

MINUTES
MARION CITY COUNCIL REGULAR MEETING
CITY HALL COUNCIL CHAMBERS
TUESDAY, SEPTEMBER 12, 2023 AT 6:30 P.M.

MAYOR/COUNCILMEMBERS PRESENT:

Mayor Ashley Brady	Councilman Fred Gause
Mayor Pro Tem Emerson Hunt	Councilman Donny Gerald
Councilman Ronald Atkinson	Councilwoman Tassie Lewis
Councilman Michael Baker	

STAFF PRESENT:

Alan Ammons, City Administrator	James Brogdon, City Attorney
Patricia Brown, City Treasurer	Tony Flowers, Police Chief
Lakesha Shannon, City Clerk	

1. MEETING CALLED TO ORDER

The meeting was called to order by Mayor Ashley Brady.

2. PRAYER/PLEDGE OF ALLEGIANCE

Mayor Ashley Brady led the prayer and pledge of allegiance.

3. WELCOME CITIZENS, GUESTS & PRESS

Mayor Ashley Brady welcomed all citizens and guest.

4. APPROVE MINUTES

➤ Regular City Council Meeting – August 8, 2023

A motion was made by Councilman Michael Baker, seconded by Councilman Fred Gause to approve the minutes of the regular City Council Meeting held on August 8, 2023. The motion carried unanimously.

5. **AUGUST EMPLOYEE OF THE MONTH**

Mayor Brady recognized City Clerk Lakesha Shannon as the August Employee of the Month. He thanked Lakesha for her hard work and for keeping Council on top of things. He noted she always has a contagious smile on her face.

6. **PRESENTATION TO CITY COUNCIL– MARCUS ROBINSON**

Mr. Marcus Robinson, Director of the Boost Program, thanked Council for the great opportunity to host his recent basketball camp at the Shannon Wilkerson Gym. There were 40 children in attendance. He noted that he mentors kids in sports, and with the City's help he was able to create a new platform for his organization. Mr. Robinson thanked the recreation department staff and Chief Tony Flowers for assisting him as needed during the event. He presented Council with a gift bag to show his appreciation.

7. **PROCLAMATION FOR CHILDHOOD CANCER AWARENESS MONTH**

A motion was made by Councilman Michael Baker, seconded by Councilman Fred Gause to approve the Proclamation for Childhood Cancer Awareness Month. The motion carried unanimously.

Mrs. Judy Fulmer was present to thank Council for their support in adopting the proclamation. She shared that her daughter was diagnosed with cancer at the age of 13, and received 2 ½ years of treatment. She detailed their experience and provided some statistics of the effects of childhood cancer.

8. **RESOLUTION FOR HOMETOWN ECONOMIC DEVELOPMENT GRANT**

Mayor Brady stated that the Hometown Economic Development Grant will be applied for through the SC Municipal Association. HMRA will submit the grant application, and if awarded it would be used to develop apartments in downtown Marion. ***Mayor Pro tem Emerson Hunt motioned to approve the***

Resolution for Hometown Economic Development Grant. The motion was seconded by Councilman Michael Baker, and carried unanimously.

9. RESOLUTION TO ADOPT CITY OF MARION SOCIAL MEDIA TERMS OF USE AND COMMENTS POLICY

Mayor Brady stated that this policy will establish rules and regulations for posting and commenting on the City of Marion's Facebook Page. ***A motion was made by Councilman Fred Gause, seconded by Mayor Pro Tem Emerson Hunt to approve the Resolution to Adopt City of Marion Social Media Terms of Use and Comments Policy. The motion carried unanimously.***

10. DISCUSSION BY CHIEF TONY FLOWER

Police Chief Tony Flowers stated that he has been working night and evening hours over the past few weeks to talk with citizens, and try to address some of their concerns. He stated that one of the main concerns were regarding businesses that allow onsite consumption of alcoholic beverages. Especially these type businesses that are located in or near residential neighborhoods. It was suggested that hours of operation end at 12 midnight for all businesses city-wide that allow onsite consumption of alcohol, rather than just the core commercial business district. New Year's Eve will be an exception in which businesses could remain open until 1:00 am to celebrate the New Year. Chief Flowers provided some statistics of crime over the past few years that took place at onsite alcohol consumption businesses outside of the core commercial district which included: 4 homicides, 2 rapes, 46 assaults, 37 weapon law violations, and 7 attempted murders. He highly recommended that a city-wide mandate be enforced. This mandate would only affect 4 businesses, and would be effective 7 days a week. Chief Flowers stated that he does not recommend allowing these

businesses to remain open later on any holidays other than New Year's Eve because that could result in too many requests for additional.

11. 1ST READING ORDINANCE #23-07 – An Ordinance to Amend Ordinance #22-12 An Ordinance Prohibiting Certain Hours of Operation in Core Commercial Business Zone

A motion was made by Councilman Ronald Atkinson, seconded by Councilman Donny Gerald to approve 1st Reading of Ordinance #23-07 An Ordinance to Amend Ordinance #22-12 An Ordinance Prohibiting Certain Hours of Operation

in Core Commercial Business Zone. Several councilmembers expressed their concerns with hearing this information for the first time at this meeting. They stated that it is difficult to make a decision on this matter now with no prior knowledge or discussion of the information presented by Chief Flowers. The prior month's discussion was only in regards to adding additional holidays to the current ordinance as requested. Following a lengthy discussion, Councilman Michael Baker requested that the motions be withdrawn and this item be tabled to allow Council time to receive additional information on this matter.

Councilman Ronald Atkinson withdrew his motion, and Councilman Donny Gerald withdrew his second.

12. 1ST READING ORDINANCE #23-08 – An Ordinance to Amend the City of Marion Fireworks Ordinance

Council discussed the amendments to the current fireworks ordinance as recommended by Chief Tony Flowers. The following changes to the ordinance relating to dates and times for firework usage will include:

- Fourth of July allowable dates to July 3-4 from 5:00 PM – 11:00 PM
- Christmas allowable dates to December 24-25 from 5:00 PM – 11:00 PM

A motion was made by Councilman Ronald Atkinson, seconded by Councilman Fred Gause to approve 1st Reading of Ordinance #23-08 An Ordinance to Amend the City of Marion Fireworks Ordinance. The motion carried unanimously.

13. APPROVAL OF BIDS – UTV for Recreation Department

Mayor Brady stated that the Recreation Department would like to purchase a new UTV to be used at the Green Street Sports Complex. A state contract bid was received from Sparrow & Kennedy for a 2023 John Deere Gator HPX615E for \$13,816.83. ***A motion was made by Councilman Michael Baker to accept the state contract price of \$13,816.83 to purchase a UTV for the Recreation Department. The motion was seconded by Councilman Ronald Atkinson, and carried unanimously.***

14. REQUEST ARP FUNDS TRANSFER FROM FLORENCE COUNTY TO HORRY COUNTY FOR PURCHASE

Mayor Brady stated that Council previously approved \$20,000 in ARP Funds to purchase 2 used trucks fire trucks from Florence County; however, those trucks are not yet available for purchase. He is requesting that \$7,500 of the funds be transferred to purchase 2 used fire trucks from Horry County. The City will still be able to purchase a used SUV from Florence County at a later date. ***A motion was made by Councilman Ronald Atkinson to transfer \$7,500 in ARP Funds from Florence County to Horry County to purchase 2 used fire trucks. The motion was seconded by Councilman Donny Gerald, and carried unanimously.***

15. REQUEST TO ADDRESS COUNCIL – JENNIFER WILSON

Mrs. Wilson was present to discuss flooding and drainage issues on Marshall Street. She stated that the residents of Marshall Street are very concerned with

the lack of proper drainage from rain and storms, as this was never an issue until the construction of the Eastbrook Estates Apartments. Mrs. Wilson noted that she lost a car due to water damage from the most recent storm. She provided a detailed account of their experiences due to the flooding, and shared results of their research of the areas infrastructure. She provided Council with pictures that showed flood damage due to the drainage issues which they have been experiencing since 2018. The residents on Marshall Street feels that nothing is being done to help address these problems. Mrs. Wilson asked who is responsible for the flooding damage that has occurred, and how can this area be designated a flood zone.

Mayor Brady stated that the City has made some improvements in that area over the years to include installing catch basins. He also noted that a \$550,000 grant was recently received to complete additional stormwater projects and build a retention pond to handle the drainage in that area. He stated that flood insurance can be purchased by the residents in that area without any special designation. City Administrator Alan Ammons explained some efforts the City has made historically in that area to help address the issue. He also noted that certain areas cannot be serviced by the City as it is on private property. Mr. Ammons stated that once the Pee Council of Governments releases the stormwater grant funds, improvements will be made that will hopefully be completed prior to the next hurricane season.

16. ADMINISTRATOR'S REPORT

Mr. Alan Ammons provided an update on the Green Street Sports Complex, and stated that it is not ready for the opening season of fall sports due to lighting. The lighting contractor has ordered the light; however, there are delays due to

supply. Fall sports will begin tomorrow at the current ballfield. Mr. Ammons provided an update on the prior discussion regarding a new time and attendance system for city employees. This new system will replace timecards and allow for electronic timekeeping. Mr. Ammons explained the quotes for the software and hardware, and recommended that Council approve the transfer of \$50,000 from ARP Funds to purchase this equipment. ***A motion was made by Councilwoman Tassie Lewis to transfer \$50,000 from ARP Funds to purchase Time & Attendance hardware and software equipment. The motion was seconded by Councilman Ronald Atkinson, and carried unanimously.***

17. CITY ATTORNEY'S LEGAL UPDATE

Attorney James Brogdon provided an update on concerns with the current offenses and fines in the City's Noise Ordinance. Councilman Michael Baker stated that there was always one overall fine and never fines for multiple offenses. Mayor Pro Tem Emerson Hunt expressed his concerns with enforcement of the Noise Ordinance. Chief Flowers feels that the ordinance was adopted too soon and there are too many gray areas. Council agreed that this ordinance needs to be further discussed.

18. DISTRICT AND CITY UPDATE FROM COUNCIL AND MAYOR

Mayor Ashley Brady:

Mayor Brady stated that there was a recent issue with the City's payroll on this past Friday. The payroll clerk submitted the direct deposit file; however, there was an issue with the transfer and it did not complete. This caused a delay in employees receiving their pay as scheduled on Friday. The City worked with the bank to resolve the issue, and some employees received their pay by the end of the day. This is the first time the City has ever experienced this issue since the

direct deposit process was started. The City offered a \$200 pay advance as an option for employees, and will cover any overdraft charges that occurred as a result of this issue. Mayor Brady stated that additional measures have been put in place to ensure that this does not occur again. Councilman Michael Baker asked that Council be notified by the City immediately when issues such as this occur so that they do not have to hear about it from others.

Councilman Michael Baker:

Councilman Baker had no additional comments.

Councilman Fred Gause:

Councilman Gause asked for an update on the upcoming Faith & Blue Event. Chief Flowers stated that he is working with churches and businesses to finalize the details, and he will update Council as soon as the plans are complete.

Councilman Ronald Atkinson:

Councilman Atkinson stated that he received some complaints of sewage backup on Park Street. Mr. Ammons stated that this issue is caused by infiltration from the manholes, and Grand Strand Water & Sewer has been notified. Councilman Atkinson also requested an update on the street sign project. Mr. Ammons stated that the remaining decorative signs are being installed on South Main Street, and there is currently no additional funding available for this project. Councilman Fred Gause stated that he received a complaint that a street sign was knocked down at the intersection of Dunlop and Mullins Streets. Mr. Ammons stated that the City has a few additional signs left over and he will address that concern.

Mayor Pro Tem Emerson Hunt:

Mayor Pro Tem Hunt commented that infrastructure is an issue all over the country. He commented on the flooding issues discussed during the meeting, and stated that Council is doing everything they can to address this issue.

Councilwoman Tassie Lewis:

Councilwoman Tassie Lewis thanked City Clerk Lakesha Shannon for going the extra mile to assist her in helping a bereaved family during the Labor Day holiday. She expressed her compassion for the residents of Marshall Street and their flooding concerns. She stated that the Annual Rise Above It All Coat Drive will be sponsoring events on November 18 and November 25 to distribute coats to children. Councilwoman Lewis commented on the Proclamation for Childhood Cancer Awareness Month extended her thoughts and prayers to Mrs. Judy Fulmer and her daughter on their journey. She asked that we continue to be safe and vigilant about our community, and anonymously report any issues or concerns.

Councilman Donny Gerald:

Councilman Gerald asked for an update on spraying for mosquitos. Mr. Ammons stated that they are currently spraying. Councilman Gerald also asked for an update on prior discussions of adopting an abandoned building ordinance. Mayor Brady stated that the issue is how the City will fund the repairs if an ordinance is adopted. Mr. Ammons explained how surrounding cities are handling this issue under their ordinance, and stated that he and Attorney Brogdon is working to create an ordinance to address abandoned buildings. Councilman Fred Gause thanked the City of Marion Fire Department and Mayor Brady for a fantastic job on the recent 911 Memorial Ceremony. He also thanked

City Clerk Lakesha Shannon for preparing a Resolution of Celebration for Bishop Michael Blue's 60th Birthday Celebration.

Mayor Brady stated that the City will contact property owner Jerry Mitchell to discuss purchasing his property located on East Liberty Street. He stated that this area can be used as a park, and to install signs. He stated that the City will contact Mr. Mitchell to negotiate a selling price. Councilman Baker stated that several years ago Mr. Mitchell gave the community permission to beautify the area as needed, and purchasing the property would be beneficial to the City. Councilman Baker asked for an update on the purchase of the police department surveillance equipment. Mr. Ammons stated that everything is in place to order the equipment; however, he was made aware that state funding may be available to pay for it. An update on this funding should be available by September 20, and he will keep Council updated.

19. EXECUTIVE SESSION

A motion was made by Councilman Ronald Atkinson, and seconded by Councilman Fred Gause to go into executive session to discuss a Legal Matter, Contractual Matter, and a Personnel Matter. The motion carried unanimously.

20. POSSIBLE ACTION FOLLOWING EXECUTIVE SESSION

A motion was made by Councilman Ronald Atkinson, and seconded by Councilwoman Tassie Lewis to return to regular session. The motion carried unanimously.

21. ADJOURNMENT

Hearing no further business. *A motion was made by Councilman Michael Baker, and seconded by Councilman Donny Gerald to adjourn. The motion carried unanimously.*

Mayor Ashley Brady

Lakesha Y. Shannon, City Clerk