

**MINUTES OF MARION CITY COUNCIL REGULAR MEETING**  
**CITY COUNCIL CHAMBERS**  
**TUESDAY, FEBRUARY 9, 2016**  
**6:30 P.M.**

A regular meeting was held by City Council on Tuesday, February 9, 2016 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ralph Atkinson, Ronald Atkinson, Odessa Gregg, Joseph Frazier and Emerson Hunt were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown City Clerk Pam Jones and Attorney Catoe.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed citizens, guests and the press. (Hometown TV).

Councilman Joseph Frazier made a motion to approve the minutes of the regular meeting on January 12, 2016 and special meeting on January 12, 2016, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Mr. Elma Fling of the Street Department was named *January Employee of the Month* and presented with a gift certificate. Mayor Davis thanked Mr. Fling for a job well done.

The Mayor's Monthly Beautification award for December was awarded to Ms. Ruth Gurley. Mayor Davis thanked her for all she does to keep Marion clean and beautiful, as she walks her neighborhood and picks up trash so that her neighborhood maintains its beauty. Ms. Gurley thanked the Mayor for this award and asked that others do their part to keep Marion beautiful.

City Clerk Pam Jones read a Resolution in memory of Dr. Mary Eaddy. Mrs. Eaddy's daughter was present to accept the Resolution, which was presented by Mayor Bobby L. Davis on behalf of City Council and the City of Marion.

Mayor Bobby L. Davis requested a Resolution for Rev. Henry McGill, which will be presented to his family at the next Council meeting. Council Emerson Hunt made a motion to approve this request, seconded by Councilman Michael Baker; motion carried. The Resolution will be presented on March 9<sup>th</sup>.

On behalf of Pastor Joshua Nelson of Mt. Olive 7<sup>th</sup> Day Adventist Church, Ms. Jean Smith and Ms. Teresa Baxley were present to request use of Grice's Recreation Center for their "Lunch Box" program, which provides lunch and activities benefitting kids 6-12. This will be on the 2<sup>nd</sup> Saturday of each month through December. They also requested use of C. D. Joyner on September 24<sup>th</sup> for the 100<sup>th</sup> Anniversary Homecoming Celebration of the church. Councilman Emerson Hunt made a motion to approve both requests, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Ms. Debbie Erwin made a request to use Withlacoochee Park for the Relay for Life event to be held April 30<sup>th</sup>, with the Shannon Wilkerson Gym as a backup in case of bad weather. Councilman Michael Baker made a motion to approve this request, seconded by Councilman Joseph Frazier; motion carried.

Councilman Emerson Hunt made a motion to grant Delta Sigma Theta Sorority use of the Opera House on May 27<sup>th</sup> & 28<sup>th</sup> for a scholarship pageant, seconded by Councilman Michael Baker; motion carried.

Councilman Michael Baker made a motion to allow Wanda Legett use of C. D. Joyner on March 12<sup>th</sup> for a beauty pageant fundraiser, seconded by Councilman Joseph Frazier; motion carried.

Councilman Emerson Hunt made a motion to approve Chief Apostle Diana Wright use of the Opera House to hold a retreat on August 26<sup>th</sup> & 27<sup>th</sup> for women's ministry work in Marion County and to celebrate the publishing of her book, seconded by Councilman Michael Baker; motion carried.

Councilman Emerson Hunt made a motion to Accept Sharmaine Broome's request to use C. D. Joyner for a Scholarship Fashion Show the Friday after Thanksgiving (November 25), seconded by Councilman Michael Baker; motion carried.

Councilman Joseph Frazier made a motion to approve March 15<sup>th</sup> as the date for the City Employee's Party, seconded by Mayor Pro-tem Ronald Atkinson; motion carried. This year the party will be held at Woodhaven at 7:00 p.m.

Regarding Police Department Body Cameras, Mr. Ammons commented that in the packets was copy of the policy recommended by the Criminal Justice Academy and reviewed by Chief Tennie and himself and forwarded to the City Attorney. Tonight there is a letter of recommendation for changes or additions to that policy that will allow us to submit for some funding from the state. Councilman Ralph Atkinson made a motion to go with the recommendation of the City Administrator and with the changes made by the Attorney and move forward, seconded by Councilman Emerson Hunt; motion carried. Mayor Davis commented that this was the first step in trying to get body cameras, it doesn't mean we will automatically get them. This letter is authorization for us to apply for the money so that we can get it when the time comes. Attorney Catoe clarified that the policy that is implemented is also pursuant to the guidelines from the South Carolina Law Enforcement Training Council, which is part of the new law that has passed, and the policy will go back to them for approval as required under the new statute. Mayor Davis commented that we would then apply for funds and, in requesting that money, will have to do a budget to send back in. We will also ask for funding to store the data from the cameras. There is a requirement that we must have space to store the data from the cameras, and our policy will require it to be stored for 30 days.

Regarding the replacement of street signs in downtown Marion, Mr. Ammons stated that the money for this would come from CTC funding that was approved almost a year and a half ago and recommended that we accept the low bid of \$6,144 from Hi-Tec Signs. Councilman Ralph Atkinson made a motion to go with the City Administrator's recommendation and go with the low bid of \$6,144 from Hi-Tec Signs, seconded by Councilman Joseph Frazier; motion carried.

#### ADMINISTRATOR'S REPORT

Last month we worked on driveways and now have expended all CTC funds and we have started a new list of driveways. In our CTC program we have one other project that needs completing after the street signs and that is the NW drainage project. There is a section from Withlacoochee Park to Catfish that needs replacing and we have the CTC funding to do that. We will get this out on bid and get this completed. After completion of this project, our plan is to apply for additional funds, including more

driveway funds. Mr. Ammons explained that the CTC is the County Transportation Committee and a gas tax is collected by the state and a portion is sent back to Marion County. This committee is appointed by the Senator and we go in front of committee and ask for the funds to do these projects (sidewalks, driveways, paving streets). Mayor Davis stated that most of the streets that are located in Marion are not owned by the City of Marion. Most potholes in the streets are filled by SCDOT from the state level, as they own most of the roads. It is not in the hands of the City of Marion to make these repairs and we do not have the money to make those repairs. Councilman Ralph Atkinson also commented that we compete with the City of Mullins, the county, Nichols & Sellers for the funding; it does not all come to the City of Marion. Mr. Ammons reminded everyone that we would be Celebrating General Francis Marion Days on February 27<sup>th</sup> with the Runfest, which is coordinated by Pam Jones, and the Swamp Fox Chili Cook-off, coordinated by HMRA. Mayor Davis asked that Ms. Jones give those in attendance some information on the Runfest.

#### **ATTORNEY'S REPORT**

Attorney Catoe had nothing to report at this time.

#### **DEPARTMENTAL REPORTS**

Mayor Davis commented that departmental reports are sent in the Council packets. He further commented that Recreation Director Ann Jackson would be in attendance, as requested by Council, at a later point in the meeting as she was attending her daughter's first softball game.

#### **DISTRICTS AND CITY UPDATE FROM COUNCIL AND MAYOR**

Councilman Emerson Hunt commented that it has been a sad couple of weeks in our City with the passing of Mrs. Mary Eaddy, Dr. Henry McGill, Jr. and Mrs. Clemontine Grice. They were vital to our community and were willing to stand up for those who couldn't stand up for themselves. Councilman Hunt sends out prayers to their families.

Councilwoman Odessa Gregg asked Mr. Ammons for an update on a grant from Commerce to get a new fire truck. Mr. Ammons explained that we applied for a \$50,000 grant from USDA, but there is currently no available money in their budget and will be approved when funds are available. The \$500,000 Commerce grant can be re-applied for in August 2016. Mr. Ammons stated that in July, Commerce would come out with their list of projects and what the criteria is for the next grant cycle. That is the same one we were denied on before as the particular area covered was not big enough and if

the criteria has not changed, we probably will not be successful with the Commerce grant. If the criteria changes, we may be successful. Councilwoman Gregg inquired if there was anything that Council or anyone can do to strengthen the contact with Commerce. Mr. Ammons responded that when we get to that process we will get another Resolution from the Mayor and Council. We also get support from Senator Williams, Representative George, and from the Congress and U. S. Senator's offices. The cost of the fire truck will be approximately \$500,000. Mr. Ammons explained that we are required to have three front line engines and a reserve. One of ours is completely out of service, so we only have three. In order to keep our ISO low and not have an increase in property owner's insurance, we need the new fire engine. We are currently a high class 4 and a new engine will let us maintain a 4 with the possibility of it dropping to a 3, which would help reduce insurance premiums. The ISO is a rating by insurance companies and rates three categories: 1) the Fire Department, equipment and training, 2) Dispatch service (E-911), and 3) water system. These determine the ISO rating.

Councilman Ralph Atkinson commented that with six requests tonight for use of City facilities, he thought it had been addressed and voted on earlier, that the Mayor and City Administrator be allowed to make the decision for those who request use of the City facilities; it would make it easier if they were able to get a decision on using the facilities, make their plans and have it on the calendar so there would not be a conflict with the date, without having to wait to go before Council. Mayor Davis responded that the Ordinance states that for free use of City facilities, it must come before Council. Attorney Catoe responded that they would look over the Ordinance and advice, and if there are no legal ramifications, then this can be put on next month's agenda. Councilman Ralph Atkinson made a motion to authorize the Attorney, in cooperation with the Mayor and Administrator, to address the issues he brought forward bring it back before Council next month, seconded by Mayor Pro-tem Ronald Atkinson; motion carried. Mayor Davis commented that Councilman Atkinson is right in that it would help our citizens and, if it is approved by legal representation, we will move forward.

Mayor Pro-tem Ronald Atkinson stated that there is a house on Waverly Way that has the roof caving in and asked Mr. Ammons if that has been addressed. Mr. Ammons responded that it has been addressed and he would get him an update on that. Mayor Davis commented that there is another situation at Smith-Collins Funeral Home that is also being addressed. He further commented that there are several houses that, if we had the authority to do it, would be torn down this week. The problem is we can't take down folks' homes without proper notification and checking with our Attorney to make sure that we don't do something that will get the City sued. It's a long process, but we must follow proper procedure. A policy has been introduced to the State Legislature to talk about how we can take

down blight in our communities and if that passes, it will help all small towns, as after proper warning, we will be able to go in and do what we need to do to clean up these areas.

Councilman Joseph Frazier inquired if all of these people asking to use City facilities have proper insurance, do we need a rider to protect the City? He would like this checked out to make sure the City would be held harmless if anything should happen. Councilman Ralph Atkinson asked if that was part of the agreement that is signed whenever someone rents/uses the building. Mr. Ammons was asked to have Attorney Catoe check in to this as our attorneys previously drafted a policy on this.

Councilman Michael Baker had nothing to report at this time.

Mayor Bobby L. Davis asked Council members Gregg and Frazier to make comments on their MASC meeting last week. Councilwoman Gregg shared that she felt like Marion was making good progress and positive changes. She hopes to soon share some information on a new program for our young people. Councilman Frazier commented that we are ahead on some of the things mentioned at the meeting, such as our Police Department morale and constant contact with our citizens. Mayor Davis commented that he attended classes on Fire and Police Departments regarding diversity and uniforms/equipment that did not need to look like military, as it could cause more problems than it would solve. Our Police officers have finished diversity training and our Fire department will be next to take this training. We plan to do this in every department to build relationships with each other and within the community. Mayor Davis thanked everyone for the support during the passing of his pastor, Dr. Henry McGill, Jr. and also for Mrs. Clemontine Grice and asked for prayers for both families. Mayor Davis called on Dr. LeCarol Ford to pay tribute to Mrs. Mary Eaddy and Dr. Ford offered a lovely tribute to her memory. Mrs. Eaddy was loved by many and her passing will be felt by all who knew her. She was always willing to help the City of Marion in any way she could and never hesitated to help anyone who needed her. She will truly be missed. Mr. Denley Caughman commented that the *Historic Marion County Awakened* group also made a presentation to the Marion County Council to ask for their support in moving the effort of this committee forward. The potential to expand the history of Marion and Marion County is tremendous and we will keep you updated as we move forward.

Mayor Davis asked the Attorney if it was permissible to change the order of the agenda to allow Ms. Ann Jackson to speak to Council before Executive Session. Attorney Catoe answered that it was, as long as it was put in the form of a motion. Mayor Pro-tem Ronald Atkinson made a motion to hear Recreation Director Ann Jackson prior to Executive Session, seconded by Councilman Emerson Hunt. Councilman Frazier asked if this should be done in Executive Session if it was a personnel matter, to

which the Mayor responded that this was a question and answer session and if it turned into a personnel matter it would be stopped. Attorney Catoe stated this was acceptable. The motion carried.

Recreation Director Ann Jackson was present to answer questions from Council. Councilman Hunt stated there seems to be a problem with communication with the Rec. Dept. About 3 months ago around 25-30 young men were here and they were going on a trip that just the ride to and from Lexington was 6 hours. At that age, nutrition and rest are important for athletes, especially when they represent your City. He commented that he understood budgets and how they can be manipulated and things can be switched around so these children get there safely and provided proper nutrition. They should not have had to come before Council to ask for sandwiches and food, and as head of the Recreation Department, how is it that this happens, do you go out into the community to ask for help? Also, when basketball was going on and people from outside this county were either volunteers or being paid, young people or parents of children who play sports and live in Marion could have used that money to help their families. He stated that money was given to the team the day after that meeting and something didn't seem right because he knew of other instances where money was given so that certain things could be taken care of. It's an embarrassment to the Council and the City for it to get this far. Councilman Hunt further commented that he knows Ms. Jackson works hard, but please be more sensitive to the needs of those kids. In response, Ms. Jackson stated that the night they won the District Championship, the only thing they asked was the Marion High School. Marion School no longer loans out their buses. It's against policy and regulations to do so. She told them she would do anything she could to help them raise money, just like the softball team did and they raised their own money. Council's packets contain receipts that show the Rec gave them \$500 to eat with and they went to Lexington and then to Riverton High School. They bought 60 + sausage and ham biscuits Friday night before they left. On the way back Saturday night, they bought steak. Ms. Jackson commented that they didn't play until 4:00 in the afternoon and it is only 1 ½ hours to Lexington, and knows that as she drives to Lexington almost every weekend. Ms. Jackson stressed that had the game been at 8:00 or 9:00 a.m. she would have gotten with Mr. Ammons to figure something out, as she is dedicated to all the kids. As far as basketball, the girls played at Clemson and she went to the Mayor and Mr. Ammons to get help with rooms and food. Last year the 910 girls played in Cheraw, we didn't give them \$500 to eat with. We paid for what they ate. The 14 year olds and 17 year olds played in Hilton Head and we paid for their food. The soccer team went this year and when we asked them, they said everything was covered. If they play multiple nights or early in the morning, she tries to do everything she can for the kids.

Councilman Hunt stated that he asked a direct question and not suggesting that Ms. Jackson did not care about the kids, but that day when they came before Council asking for funds, the Mayor and Council said there was none at all. Councilman Hunt stated that he called the Mayor the next day and further stated that he would never try to bring something up in front of Council without calling and asking him first; he believes that is when the \$500 was given. It is Councilman Hunt's opinion that if everything had been properly taken care, then you wouldn't have had 30 kids in here begging for sandwiches. It is also his opinion that it shows a lack of communication. Councilman Hunt stated that this he had been asking to talk to Ms. Jackson for 3 months, to which she replied that her door was always open. He responded that he doesn't go to her office because he doesn't know if it violates any personnel issue. He further stated that at last month's meeting she left before he could address these issues; this is the 3<sup>rd</sup> month she finally gets here; we were supposed to talk about this 3 months ago. Ms. Jackson responded to a previous question regarding food for the football team, stating that she had to have chance to get with them but was never contacted; the Rec had every intention of paying for food and have never not given to a team. She also addressed the prior question regarding hiring people out of the county when she first came to Marion. Being hired in the middle of basketball season (Feb. 5<sup>th</sup>) did not feel comfortable having someone she didn't know taking care of Marion's money, she went with who she knew, which was the Police Chief and Assistant Chief from Latta. All that has changed this year and those working the games are from Marion. She stated that she believes in working those kids who want to work and will try to find something for them to do, but she will not use kids to work at a gate taking up money. If the football team had asked for anything, Ms. Jackson stated that she would have done anything she could to help them, but they did not ask, they went to City Hall and asked for championship rings and you don't do that until you win. Mayor Davis commented that they did come and ask him for rings. Ms. Jackson implored Council and the Mayor to come directly to her if there is a problem, her door is always open to them and this didn't have to drag out for 3 months. Councilman Hunt again brought up working people from out of the County and again about the football team and the need for sensitivity because there appears to be a communication problem. Mayor Davis stopped the exchange between Councilman Hunt and Ms. Jackson and commented that she was doing an outstanding job bringing the Recreation Department and City back to life by hosting numerous tournaments and bringing thousands and kids and parents to Marion, in addition to being awarded numerous tournaments again this year in basketball, baseball and softball. Mayor Davis stated that one of the football coaches came to him to ask for rings the Saturday before they came to the Council meeting. They did not properly ask to be on the agenda, they did not go to our Clerk and ask to be on

the agenda. The coach should have been aware of the procedure we use to be on the agenda. It's an embarrassment to them to put those kids in that predicament and they should not have been. They should have gone to Mr. Hunt, who sponsors that team, and knows the proper procedure to be on the agenda. Councilman Hunt commented that he gives money and sponsors a lot of teams, he has given children food, money and provided transportation and all he asks is that you see those young black boys that were in here that day. After more discussion on these same issues, Mayor Davis commented that our kids are being treated as well we possibly can, some of us are contributing personal funds to help whenever we can. Mayor Davis reiterated the fact that the City of Marion has never bought any type of ring for any championship, ever. Rings for the State Softball Champions were bought by the players' parents and thru their fundraisers, not by the City. Mayor Davis commented that it was garbage to say the black kids were being treated differently and we need quit trying to create confusion when there is none. He encouraged Ms. Jackson to keep doing the good job she is doing. Councilwoman Gregg thanked Ms. Jackson for her hard work and appreciates her dedication. Councilman Frazier also thanked Ms. Jackson for her hard work and dedication.

#### **EXECUTIVE SESSION**

Councilman Michael Baker made a motion to enter Executive Session to receive legal advice from Attorney, seconded by Councilman Ralph Atkinson; motion carried. Upon returning from Executive Session, Mayor Davis stated that no action was taken. Councilman Joseph Frazier made a motion to return to open session, seconded by Councilman Michael Baker; motion carried.

#### **ADJOURNMENT**

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Councilman Michael Baker; motion carried.

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Mayor Bobby L. Davis

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City Clerk Pam Jones

Taped: February 9, 2016