

**CITY OF BARNWELL, SOUTH CAROLINA**

**MINUTES of the MEETING of BARNWELL CITY COUNCIL  
March 13, 2023 – 5:30PM**

**MEETING LOCATION:  
130 Main Street, Barnwell, SC 29812**

Barnwell City Council met in Regular Session with Mayor Rivera presiding.

**Councilmembers Present:** Mayor Marcus Rivera, Mayor Pro Tem Peggy Kinlaw, and Councilmembers Ryan Bragg, Alicia Davis, James Moody, and Ron Still

**Councilmembers Absent:** None

**Others Present:** City Administrator Lynn McEwen, City Clerk & Treasurer Kim Vargo, City Attorney Thomas Boulware, Fire Chief Tony Dicks, and Recreation Director Kevin Roberts

Mr. Jonathan Vickery of the People Sentinel was also present.

**PUBLIC HEARING ON ORDINANCE 2023-5 UPDATING THE ZONING ORDINANCE  
FOR THE CITY OF BARNWELL**

Mayor Rivera opened the public hearing. No one spoke on the issue. Councilmember Bragg made a motion to adjourn the public hearing. The motion was seconded by Councilmember Moody and unanimously approved.

**CALL TO ORDER & PRAYER**

Mayor Pro Tem Kinlaw made a motion to go into the regular City Council Meeting. The motion was seconded by Councilmember Davis and unanimously approved. Mayor Rivera called the meeting to order. Councilmember Still led in prayer.

**PLEDGE OF ALLEGIANCE**

Council led the pledge of allegiance.

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## **APPROVAL OF THE AGENDA**

Councilmember Still made a motion to amend the agenda by adding Discussion of Facebook Post after the executive session. The motion was seconded by Councilmember Bragg and unanimously approved.

## **PUBLIC COMMENTS**

Ms. Deborah Coleman expressed her concerns about the allegations in the Mayor's Facebook post about the redistricting process.

Ms. Wanda Highsmith expressed her concerns about the allegations in the Mayor's Facebook post about the redistricting process.

Ms. Barnett-Palmer bought a commercial property on Jackson St to open up a restaurant. They were not informed of any restrictions and currently it is not zoned to allow for restaurants. They would like to get an amendment for the zoning.

## **BJ JORDAN PROPOSAL FOR "TEAM UP FOR THE BLACKTOP"**

Mr. BJ Jordan from State Farm presented an idea to work with the City to provide funding to upgrade the basketball courts at Fuller Park. He believes that a community basketball court brings people of all ages together. This would be a way for him and his partnerships to give back to the community. This was taken as information only and will come back before Council after the details are worked out with the Recreation Director.

## **EXECUTIVE SESSION: CONTRACTUAL NEGOTIATIONS FIRE STATION CONTRACT**

Mayor Pro Tem Kinlaw made a motion to enter executive session. The motion was seconded by Councilmember Davis and unanimously approved.

Council returned to open session.

Councilmember Still made a motion to accept the Administrator's recommendation to accept the contract with Spratlin & Sons to move forward with the building of the new fire station and to allow the Administrator to execute the contract and notice to proceed on behalf of the City. The motion was seconded by Councilmember Moody and unanimously approved.

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### **DISCUSSION OF FACEBOOK POST**

Councilmember Ron Still addressed some of the concerns brought up in public comment about the legality of the redistricting process and the Council silencing the voices of Mayor Rivera and Councilmember Davis. He said that based on the 2020 census, that redistricting is not only legal, but also required by the federal government. He said that there has been no effort, nor should there be, to silence any voices of Council. He said the Mayor and Councilmember Davis have been at each and every meeting that was held on redistricting. They have had their chance to vote and give their input. Councilmember Davis said that there was a preliminary discussion that Councilmember Still had with Councilmembers Moody and Bragg that involved District 3, her district, and she was never contacted and left out of that preliminary meeting. Councilmember Still said that was not a meeting. Councilmember Davis said that it was a discussion about her district that she was not privy to. Councilmember Still said that he had addressed and explained this to her and Council in a previous meeting, in which he also apologized to her, and she accepted his apology. Councilmember Davis said she did, but she wanted it to be on the record that it did happen. Councilmember Still then addressed the Mayor's Facebook post concerning redistricting. After his commentary, Councilmember Davis said that she wanted to reiterate that if District 3 is in the conversation, she needs to be present. She is not opposed to redistricting but she wants it done the right way. Her concern is that if her district needs more people why not just add more people instead of adding people then taking some people out. Administrator McEwen explained that the only reason that was done was because redistricting can only be done by census blocks. The RFA looked at the census data and some blocks only had a couple of people and others had a lot of people. Her district was not the only one that had changes due to this. Everyone agreed that this causes confusion. Mayor Pro Tem Kinlaw said she stated in a previous meeting and wanted to say it again, that when we were given the information from the RFA, everyone had the opportunity to do a proposal including citizens, groups, and organizations. This information would be given to the RFA to see if it meets the criteria and if it does it could be considered by Council. Council was given two drafts to vote on. Her decision to vote for draft one was based on the best numbers. She also questioned the Mayor's Facebook post where it pertained to her. Mayor Rivera addressed some of the comments about his Facebook post. Discussion began about the proposed map. Several alternatives had been proposed to RFA but only two met the criteria. Administrator McEwen stated that Council has already voted to move forward on the proposed map. There has not been a first reading yet so anything can change.

### **APPROVAL OF THE MINUTES OF THE FEBRUARY 6, 2023, REGULAR SCHEDULED CITY COUNCIL MEETING**

Councilmember Still made a motion to approve the minutes of the February 6, 2023, regular scheduled City Council meeting. The motion was seconded by Councilmember Davis and unanimously approved.

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**APPROVAL OF THE FIRST READING OF ORDINANCE 2023-5 “AN ORDINANCE ADOPTING A REVISED ZONING ORDINANCE AND OFFICIAL ZONING MAP FOR THE CITY OF BARNWELL, SOUTH CAROLINA, TO IMPLEMENT THE COMPREHENSIVE PLAN ADOPTED PURSUANT TO THE SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE ENABLING ACT OF 1994”**

Councilmember Still made a motion to read the ordinance by title only. The motion was seconded by Mayor Pro Tem Kinlaw and unanimously approved. Administrator McEwen read the ordinance by title only. Mayor Pro Tem Kinlaw made a motion to approve the first reading of Ordinance 2023-5. The motion was seconded by Councilmember Moody and unanimously approved.

**APPROVAL OF THE FIRST READING OF ORDINANCE 2023-6 “AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY OF BARNWELL TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT RELATING TO SOUTH CAROLINA LOCAL REVENUE SERVICES; TO PARTICIPATE IN ONE OR MORE LOCAL REVENUE SERVICE PROGRAMS; TO EXECUTE AND DELIVER ONE OR MORE PARTICIPANT PROGRAM SUPPLEMENTS; AND OTHER MATTERS RELATING THERETO”**

Councilmember Still made a motion to read the ordinance by title only. The motion was seconded by Mayor Pro Tem Kinlaw and unanimously approved. Administrator McEwen read the ordinance by title only. Mayor Pro Tem Kinlaw made a motion to approve the first reading of Ordinance 2023-6. The motion was seconded by Councilmember Davis and unanimously approved.

**APPROVAL OF SURPLUS PROPERTY FOR SALE/AUCTION**

Administrator McEwen presented Council with a list of items. The five vehicles listed will be advertised and sold for the price indicated. Any vehicle not sold by April 7<sup>th</sup> will be place in the silent auction with the other items listed. The silent auction will begin April 10<sup>th</sup> at 9am and will end April 21<sup>st</sup> at 11am. Bids will be opened at noon on April 21<sup>st</sup>. Councilmember Moody made a motion to approve the list. The motion was seconded by Mayor Pro Tem Kinlaw and unanimously approved.

**DISCUSSION AND APPROVAL OF THE COUNCIL SOLICITING PRIZES FOR BINGO AND FOR APPROVAL OF FOOD TRUCKS DURING THIS SPECIAL EVENT- THE FIRST ANNUAL SPRING FLING AT FULLER PARK**

Recreation, Parks & Tourism Director Kevin Roberts said he met with his committee and discussed having a new Spring Family Fest. It will be held Saturday, April 29<sup>th</sup>, at Fuller Park from 5 to 8 in the evening followed by a movie at 9:00. This will also be the opening of the splash pad. To keep costs down prizes for bingo will be donated. The only cost to participate would be for food trucks. There is currently an ordinance that food trucks are not allowed at the parks. He provided forms for Council to use when soliciting for prizes. He is requesting Council's permission for the solicitation of prizes and food trucks in the park for this event. Councilman Bragg made a motion to approve the request. The motion was seconded by Mayor Pro Tem Kinlaw and unanimously approved.

**MAYOR'S REQUEST TO DISCUSS ZONING PROCEDURES IN REFERENCE TO 674 JACKSON ST.**

Administrator McEwen said that Council has been provided with all of the information on this property. The property is a commercial property but currently the zoning does not allow for a restaurant. The owners have filed a request with the Zoning Board of Appeals to allow the property to be used as a restaurant. The Zoning Board has been notified and they will set up a hearing date and notify the owners.

**COMMITTEE/DEPARTMENT REPORTS**

Water and Sewer (Councilmember Moody and Mayor Pro Tem Kinlaw) – No Report

Sanitation and Streets (Mayor Pro Tem Kinlaw and Councilmember Still) – No Report

Parks, Recreation and Tourism (Councilmembers Moody and Still) – No Report

Police (Councilmembers Davis and Moody) – Two new officers have been hired so the road crew is full.

Fire (Councilmember Bragg & Still and Mayor Rivera) – Chief Dicks gave Council an update on activity during the month. Repairs to get the ladder truck back on the road are lower than anticipated. This will be brought before Council when the estimates are finalized.

Finance and Salary (Councilmembers Bragg and Davis) – No Report

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Building and Planning (Councilmembers Bragg and Still) – No Report

**ADMINISTRATOR'S UPDATE**

SCDHEC has approved the permit for the Joey Zorn well. The project should be completed by June.

Wants to thank the Palmetto Innovation Center, especially Bob Sneed for putting together a great video for the City to show at the Rural Summit last week. The City has received a \$50,000 grant from the SC Department of Commerce for being in the top three in the Inaugural SC Great Community Competition. The Town of Lane was the top winner.

Eight applications have been received and two properties have been approved for the Blight Elimination Program. Barnwell County has discounted the landfill rates for this program.

Transition to the State Health Plan is almost complete. The effective date will be April 1<sup>st</sup>.

Reminder that the Statement of Economic Interest must be filed by March 30<sup>th</sup>.

Gave Council a copy of schedule for activities and workshops for the next month.

The Mayor thanked Lynn McEwen for her presentation at the Rural Summit. She played the video that was presented at the Summit.

**ADJOURN**

The meeting was adjourned.

Submitted by:

  
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Kim Marie Vargo, Clerk & Treasurer

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