

CITY OF MULLINS

151 E. Front Street
P. O. Drawer 408
Mullins, South Carolina 29574



PHONE: (843) 464-9583
FAX: (843) 464-5202

City Council Meeting Raymond Pridgen Auditorium Tuesday, September 12, 2023 6:00 P.M.

AGENDA

1. **Call Meeting to Order & Welcome:** Mayor Woodbury
Pledge of Allegiance:
Invocation:
Civility Pledge:
2. **Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act:**
3. **Approval of Agenda:**
4. **Consent Agenda:**
 - (a) Approval of Minutes – August 8, 2023 – City Council Meeting
 - (b) Approval of Minutes – August 17, 2023 – Special City Council Meeting
 - (c) Approval of Minutes – August 20, 2023 – Board of Zoning & Appeals Minutes
 - (d) Approval of Minutes – August 25, 2023 – Police Committee Meeting Minutes
 - (e) Approval of Monthly Bills
5. **Old Business:**
 - (a) Final Reading of ORDINANCE 2023-009, "AN ORDINANCE TO ADOPT AND ESTABLISH A STORMWATER UTILITY WITHIN THE CITY OF MULLINS".
 - (b) Final Reading of ORDINANCE NO. 23-011, "AN ORDINANCE TO AMEND SECTION 9.12.010" OF THE CODE OF ORDINANCES OF THE CITY OF MULLINS".
6. **Old Business**
7. **Committee Reports:**
8. **Mayor Reports**
9. **Comments:**
 - (a) Pee Dee Coalition – Linda Adams Re: Domestic & Sexual Violence

**Page Two
City Council Meeting
September 12, 2023**

10. Adjournment:

ORDINANCE 2023-009

AN ORDINANCE TO ADOPT AND ESTABLISH A STORMWATER UTILITY

WITHIN THE CITY OF MULLINS

WHEREAS, the Mayor and Council of the City of Mullins desires to take a necessary steps in order to establish a stormwater utility which shall be responsible for stormwater management throughout the city's corporate limits, and shall provide for the management, protection, control, regulation and enforcement, use, and enhancement of stormwater systems and facilities that this ordinance be hereby adopted.

NOW THEREFOR, be it ordained by the Mayor and Council of the City of Mullins, South Carolina, to include the following attached provisions of the Stormwater Utility Ordinance of which is hereby adopted and incorporated by reference in its entirety.

Section I. BE IT FURTHER ORDAINED by Mayor and Council of the City of Mullins that the provisions within the attached Stormwater Utility Ordinance shall be respectfully numbered within the City of Mullins Code of Ordinances.

Section II. BE IT FURTHER ORDAINED by Mayor and Council of the City of Mullins that it shall be unlawful and a violation of this chapter for any person to damage, deface, alter, change, or tamper with the city's stormwater system; and upon conviction, said person shall be guilty of a misdemeanor and punished by a fine of up to \$500.00 and/or sentenced to serve up to 30 days; and such person shall be subject to paying full costs incurred by the city as a way of restitution.

Section III. BE IT FURTHER ORDAINED by Mayor and Council of the City of Mullins that if any of the provisions of this ordinance shall be deemed unenforceable or invalid, then the remainder of the provision herein shall be affected thereby and the same shall remain in full force and effect. The Council of the City of Mullins hereby declares that it would have adopted this ordinance and each subsection, sentence, clause and provision herein, even without the section(s), subsection(s), sentence(s), clause(s), or provision(s) that are held to be unenforceable or invalid.

Section IV. BE IT FURTHER ORDAINED that any code previously adopted which is in conflict with the codes adopted above be and is hereby repealed in that respect only.

Section V. BE IT FURTHER ORDAINED that the Mayor and City Council has established the following fee schedule for the City of Mullins:

| | |
|------------------|-------------------|
| Residential Rate | Dollars per month |
| Commercial Rate | Dollars per month |

Section VI. BE IT FURTHER ORDAINED the fee specified in Section V of this Ordinance will be collected monthly on each customer's monthly utility bill by Grand Strand Water and Sewer Authority.

Section VII. BE IT FURTHER ORDAINED have established the following fee schedule to be collected on new construction building permits as follows

| | |
|---|--------------|
| Residential Construction 5000 square feet or less | 250 Dollars |
| Residential Construction 5001 square feet and up | 500 Dollars |
| Commercial Construction 5000 square feet or less | 500 Dollars |
| Commercial Construction 5001 square feet and up | 1000 Dollars |

Section VIII. BE IT FURTHER ORDAINED that this ordinance shall be in full force and in effect after its passage.

AND IT IS SO ORDAINED.

1ST Reading: August 8, 2023

2nd Reading: September 12, 2023

COUNCIL MEMBERS:

Mayor Robert L Woodbury

Kindra Brewton-Pompey

Terry D. Davis

Malcolm E. Kitchen

Mayo C. Phillips

Carolyn F. Wilson

ATTEST:

Felicia Sawyer-Norton, Clerk

Albert L. Woodberry

ORDINANCE NO. 23-011
ORDINANCE TO AMEND SECTION 9.12.010

AN ORDINANCE TO AMEND SECTION 9.12.010 OF THE CODE OF ORDINANCES OF THE CITY OF MULLINS

City Council upon due consideration and deliberation has determined that it is in the best interest of the City of Mullins to amend Section 9.12.010 of the City Code so that the following language is included as follows:

Sec. 9.12.010. - Carrying concealed weapon.

Any person carrying a dirk, slingshot, metal knuckles, razor, or other deadly weapon usually used for the infliction of personal injury concealed about his person shall be guilty of a misdemeanor. Nothing herein contained shall be construed to apply to persons carrying concealed weapons on his own premises or to peace officers in the actual discharge of their duties as such.

Please reference the following State Statute:

Title 16 - Crimes and Offenses

CHAPTER 23

Offenses Involving Weapons

ARTICLE 1

Handguns

SECTION 16-23-10. Definitions.

When used in this article:

(1) "Handgun" means any firearm designed to expel a projectile and designed to be fired from the hand, but shall not include any firearm generally recognized or classified as an antique, curiosity, or collector's item, or any that does not fire fixed cartridges.

(2) "Dealer" means any person engaged in the business of selling firearms at retail or any person who is a pawnbroker.

(3) "Crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape, or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(4) "Fugitive from justice" means any person who has fled from or is fleeing from any law enforcement officer to avoid prosecution or imprisonment for a crime of violence.

(5) "Subversive organization" means any group, committee, club, league, society, association, or

combination of individuals the purpose of which, or one of the purposes of which, is the establishment, control, conduct, seizure, or overthrow of the government of the United States or any state or political subdivision thereof, by the use of force, violence, espionage, sabotage, or threats or attempts of any of the foregoing.

(6) "Conviction" as used herein shall include pleas of guilty, pleas of nolo contendere, and forfeiture of bail.

(7) "Division" means the State Law Enforcement Division.

(8) "Purchase" or "sell" means to knowingly buy, offer to buy, receive, lease, rent, barter, exchange, pawn or accept in pawn.

(9) "Person" means any individual, corporation, company, association, firm, partnership, society, or joint stock company.

(10) "Luggage compartment" means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term "luggage compartment" refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term "luggage compartment" refers to the area behind the rearmost seat.

HISTORY: 1962 Code Section 16-129; 1965 (54) 578; 1975 (59) 582; 1976 Act No. 685 Sections 1-3; 2004 Act No. 294, Section 1, eff August 16, 2004; 2014 Act No. 123 (S.308), Section 2.D, eff February 11, 2014.

Editor's Note

2010 Act No. 273, Section 7.B, provides:

"The common law offenses of assault and battery with intent to kill, assault with intent to kill, assault and battery of a high and aggravated nature, simple assault and battery, assault of a high and aggravated nature, aggravated assault, and simple assault are abolished for offenses occurring on or after the effective date of this act [June 2, 2010]."

2010 Act No. 277, Section 5, provides:

"The requirements of Section 56-1-80 of the 1976 Code, as amended by Section 3 of this act, must be met upon the renewal of an existing driver's license or special identification card of a person convicted of a crime of violence as defined in Section 16-23-10(3) in this State on or after July 1, 2011."

SECTION 16-23-20. Unlawful carrying of handgun; exceptions.

It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms

from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;

(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this

section where one may legally possess the handgun.

(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.

HISTORY: 1962 Code Section 16-129.1; 1965 (54) 578; 1974 (58) 2871; 1975 (59) 630; 1980 Act No. 349; 1982 Act No. 404; 1993 Act No.181, Section 274; 1995 Act No. 85, Section 3; 1996 Act No. 407, Section 2; 1996 Act No. 464, Section 3; 2004 Act No. 294, Sections 1, 2, eff August 16, 2004; 2006 Act No. 336, Section 1, eff June 2, 2006; 2007 Act No. 28, Section 1, eff May 14, 2007; 2014 Act No. 123 (S.308), Section 2.C, eff February 11, 2014; 2021 Act No. 66 (H.3094), Section 3, eff August 15, 2021; 2022 Act No. 218 (H.3050), Section 8, eff May 23, 2022.

Editor's Note

2021 Act No. 66, Section 1, provides as follows:

"SECTION 1. This act may be cited as the 'Open Carry With Training Act'."

Effect of Amendment

2021 Act No. 66, Section 3, in (9)(b), inserted "carried openly or" at the beginning.

2022 Act No. 218, Section 8, in (1), deleted "employed as private detectives or private investigators" following "retired commissioned law enforcement officers".

MAYOR

AND IT IS SO ORDAINED.

COUNCIL MEMBERS:

1st Reading: August 15, 2023

2nd Reading: September 12, 2023

APPROVED AS TO FORM:

Robert Corley, City Attorney

ATTEST:

Felicia Sawyer-Norton, Clerk

MULLINS POLICE DEPARTMENT
151 E. FRONT ST
P.O. DRAWER 408
MULLINS, SC 29574



CHIEF OF POLICE MICHAEL J. BETHEA
PHONE: (843) 464-0707
FAX: (843) 464-0722

September 5, 2023

Mullins City Council
151 E. Front St.
Mullins, SC 29574

To City of Council Members:

I have included our monthly report what will show a break down and comparison of reported crimes in the City of Mullins for the month of August. If you have any questions in regards to this report, I would be more than happy to sit down and go over each one in detail. Since our last meeting we have had:

- Hasbrouck will graduate on Friday, 09-08-2023.
- Genwright and Cox are in week two of SCCJA training
- Currently have one patrol position open.
- Alumina Parade 09-16-2023
- Golden Leaf Festival 09-23-23
- National Night Out 09-26-23
- Actively working on and solving old and new

Again, thank you very much for your continued support of myself and the department.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Bethea".

Chief Michael J. Bethea

| SLED | Inhouse Code / Description | Last Year | This Year |
|---------------------------------------|--|-----------|-----------|
| ALCOHOL CRIMES | | | |
| 90D | 90D DRIVING UNDER THE INFLUENCE | | |
| 90G | 90G LIQUOR LAW VIOLATIONS | | |
| Total for Category: | | 0 | 0 |
| ARSON/SUSPICIOUS FIRE | | | |
| 200 | 200 ARSON | | |
| 978 | 978 SUSPICIOUS FIRE | | |
| Total for Category: | | 0 | 0 |
| ASSAULTS | | | |
| 100 | 100 KIDNAPING / ABDUCTION | | 1 |
| 11A | 11A RAPE - FORCIBLE | 1 | |
| 11B | 11B SODOMY - FORCIBLE | | |
| 11C | 11C SEXUAL ASSAULT WITH AN OBJECT | | |
| 11D | 11D FONDLING - FORCIBLE | | |
| 13A | 13A ASSAULT - AGGRAVATED | 2 | 9 |
| 13A | CDA CDV - AGGRAVATED | | |
| 13B | 13B ASSAULT - SIMPLE | 8 | 6 |
| 13B | CDS CDV - SIMPLE | 2 | 3 |
| 13C | 13C ASSAULT - INTIMIDATION | 3 | 2 |
| 13C | CDI CDV - INTIMIDATION | 1 | |
| 36A | 36A INCEST | | |
| 36B | 36B RAPE - STATUTORY | | |
| 36C | 36C INDECENT EXPOSURE (SEXUAL NATURE) | | |
| 753 | 753 TELEPHONE CALLS - OBSCENE, HARASSING | 1 | 4 |
| Total for Category: | | 18 | 25 |
| DRUG CRIMES | | | |
| 35A | 35A DRUG / NARCOTIC VIOLATIONS | 3 | 1 |
| 35B | 35B DRUG EQUIPMENT VIOLATIONS | | |
| Total for Category: | | 3 | 1 |
| HOMICIDE CRIMES | | | |
| 09A | 09A MANSLAUGHTER | | |
| 09B | 09B NEGLIGENT MANSLAUGHTER | 1 | |
| 09C | 09C JUSTIFIABLE HOMICIDE | | |
| Total for Category: | | 1 | 0 |
| INFORMATION ONLY REPORTS - NRP | | | |
| NRP | 90T TRAFFIC OFFENSES | 10 | 3 |
| NRP | NRP INCIDENT NOT REPORTED | 86 | 104 |
| Total for Category: | | 96 | 107 |
| LARCENY CRIMES | | | |
| 120 | 120 ROBBERY | 1 | |
| 210 | 210 EXTORTION / BLACKMAIL | | |
| 220 | 220 BURGLARY / BREAKING & ENTERING | 3 | 3 |
| 23A | 23A POCKET-PICKING | | |
| 23B | 23B PURSE-SNATCHING | | |
| 23C | 23C SHOPLIFTING | 2 | 3 |
| 23D | 23D THEFT FROM BUILDING | 1 | 1 |
| 23E | 23E THEFT FROM COIN OPERATED MACHINE | | |

| SLED | Inhouse Code / Description | Last Year | This Year |
|----------------------------|---|-----------|-----------|
| LARCENY CRIMES | | | |
| 23F | 23F THEFT FROM MOTOR VEHICLE | | 1 |
| 23G | 23G THEFT OF MOTOR VEHICLE PARTS OR ACCESSORIES | | |
| 23H | 23H LARCENY - ALL OTHER | 4 | 2 |
| 240 | 240 MOTOR VEHICLE THEFT | 2 | 3 |
| 250 | 250 COUNTERFEITING / FORGERY | | |
| 26A | 26A FRAUD / CONFIDENCE GAME / BREACH OF TRUST | | 3 |
| 26B | 26B TELLER MACHINE FRAUD | | |
| 26C | 26C IMPERSONATION | | |
| 26D | 26D WELFARE FRAUD | | |
| 26E | 26E WIRE FRAUD | | |
| 270 | 270 EMBEZZLEMENT | | |
| 280 | 280 STOLEN PROPERTY OFFENSES | 2 | |
| 756 | 756 USING MOTOR VEHICLE WITHOUT CONSENT | 1 | 1 |
| Total for Category: | | 16 | 17 |

| | | | |
|----------------------------|---|----|----|
| OTHER CRIMES | | | |
| 26F | 26F IDENTITY THEFT | | |
| 26G | 26G HACKING COMPUTER INVASION | | |
| 370 | 370 PORNOGRAPHY / OBSCENE MATERIAL | | |
| 520 | 520 WEAPON LAW VIOLATIONS | 2 | 5 |
| 64A | 64A HUMAN TRAFFICKING / COMMERCIAL SEX ACTS | | |
| 64B | 64B HUMAN TRAFFICKING / INVOLUNTARY SERVITUDE | | |
| 720 | 720 ANIMAL CRUELTY | | |
| 90B | 90B CURFEW / LOITERING / VAGRANCY VIOLATIONS | 1 | |
| 90C | 90C DISORDERLY CONDUCT | 9 | 12 |
| 90F | 90F FAMILY OFFENSES, NONVIOLENT | | |
| 90I | 90I RUNAWAY | | 1 |
| 90J | 90J TRESPASS OF REAL PROPERTY | 9 | 13 |
| 90K | 90K INCORRIGIBLE | | |
| 90L | 90L TRUANCY | 2 | |
| 90N | 90N RESISTING ARREST | 1 | |
| 90P | 90P CONTRIBUTING TO DELINQUENCY OF A MINOR | 1 | |
| 90Z | 90A BAD CHECKS | | |
| 90Z | 90E DRUNKENNESS | 1 | |
| 90Z | 90H PEEPING TOM | | |
| 90Z | 90Z ALL OTHER OFFENSES | 13 | 14 |
| 979 | 979 MISSING PERSONS | 1 | |
| 980 | 980 SUICIDES | | |
| 992 | 992 PROWLER | 2 | |
| Total for Category: | | 42 | 45 |

| | | | |
|----------------------------|-----------------------------------|---|---|
| OTHER MONEY CRIMES | | | |
| 39A | 39A BETTING / WAGERING | | |
| 39B | 39B ASSISTING GAMBLING | | |
| 39C | 39C GAMBLING EQUIPMENT VIOLATIONS | | |
| 39D | 39D SPORTS TAMPERING | | |
| 510 | 510 BRIBERY | | |
| Total for Category: | | 0 | 0 |

| | | | |
|---------------------|------------------|--|--|
| PROSTITUTION | | | |
| 40A | 40A PROSTITUTION | | |

| SLED Inhouse Code / Description | | | Last Year | This Year |
|------------------------------------|-----|-------------------------------------|-----------|-----------|
| PROSTITUTION | | | | |
| 40B | 40B | ASSISTING OR PROMOTING PROSTITUTION | | |
| 40C | 40C | PURCHASING PROSTITUTION | | |
| Total for Category: | | | 0 | 0 |
| VANDALISM/DAMAGE | | | | |
| 290 | 290 | VANDALISM OF PROPERTY | 7 | 6 |
| Total for Category: | | | 7 | 6 |
| Total for Reporting Period: | | | 183 | 201 |