

Minutes of the Lyman Town Council Regular Meeting  
Monday, June 12, 2017 at 6:00 p.m.  
Lyman Town Hall, 81 Groce Road

**Call to Order**

The meeting of Lyman Town Council was called to order at 6:00 a.m. at 81 Groce Road by Mayor Pro Tem, Larry Chappell

**FOIA**

Notice of the meeting with an agenda was publicly posted, published and forwarded to the media no less than 24 hours prior to the adjournment

**Roll Call**

Conducted by Town Clerk, Noel Blackwell, and quorum was present

**Present:**

Larry Chappell  
Hoyt Dottry  
Glenn Greer  
Rick Hellams

**Absent:**

Greg Wood  
Tony Wyatt

**Business License Revocation Hearing:**

- A. Mayor Pro Tem, Larry Chappell called to order the Business License Revocation Hearing by Town Council on the revocation of the Business License for Big Daddy's BBQ. Councilmembers, Larry Chappell, Hoyt Dottry, Glenn Greer and Rick Hellams identified themselves for the record. Attorney Danny Crowe, Administrator/Business License Inspector, Gregg Miller, and business owner Scott Garland also identified themselves for the record. Mayor Pro Tem continued to explain in detail proper procedure for the hearing.
- B. Administrator, Gregg Miller, testified as to his knowledge of the hospitality taxes that are in arrears for Big Daddy's BBQ as well as the business license renewal fees that are in arrears. Mr. Miller additionally gave information about his continued contact with owner, Scott Garland, regarding these matters. Attorney for the Administrator/Business License Inspector, Danny Crowe, then questioned Mr. Miller, giving council additional information pertaining to the payments in arrears.
- C. Owner of Big Daddy's BBQ, Scott Garland, testified as to the hardships that have lead to his arrearage and asked for Council to allow him three (3) months to bring his arrears current.
- D. Attorney, Danny Crowe, requested that Council consider allowing Mr. Garland one (1) month to bring current his monies owed as opposed to three (3) months.
- E. Mr. Garland then requested that Council allow him sixty (60) days to pay all monies due.
- F. Council inquired as to both parties if anyone had any additional statements and their response was no.
- G. At this time Council discussed the possible revocation and asked questions of Mr. Garland to better understand his situation.
- H. Rick Hellams made a motion to allow Mr. Garland sixty (60) days to bring all monies owed current with 75% of the arrearage being due within the first thirty (30) days. Should said 75% not be paid within the first thirty (30) days Big Daddy's BBQ's Business License will be immediately revoked. Should Mr. Garland pay the initial 75% within the first thirty (30) but fail to pay the remaining 25% within the next thirty (30)

days then his Business License will be immediately revoked. All parties agreed to this arrangement. Glenn Greer seconded the motion and all were in favor.

- I. Attorney, Danny Crowe, will draft an Order indicating Council's decision. Said Order will be brought before Council in open session for their review and approval.

Minutes of the Regular Meeting held on May 8, 2017 were approved via motion by Hoyt Dottry and seconded by Glenn Greer. All were in favor.

Review of Treasurer's Report: Gregg Miller, Administrator

Department Reports:

Police Department

Fire Department

Public Works/Wastewater & Pre-treatment

Zoning & Planning

**Old Business:**

First Reading of Budget Ordinance to raise revenue and adopt a budget for the Town of Lyman for the fiscal year 2017-2018. A motion was made by Hoyt Dottry to approve the first reading and seconded by Glenn Greer. All were in favor and the motion passed.

Second Reading Ordinance providing for the issuance and sale of a not exceeding nine hundred thousand dollars (\$900,000) Town of Lyman, South Carolina sewer system revenue bond, Series 2017; and other matters relating thereto. A motion was made by Glenn Greer to approve the second reading and seconded by Hoyt Dottry. All were in favor and the motion passed.

Resolution approving councilman, Glenn Greer, as the third signature for all Town bank accounts. A motion was made by Rick Hellams to approve the resolution and was seconded by Hoyt Dottry. All were in favor and the motion passed.

Discussion and update regarding Pacific Place Kitchen renovations. Hoyt Dottry gave an update to Council regarding the renovations to the Pacific Place kitchen and discussed the recent installation of the stove by employees of the Public Works Department.

**New Business:**

Presentation of Certificate of Recognition, Business of the Month, Hardee's, William Church, Manager, presentation by Councilman, Rick Hellams. Mr. Church was not present. The Certificate will be hand delivered to him.

An Ordinance approving an easement to Duke Energy Carolina, LLC over certain real property owned by the Town of Lyman. A motion was made by Glenn Greer to approve the first reading and seconded by Hoyt Dottry. All were in favor and the motion passed.

Resolution to express the intention of the Town Council of the Town of Lyman, the governing body of the Town of Lyman, South Carolina, to cause the Town of Lyman, South Carolina to be reimbursed for certain costs for certain public improvements with the proceeds

of tax-exempt obligations. A motion was made by Rick Hellams to approve the resolution and seconded by Hoyt Dottry. All were in favor and the motion passed.

Resolution authorizing Newman Fence Company to install black vinyl coated chain link fence at Lawrence Street and Old Spartanburg Road in the amount of \$2,998.00 with said funds being distributed from the budget surplus. A motion was made by Hoyt Dottry to approve the resolution and seconded by Rick Hellams. All were in favor and the motion passed.

Discussion and possible action regarding naming of Park at intersection of Lawrence Street and Old Spartanburg Road. A motion was made by Hoyt Dottry to table this item and was seconded by Glenn Greer. All were in favor and the motion passed.

Discussion and possible action regarding acceptance of two sub-divisions as approved by the Planning and Zoning Commission on May 4<sup>th</sup> 2017:

- 144 Lots at Woods at Pine Road
- 24 Lots at Shiloh Farms Phase 1B

A motion was made by Glenn Greer to approve and accept the Planning and Zoning Commission's approval of the above subdivision lots. Mr. Greer's motion was seconded by Hoyt Dottry. All were in favor and the motion passed.

Discussion and possible action regarding Groce Road vacant lot, 3/10 acre. A motion was made by Larry Chappell and seconded by Glenn Greer to table this item. A second motion was made by Hoyt Dottry to table this item with the stipulation that if Councilman Greg Wood is able to attend tonight's meeting that the item would be open for discussion at that time. Glenn Greer seconded Mr. Dottry's motion and all were in favor.

Discussion and possible action regarding procurement. A motion was made by Glenn Greer to accept the Draft Procurement as indicated in the Council Packet. Hoyt Dottry seconded the motion and all were in favor. Motion passed.

Discussion and possible action regarding purchase of banner for Byrnes High School. A motion was made by Larry Chappell to purchase the banner and said motion was seconded by Hoyt Dottry. All were in favor and the motion passed.

**Executive Session:**

A motion was made by Larry Chappell and seconded by Hoyt Dottry to enter into Executive Session at 7:00 p.m. for the specific purpose of receipt of legal advice and discussion regarding the proposed contractual arrangements pertaining to the Duncan Sewer System. All were in favor and the motion passed. A motion was then made by Larry Chappell at 7:04 to come out of executive session. The motion was seconded by Hoyt Dottry. NO actions, motions or votes were taken in executive session. The motion was approved by all. An additional motion was made by Larry Chappell at 7:06 to enter into Executive Session for the specific purpose of receipt of legal advice and discussion regarding proposed contractual arrangements pertaining to the Duncan Sewer System, Receipt of legal advice regarding settlement of a legal matter, Receipt of legal advice relating to a matter covered by the attorney client privilege and Discussion of negotiations incident to proposed contractual arrangements concerning a vacant parcel in the Town. The motion was seconded by Rick Hellams and all were in favor. A motion was made by Larry Chappell at 7:56 p.m. and seconded by Hoyt Dottry to reconvene regular session. The motion was approved by all. No actions, motions or votes were taken in Executive Session.

**Possible Council actions in follow up to executive session:**

Larry Chappell made a motion to approve the settlement of a legal matter as discussed in executive session. Glenn Greer seconded the motion and all were in favor.

**Announcements:**

- Lyman Outdoor Movie Night Thursday, June 15, 2017 beginning at 8:30 p.m. Movie is the Secret Life of Pets
- Heroes Rock the River Music Festival Hosted by the Town of Lyman  
Friday, June 23, 2017 4:00 p.m. until 10:00 p.m.  
Saturday, June 24, 2017 10:00 a.m. until 9:30 p.m.
- Special Election for Mayor, June 27, 2017 from 7:00 a.m. to 7:00 p.m., Pacific Place
- Special Meeting Lyman Town Council regarding adoption of Budget Second Reading, June 27, 2017 6:00 p.m.
- Next regular scheduled meeting, Monday, July 10, 2017

**Adjournment:**

A motion was made by Larry Chappell at 7:59 p.m. to adjourn the meeting. The motion was seconded by Glenn Greer and approved by all.