

CITY OF HARDEEVILLE  
PUBLIC HEARING & REGULAR  
CITY COUNCIL MEETING  
AUGUST 17, 2006  
6:00 PM

Present: Mayor Rodney Cannon, Mayor Pro Tem Willis, Council Members Bea Jones, Bill Horton, & Earl Cooler. City Manager Shane Haynes, Asst City Manager Kevin Griffin, IT Director Jeff Broxton, Police Chief Jimmy Hubbard, Fire Chief John Ekaitis, Planning Director Brana Snowden, Building Official Jim Hatter, Parks & Recreation Director Joe Gailey, & Asst Media Director Jason Rogers

**I. CALL TO ORDER**

Mayor Cannon called the meeting to order.

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Willis gave the invocation.

**III. PUBLIC PRESENTATIONS**

**Mr. Jonathan Young** stated that he still has the same questions to find out exactly what is going on. He stated that it's been almost 90 days since he first attended a council meeting asking what was going on within the city and still does not have answers. He has spoken to the city manager and was informed that they will be getting answers. Since the last council meeting, Mr. Young understands there was a statement sent to the press on one of the incidents that led to this restructure. He does not understand how we can go to the press and give comments, but not to the citizens. Mr. Young is inquiring about the time line and if there is anything they can share at this point. Manager Haynes stated they are trying to receive all information since the city has received several claims levied against the city regarding some of the former employees. The City has a response that has been filed this week; and will have to wait on their determination. The City also has to balance the liability issues out there for us. The statement the Manager sent to the press was sent because that particular writer had sent him a very lengthy detailed email that was concerning to him because it included things that he intended to print that were not correct. Where he got his information from concerned him greatly. Irrespective of what people think, he cares very deeply for the people that were employees of this town, that are and that will be employees of the City. Manager Haynes' intent is to respect their privacy and their rights as former employees. Manager Haynes stated that no one is more disappointed than he is that he cannot share the details of what has happened. It is his intent to be fair. Manager Haynes sent in writing a statement that was misquoted in the article even though his response was in writing. Mr. Young inquired what the misquotes were. Manager Haynes stated one part of the article was in reference to Captain White and why he was no longer here and it was mentioned that he was no longer here because of indirect insubordination and

other activities in the department, failure to complete assigned duties, failure to respond and failure to do what the Chief asked him to do and he made a reference to “ditto” to another officer and that was incorrect. Captain White is no longer with the city because there was a reduction in force that the council approved as part of the budget process. His position, not him as a person, was eliminated as well as numerous employees effected; both black and white. An administrative assistant that was female, white, and older than Captain White. He stated that sometimes they have to make difficult decisions that involve people that are our friends and people they care about. He does not regret the decisions; he believes they were in the best interest of the city; which he will continue to do. Council has and is informed of everything that is going on. The citizens should trust that what they are doing is in the best interest of the city. They will be getting their answers to the citizens as soon as possible. Mr. Young stated it is not unnoticed that the city is growing and is headed in the right direction. The citizens want to know what is going on. Mr. Young thinks there were some bad decisions made. Manager Haynes inquired as to what inside information Mr. Young has of the city operations other than one side of the story that would substantiate that claim of bad decisions being made. Mr. Young thinks that some decisions were made that he thinks was inappropriate and that he has a copy of their files. Mayor Cannon inquired as to where Mr. Young got copies of the files. Mr. Young stated that there is the Freedom of Information Act and he has them. Mayor Cannon stated that he has not seen a Freedom of Information request come from Mr. Young which means they went out of the office illegally.

#### **IV. PUBLIC HEARING**

**Michelle Knight from LCOG stated that she would like to do the streetscape project amendment first.**

##### **A. CDBG CONCERNING NEEDS ASSESSMENT**

Ms. Knight stated this is our annual needs assessment public hearing. The state of South Carolina requires units of local government that wish to pursue CDBG money once a year holds a needs assessment public hearing to prioritize the needs of the city in order to make some determinations as to how they would like to pursue the CDBG funds for the coming twelve months. This public hearing was advertised in accordance with the city’s citizen participation plan. Ms. Knight went over some of the things that can and cannot be done and also went over priorities from our last needs assessment. Mayor Cannon inquired about the CDBG grant for drainage and how many grants are you allowed. Ms. Knight stated you are allowed to have two open projects which are due to close by the end of this year. Council Member Horton stated that he was advised that drainage grant projects are only for new construction type drainage or could you use the funds to revitalize drainage system that was not put in place properly initially. Ms. Knight stated you have to use it to provide new service or upgrade what you have. You cannot get a CDBG that should have been a

maintenance issue, has to be something that can be justified by an engineer or an architect as an upgrade for what you have for it to work. Council Member Horton inquired about getting grants for doing the actual work and planning that work. Ms. Knight stated you can get a grant for a planning study.

**PUBLIC COMMENT-None**

Ms. Knight stated that based on our last year's needs assessment that our ranking was drainage infrastructure, commercial revitalization, economic development project, water & sewer infra, housing, and traffic studies. Ms. Knight inquired in Council would like to make any changes. Mayor Cannon and council would like to leave it like it is.

**B. CDBG CONCERNING STREETScape PROJECT AMENDMENT**

Ms. Knight stated that in accordance with the town citizen's participation plan, LCOG publicized a public hearing notice for a change of scope in project to community development block grant number 4CR04002 which is the Hardeeville Streetscape Project; Streetscape Project & Improvements. In December 2004, the town was awarded \$486,110.00 to make purchases of light poles for the project that runs from Exit 5 to intersection Hwy 321. Also in the project, there was an allocation of money to purchase a piece of property along the corridor to use for additional parking for businesses. The project was awarded, purchased the light poles, and had some money left in the line item and also had the acquisition money for the property left. The property was sold before we were able to acquire it. They petitioned the State of South Carolina to look at doing additional work with the project to carry it to the stop light in town. We will have to amend our grant and as part of the amendment requirement, we have to hold this public hearing to gather comments on it. They are proposing to take the remainder of the grant and utilize it to the curb and guttering construction work related to the project from 321 to the stop light.

**PUBLIC COMMENT-Council Member Horton** stated that he was under the impression that this will complete the project. Ms. Knight stated that is correct. Council Member Cooler inquired as to when the construction will start. Ms. Knight stated they are still waiting on DOT to approve the amendment to the encroachment permit. They are hoping to get it out to bid very shortly. Council Member Horton inquired where the monies were coming from that the city will be paying the balance. Manager Haynes stated there are remaining funds from the first phase of the project.

**V. OLD BUSINESS**

- A. SECOND READING OF AN ORDINANCE AMENDING ARTICLE 9 OF THE HARDEEVILLE CODE OF ORDINANCES BY DELETING IN IT'S ENTIRETY AND REPLACING IT WITH THE ATTACHED PROPOSED MODEL ORDINANCE (2006-8-3C)**

Manager Haynes stated this is the model ordinance that is presented by OCRM which is a division of DHEC. They have asked us to update our flood damage prevention section that is in our code of ordinances. It is staff's recommendation to give favorable consideration to this ordinance. Council Member Horton would like to clarify that council needs to pass this ordinance as presented or we lose the ability to file for flood hazard insurance. Manager Haynes stated that is correct.

**PUBLIC COMMENT-**

Mayor Pro Tem Willis made a motion to accept this ordinance as written; his motion received a proper second from Council Member Cooler and passed unanimously.

**VI. PRESENTATION & APPROVAL OF MINUTES FROM THE AUGUST 3, 2006 PUBLIC HEARING & REGULAR CITY COUNCIL MEETING**

Council Member Jones made a motion to accept the minutes as written; motion received a proper second from Council Member Horton and passed unanimously.

**VII. COMMITTEE REPORTS**

**Public Works**-Mayor Pro Tem Willis stated their committee is meeting in the morning.

**Planning & Zoning**-Council Member Cooler stated they are meeting in Ridgeland with Senator Pinckney.

**Recreation**-Council Member Jones stated they met with the booster club for football and baseball. They discussed their goals and where they want to go. Council Member Horton stated the first home game is next Saturday at 5:00 pm.

**Special Events**-Mayor Cannon stated they will be meeting next Tuesday and everyone is invited.

Mayor Cannon stated that there are still two openings on the Zoning Board of Appeals. Mayor Cannon would like to nominate Sherry Carroll for one of the openings; his nomination received a proper second from Council Member Jones and passed unanimously.

**VIII. MANAGER'S REPORT**

Manager Haynes stated there was a luncheon last week with the Council on Aging to unveil the plans for the new facility and solicit assistance in creating a partnership to complete that project. The center in Ridgeland has just been completed and now they are going to start on the Hardeeville center. Manager Haynes stated they are moving forward with the DA's and PDD's for Anderson and Morgan tracts. The MASC provided the National League of Cities the information from the Achievement Awards and Hardeeville made their website.

Council Member Horton made a motion to recess for five minutes then go into Executive Session; his motion received a proper second from Council Member Jones and passed unanimously.

**IX. EXECUTIVE SESSION**

**A. LEGAL ADVICE PURSUANT TO SC CODE SECTION 30-4-70 (2)  
REGARDING MATTERS COVERED BY ATTORNEY CLIENT  
PRIVILEGE**

Mayor Cannon called the meeting back to order. He stated they have been in Executive Session discussing legal advice pursuant to SC Code Section 30-4-70 (2) regarding matters covered by attorney client privilege.

**X. ADJOURNMENT**

Council Member Horton made a motion to adjourn; motion received a proper second from Council Member Cooler and passed unanimously.