



**REGULAR CITY COUNCIL MEETING
6:30 P.M., Tuesday, May 16, 2023
Bennettsville Public Safety Complex**

Minutes

1. CALL TO ORDER Mayor Prince
2. INVOCATION AND PLEDGE OF ALLEGIANCE Tyrone Davis
3. ROLL CALL
All council members are in attendance with the exception of Ms. Jean Quick. Shortly after, Ms. Quick entered the meeting.
4. APPROVAL/CORRECTION OF MINUTES
 - A. Regular Council Meeting; Tuesday, April 18, 2023- Correction on page 1, Item 3, change “cog” to COG. Page 2, Item 8 “approving action” add Ms. Weaver and Ms. Quick abstain. Mr. Taylor, Mr. Scott, Mr. Davis, Mayor Prince and Mr. Abraham voted in favor. Motion carried. Page 4, Number 12A add “Vote was unanimously to exit Executive Session.” Page 4, Number 14, last line on the bottom page add “Motion passed unanimously.” With the necessary corrections made. Moved by Mr. Scott. Seconded by Mr. Davis. Motion passed unanimously.
5. PUBLIC REQUESTS/ PRESENTATION OF PETITIONS
 - A. Employee Anniversaries- Mr. Alderman stated the Employee Anniversaries for May 2023 are:
 1. Grover “Pete” Wilkes, Administration 5 years, was not present at the time of the meeting.
 2. Billy Smith, Public Works, 5 years, was not present at the time of the meeting.
 - B. Annual Anniversaries- Mr. Alderman stated the Employee Annual Anniversaries for May 2023 are Wad Cheves, Fire, 19 years; William (Kell) Hall, Police, 18 years; Timothy Hood, Police, 21 years; Michael David, Planning & Zoning, 6 years; Marques Stanton, Public Works, 8 years; Morris Smith, Gas, 19 years; Tammy Hamer, Human Resources, 2 years; Bryant Galloway, Public Works, 1 year.

Mr. Alderman stated “He received a request for reconsideration of a previous item from the April meeting in accordance with the Roberts Rules and consultation with the City Attorney, we have amended the Agenda and added Item 10F to the Agenda which is a request to reconsider the Police Department Recruitment and Incentives Plan, that now is the Agenda for the night. It was advertised in accordance with the requirements of a 24-hour notice prior to this meeting.”
6. PUBLIC COMMENTS

Donald Calhoun- Stated that he was there about an abandoned house located across the street of 69 Hudson Street. He was told that the house was supposed to be torn down and some kind of way, one of the County Councilman went up to the City and stopped the procedure. He and his wife has been looking at that abandoned house since 2016 and it’s terrible. His wife passed around pictures of the house to Mayor and Council members. He said “That’s’ what he has to look at every day.” Lastly, he stated that he can’t get an understanding of who the house belongs to.

Whitney Best- Stated that she met with the County Animal Control Officer (ACO) and he said he would get with the City Animal Control Officer (ACO) to see if they could help with her issues. She doesn’t see any Ordinances being forced in the areas she’s in. She see things everyday and two years ago two kids were attacked. Lastly, she will be back in a month to see if anything has changed.

Denise Jones- Stated at the last meeting during the Public Comments section, she was very

disenchanted with the process because she covered a lot of meetings when she was a reporter 5 years ago. Two people spoke and they weren't interrupted, then he took a phone a phone call in the middle of the meeting, spoke on the phone saying, Hey, I'm in a meeting, I can't talk, but proceeded to talk to the person. Her point is when a Business owner got up to speak, he interrupted her twice, but used two cuss words and she was very bothered by that. She thought it was unprofessional and it makes us look bad.

7. SECOND READING AND PASSAGE IN FULL OF ORDINANCES

- A. An Ordinance Conveying 102/104 W. Main Street- Included in the packet is an Ordinance to convey property located at 102/104 West Main to Kendricks Douglas for an amount not to exceed \$20,001.00. First Reading was approved on April 18, 2023.

Approving Action: A motion to approve Second Reading of an Ordinance to convey property located at 102/104 West Main to Kendricks Douglas for an amount not to exceed \$20,001.00. Moved by Mr. Davis. Seconded by Mr. Scott. Motion passed unanimously.

- B. An Ordinance Amending the Current Business License Ordinance- Included in the packet is an Agenda item from the Finance Director requesting approval of an Ordinance to Amend the current Business License Ordinance. First reading was approved on April 18, 2023.

Approving Action: A motion to approve 2nd reading of an Ordinance Amending the current Business License Ordinance. Moved by Mr. Davis. Seconded by Mr. Abraham. Motion passed unanimously.

- C. An Ordinance Amending the Hospitality Tax Ordinance- Included in the packet is an Agenda item from the Finance Director requesting approval of an Ordinance to Amend the Hospitality Tax Ordinance. 1st reading was approved on April 18, 2023.

Approving Action: A motion to approve 2nd reading of an Ordinance Amending the Hospitality Tax Ordinance. Moved by Ms. Weaver. Seconded by Ms. Quick. Motion passed unanimously.

8. FIRST READING AND ADVERTISEMENT OF ORDINANCES
No Business

9. PASSAGE OF RESOLUTIONS
No Business

10. GENERAL BUSINESS DISPENSED BY MOTION

- A. SCPIIP \$10,000,000 Grant Award-Included in the packet is a letter from the SC Rural Infrastructure notifying the city of award of a \$10,000,000 SCLLP Grant. This grant will be used to fund Infrastructure improvements within the city. Max stated that 14,200ft of sewer lines and 51,300ft of old water lines will be replaced. Mike Hanna has provided the attached letter with details of the projects.

Approving Action- A motion to accept the \$10,000,000 SCIIP grant and authorization for Mayor and Administrator to execute the grant award. Moved by Ms. Weaver. Seconded by Mr. Davis. Motion passed unanimously.

- B. Mobile Home Test Area The City Council has discussed reinstating the Mobile Home test Area during several recent meetings and desires to consider reinstating it and moving forward with approval. Included in the packet is the previous Agenda item presented to the City Council in March 2021. This was also a request to reinstate the Mobile Home Test Area including the Ordinance amendment to add (10) Dwelling Manufactured housing, provided the homes meet the requirements listed in the Ordinance.

Approving Action: A motion to reinstate the Mobile home test area and authorization for staff to prepare the Ordinance. Moved by Mr. Scott. Seconded by Mr. Abraham. Motion passed unanimously.

- C. Municipal Election Commission Appointments-- two vacancies exist on the Municipal Election Commission (MEC) and need to be filled ASAP to begin the election process. Attached is the current roster.

Approving Action: A motion to nominate two members for the Municipal Election Commission (MEC) followed by a vote of Council was tabled by Mayor and Council.

Approving Action: A motion to have a Special Called Meeting on Tuesday, June 13, 2023, 6:00PM to appoint two additional people to the Municipal Election Commission (MEC). Moved by Mr. Scott. Seconded by Ms. Weaver. Motion passed unanimously.

- D. Consent of Landmark Asset Services, Inc's Purchased by Flatiron Holdings, LLC- Included in the packet is a request from Moore & VanAllen representing Fitch Irick Corporation who controls Flatiron Holdings, LLC for consent to purchase Landmark Asset Services, Inc.

Approving Action: Consent of Landmark Asset Services, Inc's Purchased by Flatiron Holdings, LLC Died on the floor with lack of motion.

- E. Personnel Policy Manual Upgrade and Job Description/ Salary Analysis- The Consensus of the Council at the Workshop on May 9th was to solicit requests for Proposals (RFP's) for a salary survey and HR Audit. The last salary survey/Job description analysis was completed in 2014 and 2001. A Personnel Policy Update was included. With approval we will solicit RFPs for a Personnel Policy Upgrade and Job Description/Salary Analysis.

Approving Action: A motion authorizing the City Administrator to solicit RFPs for a Personnel Policy Upgrade and Job Description/Salary Analysis and bring back the draft RFP approval. Moved by Mr. Abraham. Seconded by Mr. Scott. Motion passed unanimously.

- F. Request to Reconsider The Police Department's Recruitment and Incentives Plan-After numerous votes and motions council voted 4-3 to revoke the prior authorization of The Police Department's Recruitment and Incentives Plan. Council members Mr. Scott, Mr. Davis and Mr. Abraham along with Mayor Prince. Council members Mr. Taylor, Ms. Weaver and Ms. Quick voted no. Motion carries. However, in April at the Regular Council Meeting, Council members voted 7-0 to approve the revised Recruitment and Incentive Plans.

Mr. Alderman "suggested that anything dealing with salaries that you may be discussing those that we include that in item E. That request for proposals for Salary Survey Job Description, Policy and all, just include it all and we can take care of that."

Attorney King stated that "If you want to reconsider the issue, I think before you do that, it needs to be a motion to reconsider. That motion has to pass before you reconsider the issue. If you reconsider the issue, then you can talk about it, discuss its merits, and make a decision based on that but before you get there, it needs to be a motion to reconsider that issue and it needs to be approved."

Mr. Scott asked, "Will we be reconsidering certain things that are in the plan, not the whole plan?" Mayor Prince replied, "We have to reconsider and then roll into if we choose, roll into the item that we just approved authorizing a policy of putting in job descriptions salaries. So, it's logical that rather than taking that document, we should just put it all together since it will look at all employees and all departments."

Ms. Quick asked, "Whose idea was it to do this?"

Mayor Prince replied, "I asked for it. I'm not against salary increases. We all agreed that in all departments that people are being underpaid and too low, we need to make adjustments. I made the comment at the last meeting that we may be over staffed in some places, understaffed other places. We have 2,000 less citizens and we have more employees now than we did with 9,000 citizens. So, looking at those kinds of things and you look at the budget with the increasing expenses and the decreasing revenues that Mr. Alderman has been saying for years."

Ms. Weaver stated that, "Chief Miller had come to Council several times about the plan. He went over the plan in one meeting, and nobody said anything. Then he came back, and it was passed unanimously. Then Bill Parrish came in asking for a raise for his department. They were only two who asked about raises and she thinks it needs to stay."

Mayor Prince asked that, "They reconsider the plan and roll it into the previous authorized City Administrator Max Alderman to solicit RFPs for a personnel policy upgrade and job description/salary analysis."

Attorney King stated that, "That you'll be giving me anxiety over here, let's do the motion for preliminary motion first to reconsider before we start talking about that."

Mayor Prince replied in response to Ms. Weaver, “ We asked for HR to do the numbers for what it would take for both, for Mr. Parrish department and what it would take for Police Department, so instead of moving forward right now, you don’t have those numbers but either then that’s why I’m requesting that we get finish with this analysis and then make better decisions about money management and employees. Questions or comments?” Mayor Prince then started to entertain a motion, but Mr. Abraham stated that, “If we go back” then Mayor Prince intersected and stated, “And send the motions that we approved to accept the documents presented by the Police Department and as one separate motion.”

Attorney King stated, “Yes, so Madam Mayor, the first motion is that the first motion passes the motion to reconsider the prior approval of the Police Department Recruitment and Incentive Plan. If a motion is made to reconsider that, then, and it passes, then you can reconsider it in any way you choose. I mean, I guess Chief Miller came up here and made a presentation for information that allowed you to make the decision to approve it. So, whatever information that y’all have out there, you want to reconsider it and get some information before you approve it, y’all can decide to do that anyway you want to. Keep it as it is. You can resend it as the Mayor mentioned.” Mayor Prince replied, “So, that would be my suggestion for the second motion, get the first task that we include the Police Department’s document to be included in the Personnel Policy, Upgrade Job Description, Salary Analysis. So, it’s leveling the playing field for everybody. Rather than having one department with one document in terms of salary analysis who have one document for all departments and all employees.”

Mr. Abraham stated that, “Yes, I was one of the ones that did approve it, but after looking into some other areas, it was some things I have some concerns about.” Mr. Abraham made a motion to look at and reconsider some of the information that is in that packet. Seconded by Mr. Scott.

Mr. Taylor stated that, “We all got this document well in advance of this meeting to review, study and ask questions. We decided as a group unanimously last month to move forward with a plan and then decided later to do the study. That doesn’t change the fact that we decide unanimously, in my opinion, to move forward with the Police Department’s plan. That’s what the Police Department is expecting at this point. I think this is a little bit of a hot spot that we could be opening a door for a lot of other votes that voted in favor that have changed my mind on the past. I can bring that back up now I think we need to stand firm on that if we have that information. The man stood up here, presented it and nobody asked a single question. So, we did not do our homework when we looked at this packet, um, I don’t know, I did and I’m okay with it. I’m not in favor of reconsidering this and I want to say that at this point because a whole bunch of conversation we’re giving to our lawyer today that should have been handled.”

Mr. Abraham stated that, “Nobody’s perfect and everybody is human, and I have some concerns because what was told to me, maybe at that time, maybe it’s not what was told to me now. So, that’s why I have some concerns that I would like to ask and reconsider and if it opens up for other things, then let it be, opened up.”

Mr. Scott stated, “ My point with this is that we need more information on some things. When I read it, from my understanding, it was one thing but now, it’s another and when we have another motion how will we handle this? Maybe a couple words might clear it up what’s going on. Certainly, the plan itself, I think is a good plan, but just like any other plan maybe some things that we need more information on and that’s what I’m saying.”

Ms. Weaver stated, “If we need more information when he stood there and presented it, nobody asked any questions and that would have been the time to ask questions if you had anything you wanted to ask.”

Mr. Abraham stated, “I am not against anything for the Police Department because at this point, with the staff that Chief Miller have, you have a lot of employees working 7 days a week, 12 hours a day. So, I’m for them getting an increase. I am for the officers and staff they have now getting an incentive, but the thing is a lot of things that is in the plan, is not what I’ve been told, after the fact. So, that’s just my concern.”

Mayor Prince asked for any comments or questions? Hearing none. She then called for a vote. All in favor of reconsidering. **In favor-** Mr. Abraham, Mr. Scott, Mr. Davis and Mayor Prince. **Opposed-** Ms. Weaver, Ms. Quick and Mr. Taylor. Motion carries.

Mayor Prince entertained a motion to include the Police Department in the Personnel Policy Manual Upgrade and Job Description/ Salary Analysis that we approved for the other departments. Mr. Abraham asked, “Attorney King if everything was done the right way? Is everything clear before we leave the doors?” He replied, “As I understood that the vote is in was to reconsider Councils prior

approval of the Bennettsville Police Department's Recruitments and Incentives Plan. So, in that pass y'all are free to reconsider your prior approval of authorization of that plan. Y'all can reconsider that and make a new decision now.

Mayor Prince stated that, "I 'm proposing that we included the Police Department in the Personnel Policy Manual Upgrade and Job Description/ Salary Analysis, that we just approved. Mr. Abraham made a recommendation of wanting to look at the positions that he have opened now and looking at since we have those positions, and they are not filled or look at some of those salaries to see about doing an incentive for the officers. Using the vacancies and some of those salaries for the officers he have now. For employees he have currently working and doing overtime." Lastly, he mentioned that he would like the Chief, Ms. Overstreet, Ms. Ward and Max to be in attendance for the June Workshop.

Mayor Prince stated that, "Well taking a look at the motion that we just approved, authorizing the City Administrator to solicit RFPs for a Personnel Policy Manual Upgrade and Job Description/ Salary Analysis that will be for all departments and all employees. We have already approved that, so we don't have to do it anymore."

Attorney King stated that, " Even if you do what Mr. Abraham requested, the prior motion proving the plan would still be in place. What I'm saying is if what else needs to be done, you know, unless otherwise it's decided tonight, your prior motion of approving the plan still stands. Right now, y'all just moved and sitting there, but if somebody wants to stop it, you can." Mayor Prince asked if he could explain it. He replied, "Right now, there has been an approval of the plan, the incentive plan. Y'all approved that in the last meeting. Y'all are reconsidering it, right now. It needs to be clear. If y'all want to stop, or resend your authorization, your prior approval, you need to make that clear tonight.

Mayor Prince stated, "We need to make another motion." I entertain a motion to stop" then Attorney King stated "No, resend the prior approval of the Police Department's Incentive Plan." Mayor Prince said, "I thought we just did that." Attorney King stated, "Y'all, y'all, y'all had to first pass the motion to reconsider that. That motion needed to pass before you." That's part of what y'all want to do, that needs to be made clear." Mayor Prince asked Attorney King for legal language, and he replied, "if otherwise decided tonight, the prior approval remains in place, if you don't want that prior approval to remain in place, there needs to be a motion to resend the prior approval of the Police Department's Recruitment and Incentive Plans." Mayor Prince stated, " we now need to have amotion to revoke the prior approval and based on information from the Workshop, information coming from the Salary Analysis, we can craft a new plan, a new recommendation. Is that correct, sir?" Attorney king replied, "Well No, because I'm not, I don't want to say that you have to revoke it. All I'm saying is this, if City Council decides that they do not want that they do not want that plan to move forward there needs to be a plan to move forward, there needs to be a motion and that motion needs to pass revoking the prior approval of the Police Department's Recruitment and Incentives Plan. That don't have to be done, but if you don't, if you don't want it to continue going forward, that has to be done. That motion has to be done. Otherwise, based on your prior approval, it can certainly continue on." There was a motion to reconsider the original motion which was approval of the revised Bennettsville Police Department's Recruitment and Incentives Plan. Y'all authorized and approved that prior."

Mr. Abraham stated that, "I don't want them to wait for the salary survey." What I'm asking is to resend this, look at the positions we have and then go from there as in compensating the ones the ones that are working. So basically, what we need to do is just go ahead and cut this." Mayor Prince stated, " Yes, revoke all of this . We're having a Workshop for more information."

Motion moved made by Ms. Weaver to leave this document in place. Seconded by Ms. Quick. **Voted In favor** Ms. Weaver, Ms. Quick. **Voted Against-** Mr. Taylor, Mr. Scott, Mr. Davis and Mr. Abraham. Motion did not carry.

11. REPORTS AND INFORMATION PRESENTATION
No Business

12. COMMUNICATION BETWEEN CITY COUNCIL AND CITY ADMINISTRATOR
No Business

13. NON-AGENDA ITEMS FROM COUNCIL
Mayor Prince-Stated on Thursday, May 11th Attorney Frank B. Cain, Jr. African American lawyer for 51 years in the City of Bennettsville was honored by the South Carolina Bar and the University of South Carolina Law School. Every year they have what they call their memory hold the door ceremony. Where they recognize 10 lawyers or judges for their accomplishments. Mr. Greg Ohanesian , a lawyer here in Bennettsville, recommended Mr. Cain to be. Next, she recognized Mr. Mikel Hamilton , a senior at the Marlboro County High School. He has been

providing the media streaming services for us since last year. He will be graduating from Marlboro High School on June 3rd. Congratulations, and he is planning to attend Denmark College and his major will be Culinary Arts. Lastly, she recognized Ms. Jacqueline Hough from the Herald Advocate. They will be having a ribbon cutting on Friday, May 19th; 1:00.

Mr. Taylor-None

Mr. Scott- Thanked all employees for what they do for the city. He was glad to hear that we have the \$10 million dollar grant. Lastly, he asked Max if he had any additional information about the grant that was awarded for the Crooked Creek Project. In response, Max stated that he had a conversation today with a lady from the Energy Emergency Management Division of South Carolina. She said they were waiting to approve, go ahead, we need some information from the engineers. He replied, " I'll have them call you today, so that was today. So, it's all in one place and one more piece of information from the engineers, the engineer selection went smoothly and we're ready to go and they are going to start working shortly."

Mrs. Weaver- Would like to put an Agenda Item on the Agenda for the Workshop about vacation time beneficiary form started.

Mr. Davis-Thanked the employees for their hard work. He stated that he'll continue to make decisions and to do the best that he can do for the city. It's not easy all the time but thank you all for what you do.

Ms. Quick-Thanked the employees for what they do.

Mr. Abraham- Made a request to get a copy of all city employees that is earning \$50k or above, as well as job descriptions. Next, he wanted to get a copy of the departments that are overspending and a quarterly report just letting council know which departments are getting close to their numbers within their budget. Lastly, he think we should set a time to go over City Ordinances because right now we can't enforce a particular violation because our Ordinance say one thing about tons with some vehicles that are parked in the city where you have some trucks that a certain ton and, in our Ordinance, it says 22 tons, but you have some trucks that are less.

14. ADJOURN
Mayor Prince

Public Comment Policy:

Citizens desiring to speak at any regular meeting must provide a written request to notify the City Clerk prior to the agenda deadline. Citizens interested in commenting at a regular meeting shall sign in to speak and limit comments to no more than 3 minutes.

Mission Statement:

To utilize all available resources for the development of plans, programs, and projects to improve services to the citizens of Bennettsville and establish and maintain an active role in economic and community development.