

MINUTES OF MARION CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
TUESDAY, APRIL 12, 2022
6:15 P.M.

SWEARING IN CEREMONY – COUNCILMAN DONNY GERALD DISTRICT #1

Mayor Ashley Brady called to order the swearing-in ceremony for Councilman Donny Gerald who was recently elected to represent Marion City Council District #1. He welcomed Councilman Gerald's family, guests, and acknowledged retired Councilmember Ralph Atkinson who most recently represented District #1.

Judge T. Carroll Atkinson administered the oath of office. Councilman Gerald thanked everyone for attending the ceremony and stated that he looks forward to working with the citizens of Marion.

REGULAR CITY COUNCIL MEETING

A regular meeting was held by Marion City Council on Tuesday, April 12, 2022 at 6:30 p.m. in which Mayor Ashley Brady presided. Council members Ronald Atkinson, Michael Baker, Mayor Pro-tem Emerson Hunt and Tassie Lewis were present. Councilman Joseph Frazier was available via phone. Staff present were City Administrator Alan Ammons, City Treasurer Patricia Brown, City Clerk Lakesha Shannon, City Attorney James Brogdon, Interim Police Chief Tony Flowers, and Fire Chief Jeremy Bass.

Mayor Ashley Brady called the meeting to order, gave the opening prayer and led the Pledge of Allegiance. He then welcomed citizens and guests.

APPROVE MINUTES:

Councilman Michael Baker made a motion to approve the minutes of the regular city council meeting held on March 8, 2022. The motion was seconded by Councilman Ronald Atkinson; motion carried unanimously.

MARCH EMPLOYEE OF THE MONTH:

Mr. Kenneth Foxworth with the City's Maintenance/Public Works Department was named the March Employee of the Month. Mayor Brady thanked Mr. Foxworth for all he does, and noted that he does a fantastic job with his talents of repairing things all around the city.

AUDIT PRESENTATION – KENNETH COBB & CO.

Ms. Brenda Jackson with Kenneth Cobb & Company gave a detailed overview of the City's 2020 – 2021 audit. Ms. Jackson thanked council for the opportunity to serve as auditor. She also thanked city staff, and especially Finance Director Patricia Brown for all the hard work in assisting with the audit process. She noted that Mrs. Brown always keeps the City's financial books in excellent condition.

Ms. Jackson detailed the auditor's opinion and highlighted that it was an unmodified clean opinion. She stated that the city has received this top opinion for many years. Ms. Jackson highlighted some details of the audit to include:

- Current cash flow \$4,805,000 up \$520,000 from last year
- Restricted cash of \$1,552,000 up \$263,000 from last year
- Hospitality Tax Fund \$630,000

- Local Option Sales Tax \$728,000
- Fixed Assets of \$8,748,000 down \$268,000 from last year due to depreciation
- Total Assets of \$16,448,000
- Total Liabilities of \$10,888,000 which includes pensions and OPEB benefits
- General Fund Balance \$5,351,000 up \$237,000 from last year
- Total Revenue \$6,137,596 which is mostly revenue from taxes
- Total Expenditures \$6,028,000
- Total Net Funds \$229,478

Mayor Brady thanked Ms. Jackson, Mrs. Brown and the department heads for their work on maintaining the budget.

RENEWAL OF AUDITOR AGREEMENT

Mayor Brady stated that the City has to renew its Auditor's Agreement every two years, and a proposal was provided to council from Kenneth Cobb & Company. Mayor Pro-tem Emerson Hunt made a motion to the extend the Auditor's Agreement with Kenneth Cobb & Company for an additional 2 years. The motion was seconded by Councilman Ronald Atkinson; motion carried unanimously.

PRESENTATION FROM PEE DEE COALITION:

Council received a presentation from Mrs. Michelle Brewton-Smith, Coordinator for the Marion County Pee Dee Coalition Against Domestic and Sexual Assault. Mrs. Brewton-Smith announced that April is Sexual Assault and Child Abuse Prevention Awareness Month. She noted that the Marion County satellite crisis center has been providing services to this

community for over 30 years. Mrs. Brewton-Smith provided some interesting facts to include: 1 in 7 children in the US have experienced child abuse or neglect in the past year, and unbelievably children under the age of 1 are the most vulnerable to be neglected. She shared some of her experiences of working with child abuse, neglect and sexual assault cases. From July 2020 to June 2021 her agency assisted 33 victims in Marion County. June 2021 to December 2021 they have already served 46 victims. She noted that the victims served in 2022 has already significantly surpassed those previous numbers. The agency supports victims with orders of protection, emergency shelter, and transitional shelter. Mrs. Brewton-Smith stated that Durant's Children Center is very important resource available as a safe space for children to be interviewed regarding abuse and neglect. She highlighted some upcoming events to include RAG Self Defense Class for females ages 12 and older which is being held on April 13 at the Performing Arts and Science Academy in Marion from 6:30pm-8:30pm, and again on April 25 at the Gresham Community Center from 5pm-7pm. She added that the agency offers 24-hour counseling and support to victims.

Mayor Brady thanked Mrs. Brewton-Smith for all she and her agency does for the community.

HMRA PRESENTATION

HMRA Executive Director Taylor Newell presented council with a proposed mural that would be painted on a building on Harlee Place. She commented on the artwork at the Main Street Commons, and noted that many residents want to see more of this type artwork downtown Marion. Mrs. Newell stated that they are working with Marion High School's art

teacher Scott Collins to help bring student artwork to life. The art students would actually paint the proposed mural on Harlee Place which would give them a sense of pride in knowing that they contributed to this artwork in downtown Marion. She requested council's approval on the mural design and the okay to move forward with the project.

Councilman Ronald Atkinson made a motion to approve the proposed mural that will be painted on Harlee Place. The motion was seconded by Mayor Pro-tem Emerson Hunt; motion carried unanimously. Mayor Pro-tem Hunt thanked Mrs. Newell and HMRA for all they do to improve downtown Marion.

FAIR HOUSING RESOLUTION

Mayor Brady noted that the City is required to adopt the Fair Housing Resolution each year to be eligible to apply for CDBG Grants. Mayor Pro-tem Emerson Hunt made a motion to adopt the 2022 Fair Housing Resolution. The motion was seconded by Councilman Ronald Atkinson; motion carried unanimously.

AMERICAN RESCUE PLAN (ARP) RESOLUTION

Mayor Brady explained the American Rescue Plan Resolution which sets forth guidelines for spending the ARP funds. The City of Marion's guidelines are based on the size of the city, and that less than \$10 million in revenue was received from the American Rescue Plan.

Councilman Michael Baker motioned to approve the American Rescue Plan (ARP) Resolution. The motion was seconded by Mayor Pro-tem Emerson Hunt, and carried unanimously.

FIRE DEPARTMENT TURNOUT GEAR BIDS

Mayor Brady stated that in last month's meeting council agreed to allow Mrs. Brown, Mr. Ammons and himself to appropriate funds to purchase new fire department turnout gear. He stated they have sourced some equipment from Wally's Fire & Safety and a bid was received for \$46,069.56.

Mayor Pro-tem Emerson Hunt made a motion to accept the bid from Wally's Fire & Safety for the fire department turnout gear. The motion was seconded by Councilman Ronald Atkinson; motion carried unanimously. Mayor Brady stated that the equipment will be ordered immediately.

STREET SIGN BIDS

Mayor Brady stated that street signs will be updated from Liberty Street down to Rogers Road. The new signs will be black with white lettering. The sign posts will also be painted black. The signs will be ordered; however, city employees will paint and install them. Mayor Brady stated that 2 bids were received. The bidders were Accent Signs at \$8,958.32, and Hi-Tech Signs at \$4,100.36.

Councilman Ronald Atkinson made a motion to receive the bid for street signs from Hi-Tech Signs for \$4,100.36. The motion was seconded by Councilman Michael Baker; motion carried unanimously.

REQUEST TO SELL SURPLUS EQUIPMENT – PUBLIC WORKS

Mayor Brady stated that the public works department currently has 2 backhoes and 2 grapple trucks. He explained that the older backhoe is constantly needing repairs and costing

the City money. Mayor Brady stated that 2 backhoes are no longer needed, and requested to sell the old one and use the funds for future equipment needs.

Mayor Pro-tem Emerson Hunt made a motion to sell the old backhoe truck for \$7,500. The motion was seconded by Councilman Michael Baker; motion carried unanimously.

PRESENTATIONS TO COUNCIL:

Mr. Larry D. Smith

Mr. Smith was present to address council regarding his concerns of the old vacant Coca-Cola building located on Manning Street which is currently dilapidated. He stated that he has spoken with Mr. Ammons and Mayor Pro-tem Hunt regarding his concerns, and so far they have been unable to communicate with the property owner. Mr. Smith expressed the fact that this building is located right in front of his door, and he would like to see something done to address it. He also expressed his concerns of children possibly getting hurt if playing in that area.

Mr. Smith commented on his concerns with the semi-trucks entering the parking area at Heritage Sportwear. He stated that it was previously recommended that the trucks enter through Bobby Gerald Parkway rather than Manning Street. He noted that Mr. Ammons had signs installed advising the drivers to enter on Bobby Gerald Parkway; however, they are still entering through Manning Street. He asked that council assist with the two matters he presented.

Mayor Brady stated that he and Mr. Ammons are planning to meet with the property owner of the old Coca-Cola building next week to discuss options to address this issue. He stated that Chief Flowers can have officers assist with the issue of the semi-trucks coming through Manning Street. Chief Flowers stated that he has discussed this issue with Mr. Ammons, and officers have been advised to patrol the area and issue citations if needed. He noted that the drivers that park in that area are aware of the parking rules. Mayor Pro-tem Hunt commented that the City will do what's needed to assist with protocols and be more aggressive in addressing the issues presented by Mr. Smith.

Mr. Ammons stated that the City would like to assist the property owner in removing the dilapidated building with permission.

In closing Mr. Smith stated that he would like to see Manning Street thriving again.

ADMINISTRATOR'S REPORT:

City Administrator Alan Ammons stated that the City is currently looking to adopt an abandoned building ordinance to help address issues such as the one Mr. Smith spoke about. There would be fees associated to register the building as an abandoned building, and this would hopefully encourage the property owner to bring the building back to life rather than pay fees.

Mr. Ammons provided an update on the LED lights throughout the City. He stated that Duke Energy now has a policy in which they can upgrade all the lights throughout the City at one time. Once complete, the City will sign an agreement for the upgrades and billing. Mr.

Ammons stated that there are about 900 lights throughout the City, and estimated the total cost of the project to be around \$50,000 - \$60,000. Mayor Brady noted that ARP funds can be used to pay for the project. He also noted that the new LED lights will be brighter and safer.

Councilman Michael Baker made a motion to move forward with the estimate for LED lights with Duke Energy. The motion was seconded by Councilman Ronald Atkinson; motion carried unanimously.

Mr. Ammons stated that DHEC is now reporting Covid cases every 14 days. He noted that Marion County currently has 0 cases.

Councilman Ronald Atkinson asked for an update on the upcoming blood drive. Mr. Ammons stated that the blood drive event will be held on May 18 from 10:00am – 2:00pm at the fire department. Mayor Brady noted that the drive is being held by Blood Connection, and all blood collections will be used in SC.

Councilman Michael Baker requested an update on a recent request to use the Withlacoochee Park for an Easter event. Mr. Ammons stated that he spoke with Mrs. Chastity McRae regarding the use of the park, and her request to waive the \$250 rental fee. Mr. Ammons stated that the rental would also require insurance in which a copy would need to be provided to the recreation department.

Mayor Pro-tem Hunt commented that Mrs. McRae is doing a great job in planning the event, and has lots of items already available to give out to the children. He further stated that Mrs. McRae is also doing some great things in the community which in turn helps the City. He recommended that they City offer any assistance available to help her with this event.

Councilwoman Tassie Lewis asked if the \$250 fee can be waived this first year to help Mrs. McRae as a contribution to the children. Mayor Brady stated that this is a worthy cause for the community; however, waiving the fee could create a situation in which many others would expect the same for their first-time events in the City. He stated that there is a fee schedule in place for rentals.

After much discussion, Councilwoman Tassie Lewis motioned that the City contribute \$250 to cover the rental fees for Mrs. McRae's use of the park for the Easter event. The motion was seconded by Councilman Michael Baker. Councilman Donny Gerald asked for clarification on what is needed for Mrs. McRae to have this event, and stated that he would donate the \$250 to cover the rental fees rather than the City creating a situation of having to waive the fees for other first-time events. Councilwoman Lewis withdrew her motion, and Councilman Baker withdrew his second.

CITY ATTORNEY'S LEGAL UPDATE

Attorney James Brogdon provided an update on the old AWS trashcans and dumpsters that are still located in various places around the City. He stated that he has communicated with Palmetto Waste who owns the trashcans; however, they have not removed all of them. Attorney Brogdon requested that council authorize him to send a letter to Palmetto Waste advising that they have 30 days to remove all the trashcans and dumpsters. He stated that this will give the City more options on what they can do regarding the situation.

Mayor Brady motioned to allow Attorney Brogdon to write the letter asking Palmetto Waste to remove the trashcans and dumpsters, if not the City will take possession of them. The motion was seconded by Councilman Baker, motion carried unanimously.

DISTRICTS AND CITY UPDATE FOR COUNCIL AND MAYOR

Mayor Ashley Brady stated that he and Fire Chief J.T. Bass meet with Marion School District Superintendent Kandace Bethea to discuss plans for a 2-year firefighter training program at the Marion County ACT Vocational Center. The school is currently searching for an instructor who must be a qualified firefighter. Mayor Brady noted that Horry County has closed its program and will be donating all of their equipment to Marion County. Once the students graduate from the program, they are eligible to apply for firefighter positions right out of high school. Mr. Ammons noted that during the second year of the program, the students will work 2-3 hours a day at the Marion and Mullins fire departments for hands on training.

Mayor Brady stated that the City is working with Marion County and HMRA on downtown beautification projects. He reported that the upgrades are complete on the fountain at the courthouse square. He stated that a meeting is being scheduled with a contractor to pave the walkway around the fountain, and the Garden Club will assist with the landscaping and plants. Mayor Brady stated that it is good to see people enjoying the downtown area. He noted that lots of students have been utilizing the Main Street Commons, the courthouse, and the fountain to take prom pictures.

Mayor Brady stated that it's spring time and a busy season for the public works department. The department recently hired a licensed CDL equipment operator. He added that

the city is looking to hire additional employees for that department, as well as the police and fire departments.

Councilman Michael Baker stated that he recently rode with Mr. Ammons through the various areas in which he had concerns, and they were mostly taken care of.

Councilman Ronald Atkinson stated that his previous concerns have been addressed.

Mayor Pro-tem Emerson Hunt encouraged citizens to take care of themselves and their health.

Councilwoman Tassie Lewis asked everyone to keep Councilman Joseph Frazier in their prayers. She then welcomed Councilman Donny Gerald. Councilwoman Lewis commented that the City of Marion belongs to us all, and asked that everyone always do what they can to make it better.

Councilman Donny Gerald stated that he enjoyed his first meeting, and thanked everyone for their help and support.

EXECUTIVE SESSION

Mayor Pro-Tem Emerson Hunt made a motion to go into executive session to discuss a personnel matter regarding the police department and the recreation department. The motion was seconded by Councilman Ronald Atkinson, and carried unanimously.

Returning from executive session, Councilman Michael Baker motioned to return to regular session. The motion was seconded by Mayor Pro-tem Emerson Hunt, and carried unanimously. Mayor Brady stated there was no action taken in executive session.

ADJOURNMENT

Hearing no further business, a motion was made to adjourn by Councilman Donny Gerald and seconded by Councilwoman Tassie Lewis; motion carried unanimously.

Mayor Ashley Brady

City Clerk Lakesha Y. Shannon