead in the invocation and pledge to our flag.

MOTION WAS MADE BY COUNCILMEMBER BRADDOCK TO WAIVE READING OF AND APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 11, 2009; SECOND: GRAHAM; CARRIED: ALL AYES.

PRESENTATIONS

A proclamation was signed declaring September 2009 as “National Alcohol and Drug Addiction Recovery Month”.

Caryolin Lett, Hartsville Housing Authority Executive Director, gave the annual update to Council. The annual audit noted two findings. The finding of inadequate controls over financial reporting was due to year end adjustments not being recorded properly by a former employee; the new employee ensures all necessary adjustments are made at year end. There was no money missing or unaccounted for in this finding. A finding was noted of non-compliance related to notices, applications, and dependent and citizenship verifications because a new HUD form was not completed by applicants; the new form has been implemented into the process. Both of the findings have been cleared by HUD. Paving of the road through South Park begins on Monday, September 14th.

No annual update was given by the Design Review Board.

Bobby Goodson presented information on the overall configuration and mounting procedure for the Veteran’s Memorial panels, the concept has been discussed with and approved by the artist, Charlie Pate. The bas relief panels will be mounted on rebar reinforced concrete panels overlaid with cast stone with a recessed picture frame type area on the reverse side; the concrete panels would measure five foot wide, ten foot tall, and twelve inches thick. This type of concrete panel is recommended as it would complement but not take away from the bas relief panels. Since the beginning of this project the proposed layout was a pentagon shape with outward facing panels, this layout is preferred by Charlie Pate. This design would allow people to walk in, out, and among the panels looking at panels one at a time. A curved line and V formation were discussed but these designs distract from each individual panel and can be overwhelming as all the panels are viewed at

once. The flag pole mounted in the center of the pentagon, if approved, could be either twenty-five or thirty feet in height with a flag of the appropriate size for the flag pole. A response from Council approving the layout, cast stone panel, and height of the flagpole is needed in order to proceed and get a finalized budget for the project. He is working to get affordable pricing on this project.

Councilmember Shirley noted there is no room for expansion on this project.

Bobby Goodson no but the picture frame reverse of the concrete panels could be used for name plates.

City Manager Pennington the initial design was a pentagon to memorialize the conflicts of the twentieth century and each branch of service.

Bobby Goodson this is the best we know how to do at this time. It would be hard to find a pleasing design that would allow for expansion to include current and future conflicts as there is no way to predict the number of potential future conflicts.

Councilmember Graham asked if the names of veterans will be included.

Bobby Goodson the names are not included in this first phase but are anticipated in future phases.

Councilmember Graham would the funding come from individuals?

Bobby Goodson future funding for veterans' nameplates would come from individuals. The funding for the present project would be an issue Council to discuss with the City Manager.

City Attorney Driggers how would the flag be worked into the memorial?

Bobby Goodson the flag pole would be mounted in the ground in the center of the pentagon.

Dr. Alvin Heatley, Steering Committee for Butler High Redevelopment/Reuse Project, distributed the Butler High School and Sixth Street corridor Neighborhood Plan as completed by Clemson University Department of Planning and Landscape Architecture students. Also in attendance were steering committee members LaVerne Myers, Planning Commission Chair; Teresa Mack, South Hartsville Neighborhood Association President; and Rev. E. Robert Thomas, Pastor of Mt. Calvary AME Church. The steering committee requests Council accept the documents as information to guide future planning activities at the Butler High site and the Sixth Street corridor, extend the status and duties of the ad hoc committee to elect officers to formalize its structure, and appoint a Councilmember or staff liaison to the committee to insure proper support for the project. The Sixth Street corridor needs attention. This won't be a two week or two year project; it will probably take five to fifteen years to complete this project. Hartsville is a unique community and can accomplish this task. This is the first time he's seen this type of project for the South Hartsville area. A drawback is finding resources to complete the project but the committee is willing to roll up their sleeves and work hard to accomplish this task.

Judi Elvington, HDDA Executive Director, Rock the Block coincides annually with the beginning of the fall semester at Coker College. Approximately one thousand people attended the concert including families, citizens, out of town visitors, and college students. The concert included a Hartsville group, two regional groups, and a Myrtle Beach group; which helped to draw people from all over to Hartsville. There has been a lot of positive feedback on the concert on HDDA's Facebook page.

Nancy Myers, HDDA Volunteer, the October Good Living Marketplace marks the first anniversary. Members of the American Farmland Trust organization who visited were so impressed by the Marketplace they invited us to participate in the "America's Favorite Farmers Markets Contest"; although we did not win it was great to be recognized this way in the first year. In the first year the Marketplace event has grown from 30 vendors to 60 vendors and we look forward to another successful year. Thanked Council for their support of the Marketplace.

Oneida Martin, HDDA Volunteer and owner of Southern Candy Kitchen, came up with Hartsville Idol idea after seeing a similar contest. Thanked the City for help and for allowing HDDA to bring Idol downtown. The crowds have exceeded all expectations. At the last event 1200 ballots were handed out and it is estimated that 1500 people were present. If anyone is interested in volunteering to count ballots it would be appreciated. The downtown businesses have commented that customers come in to eat before going to Idol. This is a great business and community effort. The contest is halfway through with three more events beginning this coming weekend when thirty three contestants will be

narrowed down to sixteen. Invited everyone to come out and enjoy Hartsville Idol this coming weekend and thanked Council for their support.

Judi Elvington, HDDA Executive Director, the 12th annual Jazz!Carolina will be held on October 3rd from 7pm – 11:30pm on the 100 block of East Carolina Avenue. Festival planners strive to feature a different jazz sound each year and this year the featured band Alma de Candela (Soul of Fire) has a South American sort of feel. The band will perform and teach popular dances. Hispanic Heritage Month, September 15th – October 15th, is part of the night's theme. As always Jazz!Carolina is tying in with Coker College's homecoming. A crowd of 800 to 1,000 is anticipated for the event. Everyone is invited to come out for a night of jazz in downtown Hartsville. She also reminded Council of the Cotton Harvest Bluegrass Festival planned for October 24th and will have more information on this festival at the October Council meeting. If you are attending any events at Burry Park please remember to bring chairs. The events are free but HDDA sells food and drinks as a fundraiser.

MANAGEMENT UPDATE

City Code supplement number eleven was distributed to Council.

An invitation to the MASC *Hometown, SC* regional advocacy meeting on November 18th at 11am at Darlington Raceway was distributed to Council. Please let the City Clerk's Office know if you plan to attend.

A printed copy of the new *e-zine* was given to Council. The *e-zine* is an idea that came from other municipalities at the annual meeting. There is a link on the City website and people receive it by email upon request.

The budget continues to shrink; this will be an item for discussion at an upcoming meeting or retreat. The City's cap for next year's budget from the state is estimated to be zero because there is no population increase and the CPI is negative. There is more belt-tightening to come. Council's foresight to increase the rates this year will help the situation to be less severe.

Staff has been looking at cost for cleaning up areas requested by Council. The map of South Hartsville indicates 111 properties need to be mowed and 167 need to be bush-hogged. The estimated cost for bush-hogging is \$2,000 per lot. The total cost estimate for the City to clean up all 278 lots is \$395,000. Once cleared the lots grow up again or require continued maintenance, estimated at \$30,000 per year per lot. The cost could be put on the tax bills as a lien but Darlington County is not collecting liens with property taxes. The City asked for an Attorney General's opinion on this issue and MASC is asking for legislation to clarify the state code language on this issue also. If the liens on the tax notices were collected more might be able to be done.

The Showmobile is doing a great job of bringing people into town for events.

CONSENT AGENDA – Received as Information Only

Committee Minutes/Reports

Hospitality and Accommodations Tax Reports

Development Report

NEW BUSINESS

FIRST READING ORDINANCE 4006: AN ORDINANCE TO AMEND THE HARTSVILLE CITY CODE BY REPEALING CHAPTER 22 "CEMETERIES" ARTICLE I "ESTABLISHMENT" AND ADOPTING CHAPTER 22 "CEMETERIES" ARTICLE I "BURIAL OF HUMAN REMAINS" – APPROVED.

Reading by Title and Presentation – City Manager: this issue was raised because of a situation in Darlington where someone wanted to be buried in their back yard. This language clarifies that burial within the City limits is only allowed in existing cemeteries, no back yard burials are allowed.

Councilmember Graham any burials would have to be in a City owned cemetery?

City Manager Pennington it could be in a City, church or privately owned cemetery as long as it meets the state requirements.

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

RES 34-09: AUTHORIZING THE WAIVING OF BUSINESS LICENSE FEES FOR THE GOOD LIVING MARKETPLACE EVENTS IN OCTOBER, NOVEMBER, AND DECEMBER OF 2009 – APPROVED.

City Manager Pennington: October marks the one year anniversary of the Marketplace. Since its beginning Council has waived these fees for Marketplace vendors. Staff recommends continuing to waive the fees by resolution, dealing with requests on a case-by-case basis instead of changing the code.

Councilmember Wilson how long do we continue waiving these fees?

City Manager Pennington that is a question Council will have to answer. We would love to have the revenues but waiving the fees has made this a very successful project.

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

RES 35-09: APPROVAL OF NON-PROFIT ORGANIZATION USER FEES FOR MULTI-DAY USE OF THE MOBILE AMPHITHEATRE – APPROVED.

City Manager Pennington: this issue came up when multi-day use fees were set at the August meeting. The question was raised what is in or out of the City for a non-profit organization. There are churches outside of the City that serve Hartsville. The American Heart Association is a national non-profit organization but it serves Hartsville. This resolution defines a non-profit organization for the purpose of rental of the Showmobile as “located within or serving the Zone of Influence as shown on the City of Hartsville Land Use Map approved by Council and/or those organizations with partnerships with the City of Hartsville to provide services to the citizens of Hartsville and the adopted Zone of Influence regardless of their home office location”. The other bulleted items that apply to non-profit rentals are the same as those for all other users.

Councilmember Andrews in the past the City Manager has the right to suspend fees. Does this resolution change that option?

City Manager Pennington no, it does not change it. It also does not change the fee schedules for groups already set by Council.

Councilmember Shirley this does not negatively effect the City moneywise does it?

City Manager Pennington no, it does not.

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

RES 36-09: APPROVAL OF PARTNERING COMMITMENT WITH THE U.S. CENSUS BUREAU TO HELP ENSURE A FULL AND ACCURATE COUNT IN THE 2010 CENSUS – APPROVED.

City Manager Pennington at last month’s meeting the Census representative asked not for money but for support by encouraging people to be counted, giving out information, and raising awareness. In the 2000 Census many people did not want to be counted and some areas were completely missed. In the past people may have been reluctant to complete Census forms because there were so many questions, for 2010 there is a short form that should only take a few minutes to complete. The City of Hartsville encourages all citizens to be counted.

Councilmember Andrews are students at the Governor’s School counted?

City Manager Pennington yes, if they are in residence at the school.

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

Motion to amend the agenda to hear Resolution 38-09 after executive session and to discuss the item in executive session: Andrews; Second: Shirley; Carried: All ayes.

COUNCIL COMMENTS

Councilmember Braddock attended the City/County/School Board Dinner Meeting last week, it was good to see other representatives, to hear their projects, and to give a significant list of projects for Hartsville even though times are hard. Congratulations to the Marketplace on their one year anniversary; he enjoyed the Rock the Block concert.

Councilmember Wilson anyone passing through South Hartsville can see machinery, ditches being cleaned out, and work continuing at Forest Ridge; there is quite a lot of work being done. We’re not

going to please everyone but glad to see the work underway. Encouraged the citizens to help keep the area and their properties clean; these properties are not the City of Hartsville's but the City is cleaning them up.

Mayor McFarland asked how to get the word out to educate the community?

City Manager Pennington there is a lot of information online at Facebook, Twitter, and other such sites.

Councilmember Graham would love to see the demolition of dilapidated houses and lot clean up continue. Need to tell people who own lots to keep them clean after a demolition. She would love to see the Butler project completed.

Councilmember Andrews would like to see the agendas and minutes for Council and all boards posted online. He hopes for a good Attorney General Opinion or action by the General Assembly on collecting fees with property taxes. He has heard many complaints about the water bills, suggested putting the average usage per household on the water bills. This might encourage people to cut their usage.

Councilmember Wilson noted a ditch-sized hole on Reservoir Street that something needs to be done about. If you were to pass an oncoming car on that street you would have to go into that ditch. This is a shame!

Linda Byrd lives on Reservoir. If your car goes in that hole you get stuck!

Public Works Director Welch this is a City owned street with a right-of-way for the street only. Staff is aware of the hole but it is on the side of the road on private property. The City cannot go onto private property to repair it.

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

RES 38-09: APPROVAL OF BID AWARD FOR OPERATION AND MAINTENANCE OF THE HARTSVILLE MUNICIPAL AIRPORT AND AIRPORT FACILITIES – DEFEATED.

Motion to reject both bids and authorize the City Manager to renegotiate with the current FBO to continue services until 06/30/2010: Andrews; Second: Shirley; Carried: All ayes.

RES 37-09: APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES AND COMMISSIONS – TABLED UNTIL THE OCTOBER 2009 MEETING.

Motion to table until the October 2009 meeting: Andrews; Second: Graham; Carried: All ayes.

MOTION TO ADJOURN – APPROVED.

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

Adjournment at 8:00 pm.

David L. McFarland, Mayor

ATTEST: _____
Sherron L. Skipper, CMC
City Clerk