Municipal Association, SC School Boards Association Partner for Civility

Municipal Association President and Aiken Mayor Rick Osbon, center, speaks during the civility partnership announcement.

In 2021, the Municipal Association of SC identified restoring civility as a top priority for the organization, and in the time since has offered municipal officials across the state the resources and conference training sessions to help them listen, learn and deescalate heated situations.

In 2022, the message began growing, with at least 12 municipal leagues around the nation joining on with similar projects. Recently, however, the Association expanded its message inside the state with a joint civility initiative partnership with the South Carolina School Boards Association, which serves the boards of the state's 73 public school districts. The effort will encourage local elected officials, both those in municipal government and in school districts, to adopt a civility policy for their meetings and their interactions with one another.

During the announcement, Municipal Association President and Aiken Mayor Rick Osbon recalled an adage of his father — "we can disagree without being disagreeable" — as he described the importance of the effort.

"We've all watched over the last decade at the national level as civility has, at many times, been replaced with rudeness, thoughtlessness, and even name-calling," he said. "It seems some individuals have taken that to mean that it's okay to disrespect local government, to disrespect elected officials and our staff, to argue and try to disrupt meetings and challenge every decision. In short, we're witnessing a crisis of civility."

SCSBA President Gail Hughes, member of the Dorchester School District 2 board of trustees, noted that the partnership gives both organizations the opportunity to help "local leaders serve as models of how to govern best."

in this issue

in this issue

"We can accomplish together far more than we ever could apart," she said.

Both associations are in a position to promote good leadership at the level of government closest to residents' lives, SCSBA Executive Director Scott Price said, calling attention to the cross-section of local communities found at any school board meeting — parents, teachers, representatives of the media and other local groups, and especially students.

"As educators, school board members — keeping the focus on students — will recognize a teachable moment when they see one. They know that due to their unique role as school boards, modeling behavior they wish to see exhibited by students is part of their job description," he said.

Municipal Association Executive Director Todd Glover said that the two groups coming together, communicating and seeing that they had a common interest in restoring civility to public meetings was itself an example of civil cooperation.

"We hope this partnership will begin a course in our country that will allow us to return civil discourse to the democracies of South Carolina, and eventually the United States," he said.

Civility resources

The Municipal Association already has a variety of civility resources available at www.masc.sc (keyword: civility). These include

- the nine "Pillars of Civility," intended as conversation starters for some of the largest civility challenges local leaders face in their work;

- a resolution that city and town councils can pass to affirm their commitment to civility in local government, including a version they can display;

- a civility pledge that can be used during meetings and on agendas; and

- civility-related articles, podcasts and other resources.

Save the Date for the 2023 Annual Meeting

Annual Meeting
July 27 – 30, 2023 | Greenville, SC

Municipal Association of South Carolina

The 2023 Annual Meeting of the Municipal Association of South Carolina will take place July 27 – 30 at the Hyatt Regency Greenville.

The Association will again use its registration process to make sure that municipal officials have priority for the limited available reservations and ticketed events. The Association will draw city and town names June 20 – 22 to determine the order of registration appointments, and the deadline to enter for the drawing will take place May 30.
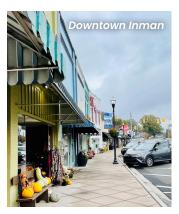
Look for more details on registration and conference sessions in the next several issues of *Uptown*.

Inman, Walterboro Become Aspiring-Level Main Street SC Members

Downtown Inman

Main Street South Carolina recently accepted the City of Inman and the City of Walterboro as Aspiring-level members of its network. They join three other Aspiring-level members, and are part of 32 total Main Street South Carolina members around the state.

Main Street SC serves as the state's designated Main Street America coordinating partner, and has been a valuable resource supporting downtown revitalization since 1983. Using the Main Street Four-Point Approach, Main Street SC supports community-based revitalization initiatives with a practical framework that is adaptable to local conditions. Focusing on design, local markets, community branding and partnerships, the approach provides the foundation for a successful and continued revitalization process.

Each year, Main Street SC accepts applications to join the statewide network, which in 2023 led to acceptance as Aspiring communities for Inman, the Spartanburg County city of 3,665, and Walterboro, the Colleton County seat with 5,544 residents.

The state program offers membership levels ranging from a startup level known as the Friends of Main Street, where local programs can attend quarterly training sessions and receive some technical assistance, all the way to the Accredited Main Street programs, where members must meet national accreditation standards and undergo annual review.
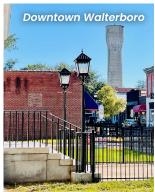
At the Aspiring level, communities participate in a three-year technical assistance and community assessment plan during their formative years, building up their capacities as they model their efforts on the Main Street Approach. This comprehensive downtown revitalization program focuses on historic preservation, and is also a practical program that helps a community build on their district's unique assets.

"Walterboro and Inman both have historic districts full of character and potential, and they have local leadership that's incredibly enthusiastic about what they will be doing," said Jenny Boulware, Main Street SC manager. "By launching this kind of intentional economic development focus, they are embracing a strategic, outcome-oriented approach to revitalization."

Aspiring communities at this level must have a cohesive core of historic or older commercial and mixed-use buildings that represent the community's architectural heritage and can also include infill properties built later, so long as it's compatible with the historic storefronts. They must also have a sufficient mass of businesses, buildings and density to be effective, as well as be a compact and pedestrian-oriented district. The selection process includes a formal application that describes the downtown area, goals, readiness, support and funding commitments.

Three other communities are currently working through the Aspiring Main Street community program: Clover, Fountain Inn and Walhalla. The 32 total current Main Street SC communities range in population size from about 300 to 49,000. Some programs are structured as a department within a city or town government, some are separate nonprofit organizations, and some have a hybrid public/private structure.

Downtown Walterboro

Learn more about Main Street South Carolina at www.masc.sc (keyword: Main Street).

NEWS BRIEFS

David Seifert, chief financial officer for the City of Greer, was appointed to the board of directors of the Association of Public Treasurers of the United States and Canada.

In February, several municipal court administration officials graduated from the MCAA 101 training of the Municipal Court Administration Association of SC. These were **Nyia Adams,** Town of Salley; **Brenda Armstrong,** City of Charleston; **Arlene Eargle,** Town of St. George; **Desiree Hill,** City of Greenville; **Bobbi Hughes,** Town of Andrews; **Katherine Jackson,** City of Columbia; **Brittney Jacumin,** Town of Mount Pleasant; **Amy Johnson,** Town of Edisto Beach; **Wilette Mazyck,** City of Charleston; **Talisha McCall,** City of Bennettsville; **Tammy McCathern,** Town of Swansea; **Rudi Summers,** City of Greenville; and **Justin Wise,** City of Cayce.

Numerous municipalities received federal Land and Water Conservation grant funds through the SC Department of Parks, Recreation and Tourism for park projects. They are the **City of Aiken** for the Smith-Hazel Park rehabilitation, the **City of Charleston** for Fort Pemberton public access improvements, the **Town of Edisto Beach** for the Vine Street bike path resurfacing, the **City of Greenville** for the Gower Park renovation, the **City of Liberty** for the City Gym Park, the **City of North Augusta** for the Sharon Jones Amphitheater, the **City of Spartanburg** for the Duncan Park revitalization, and the **City of York** for the Phase II development of City Park.

Downtown Florence Main Street Receives 2023 Great American Main Street Award

Photo: True Light Photography.

Downtown Florence Main Street has received the prestigious Great American Main Street Award, or GAMSA, presented by Main Street America. GAMSA winners are selected by a national jury of industry professionals and local leaders in the fields of economic development and historic preservation.

For Downtown Florence Main Street, the award recognizes its efforts to create community engagement in the revitalization process through the use of representative leadership and inclusive programming, to develop a strong culture of volunteerism, and support pathways to increased downtown housing, while also championing the preservation of historic community assets. Through initiatives to leverage volunteers, establish partnerships and support catalytic projects, Downtown Florence Main Street has generated more than 100 units of new housing, $300 million in investment, and 80 new businesses.

"The Downtown Florence Main Street team models exemplary revitalization with strong partnerships, visible transformation, and a commitment to historic preservation," said Jenny Boulware, Main Street South Carolina manager. "Downtown Florence has brought a new level of respect and awareness to the power of the Main Street Approach in South Carolina."

Florence's downtown district, eight blocks in size, has emerged as a destination where locals and visitors find local dining, entertainment venues, public art and buildings rich in architectural heritage.

"Being selected as a winner of the 2023 GAMSA is an unbelievable honor, said Hannah Davis, Florence's Main Street program manager. it's the once-in-a-lifetime achievement representing the boundless investment, hard work, tenacity, and vision from local investors and partners, small business owners and residents, government officials and leaders, and our statewide Main Street network over the last 20 years — and especially over the last decade. Once described as too far gone to be saved, Downtown Florence has become the place to be, to live and to do business in our region, and we aren't done yet!"

Learn more about Downtown Florence Main Street at www.florencedowntown.com and Main Street SC at www.masc.sc (keyword: Main Street).

MEO — Municipal Elected Officials Institute of Government

QUIZ

TRUE OR FALSE:

The main policy-making power of local governments is the authority to adopt local ordinances and to set fines and penalties for the enforcement of those ordinances.

TRUE City and town councils use ordinances to adopt rules or policies that will have a significant effect for an extended period of time. There are 15 actions that require a local ordinance to be adopted to have the power of law:

1. Adopting budgets and levying taxes
2. Setting salaries
3. Adopting council rules of procedure
4. Conducting municipal elections;
5. Amending or repealing any adopted ordinance
6. Adopting a comprehensive plan
7. Procurement/purchasing
8. Adopting administrative codes
9. Establishing municipal departments
10. Granting, renewing or extending franchises
11. Authorizing the borrowing of money
12. Establishing fines or penalties
13. Selling, leasing or contracting
14. Adopting standard codes
15. Annexing property

The Municipal Elected Officials Institute of Government offers in-person and online courses. The next in-person sessions, "Freedom of Information Act in SC" and "Municipal Governance and Policy," will take place May 16 at regional Councils of Governments locations. Learn more at www.masc.sc (keyword: MEO).

Know Your Municipal Election Commission

Six or seven months — that's the length of time that a municipal election commission, or MEC, should be planning for an election, according to the Municipal Association's *Municipal Election Commission Handbook*.

As elections approach, local officials sometimes find themselves uncertain of whether their MEC is properly assembled and ready, or possibly who is on the commission — so being aware of the status of the commission well in advance is a key part of making elections run smoothly.

South Carolina law, found in SC Code Section 5-15-145, allows municipalities to transfer either some or the entirety of their responsibilities to the county election commission, and many municipalities have done this. In cases where the city or town has transferred all responsibilities to the county, the MEC is abolished.

MECs have numerous responsibilities:

- Publishing notices of upcoming elections.
- Appointing poll managers and providing them with training.
- Coordinating with the county election commission for the preparation and use of voting machines and other equipment.
- Distributing ballots, including absentee ballots, and overseeing the tabulation of them.
- Certifying both the eligibility of candidates to run for office and the election results.
- Hearing protests following election results.

The Association's MEC handbook, found at www.masc.sc (keyword: Municipal Election Commission), details all the steps an MEC needs to take from its first meeting to the steps it should be taking at various time intervals leading up to the election. It explains legal requirements for voter photo ID, poll managers, public notices, candidate filing processes, ballots, certifications, audits, recounts, protests and other issues.

H3734 Would Set Election Date Requirements

For years, the SC State Election Commission has advocated for municipalities to transfer election authority to their counties, citing the increasingly technical requirements of elections. The commission also encouraged using November of odd-numbered years as a standardized municipal election date.

A new bill, H3734, sponsored by Rep. Brandon Newton (R-Lancaster) and Gilda Cobb-Hunter (D-Orangeburg), would require municipal elections to take place on one of several dates, including odd-year Novembers, among some other election changes.

The bill would have municipalities select one of these dates during odd years:

- The third Tuesday in March
- The first Tuesday in July
- The first Tuesday after the first Monday in November.

H3734 would also disallow any municipality currently using the November option to later select any other date, and would disallow any incumbent official's term of office from being extended by moving to any of these dates.

In other changes, H3734 would set a standard date for the beginning of newly elected officials' terms as the Monday following an election certification. It would also require county boards of voter registration to conduct municipal elections for any municipality that transfers election authority, meaning that the county could not refuse to conduct the election. The bill would also require all municipal elections to use voting machines approved by the State Election Commission.

Keep up with ongoing legislative action by subscribing to the Association's weekly legislative report From the Dome to Your Home, *found at www.masc.sc (keyword: Dome).*

What Does Freedom of Religion Mean for Cities?

The First Amendment to the U.S. Constitution states that the government "shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Courts have read this language to create two separate rules for governments.

The first portion of the statement is called the establishment clause, as it prohibits a government from establishing an official religion. Courts have read the clause to have a broader meaning as well, ruling that it prevents government actions that unduly favor one religion over another. The courts have found establishment clause violations in cases where a government required individuals to engage in public prayer that endorses a particular faith or denomination.

The second part is called the free exercise clause, and it generally protects individuals' rights to believe and practice any sincerely held religion. While the right to hold any particular religious belief is absolute, the right to engage in conduct based on that belief may be limited by laws that do not discriminate against religion. For example,

the government could use a generally applicable law forbidding the use of an illegal drug to prosecute individuals whose sincerely held religious beliefs require or permit them to use the drug.

Tension between the clauses

Sometimes, a government may face a dilemma between the establishment clause and free expression clause, especially in situations where the government is concerned that allowing a person's religious expression may be considered an endorsement of that expression. In 2022, the U.S. Supreme Court decided two cases that directly address this dilemma.

Post-game, on-field prayer

In *Kennedy v. Bremerton School District*, a high school football coach wanted to kneel and pray on the football field after games. Students and spectators often joined the coach for the prayer. The school district sought to prevent the coach from praying on the school's field immediately after a school event, reasoning that allowing it would violate the establishment clause.

The Supreme Court ruled in favor of the football coach, finding that he had a right under the free exercise clause to engage in voluntary prayer on his own, even on the school's field. The Court's decision turned largely on the coach's argument that his prayer was entirely personal and voluntary, and that no students or spectators were coerced or encouraged to participate. Therefore, reasoned the Court, there was no violation of the establishment clause.

Flying a religious flag

The case *Shurtleff v. City of Boston* involved a flag display custom of Boston's city government. Outside of its city hall, the City of Boston had three flagpoles, two of which always flew the flags of the United States and the Commonwealth of Massachusetts. The third flagpole ordinarily flew Boston's city flag, but was made available on request to third parties to temporarily fly flags related to an event taking place in the city hall plaza. For example, during an event celebrating Irish heritage, the city would allow organizers to fly the flag of Ireland on the pole.

Under this practice, a Christian organization hosted an event and requested to fly a Christian flag. The city, having never before denied a third-party flagpole use request, denied this request. The city reasoned that doing so would violate the establishment clause, in that it could be seen as an endorsement by the city of Christianity over other religions. The organization asserted that denying the right to fly the flag violated the free exercise clause.

Again, the Supreme Court favored the free exercise clause. Reasoning that the only reason the city denied the request was because of its religious purpose, the Court found a violation of the free exercise clause. Addressing the establishment clause argument, the Court held that merely allowing a flag to be flown was not an endorsement of religion, because the city had no policy or practice about which flags would be flown.

Lessons for cities and towns

For cities and towns, the establishment clause comes into play most often in cases with legislative prayer before a council meeting. In South Carolina, the 2016 SC Public Invocation Act, found at SC Code Section 6-1-160, provides clear rules. In general, a city or town that complies with the Act has likely complied with the establishment clause.

Even so, cities and towns should also be aware of other acts that may endorse one religion or denomination over another. Situations in which the question may arise include Christmas displays, posting Bible verses or the Ten Commandments on municipal property, or favoring a particular religious faith in administering government programs or benefits.

Addressing the free exercise clause can be a trickier process. Although few South Carolina cities or towns allow third parties to fly flags, many allow members of the public to post on municipal websites or social media accounts. Deleting or moderating content based on the religious content may constitute a free exercise violation. A city or town may also find itself in a situation involving the free exercise clause if it uses communication channels such as a Public, Educational and Government Access station, or PEG station, on the local cable network.

Also, during the time when cities and towns passed mask requirements as a COVID-19 precaution, they were required to exempt from local mask ordinances a person whose sincere religious beliefs prevented the wearing of masks.

A clear trend for the modern Supreme Court is to expand personal religious liberties under the First Amendment. Cities and towns should be careful in taking actions that abridge these liberties.

LAW ENFORCEMENT POLICIES

DUTY TO INTERVENE

Act 218 took effect in 2023, requiring all law enforcement agencies to adopt and implement a set of minimum standards. The law allows departments to establish additional standards that are more restrictive.

The Municipal Association's Risk Management Services drafted model policies for each of the standards, available for use by all cities and towns at www.masc.sc (keyword: law enforcement model policies). Departments that are not SC Municipal Insurance Trust or SC Municipal Insurance and Risk Financing Fund members should reach out to the SC Criminal Justice Academy for policy questions.

The third model policy on the list is the "Duty to Intervene." The policy is based on the statement that a "law enforcement officer has an affirmative duty to intervene on behalf of a citizen whose constitutional rights are being violated in his or her presence by other officers."

The policy requires officers to act to prevent or stop any of these things:

- The unreasonable use of force.

- Any act that is unethical.

- Any act that violates state or federal law, ordinance or agency policy. This can include excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents or inappropriate behavior, among other things.

It notes that officers should intervene when they see another officer about to violate a person's rights — first verbally, and then physically if necessary. Afterward, the officer would report the intervention to the supervisor. If physical intervention was necessary, the officer will make a written report of the intervention within 24 hours.

Once supervisors are aware of the situation, the policy requires them to separate all officers involved in the incident before conducting an investigation. After determining whether an officer's actions took place that would constitute misconduct, unethical behavior or potential criminal conduct, the supervisor creates a report on the event.

Learn more about the policies at www.masc.sc (keyword: Act 218).

Keep City Vehicles Out of Costly Backing Accidents

Check entire surroundings!

The accidents that occur when a vehicle is backing up are among the most easily preventable. They will often occur when a vehicle is backing at a slow speed in a parking lot, alley or other confined space, and when a driver is inattentive, it can become easy to strike an unseen object.

Backing accidents are also on the rise, and can be costly. Since 2019, the SC Municipal Insurance and Risk Financing Fund has handled more than 250 backing accidents, which cost approximately $895,000.

Careful driving can cut down on the risk of backing accidents for public works vehicles, fire engines, police cruisers and others. Here are some steps that workers can take to prevent these accidents:

- Park defensively. Preventing a backing accident on the next trip starts before the vehicle is ever parked from the last trip. Drivers can reduce risks by pulling through a parking space or backing into it, which provides a better line of sight when leaving. Most backing accidents occur when backing out of parking spaces, especially for emergency vehicles.

- Perform a walk-around before starting the vehicle. This gives a clear view of the limitations and potential hazards in the backing area. Drivers can check for children, pedestrians, soft or muddy areas, potholes, low-hanging trees or wires and any hazards that could puncture tires or other dangers.

- Use a spotter. When driving with more than one person in the vehicle, a person who is not driving should always serve as a spotter. To prevent miscommunication, the driver and spotter should use hand signals instead of verbal ones. Spotters should be trained on how to communicate the hazards to the operator. If the spotter and operator

lose sight of each other, the backing operation should stop immediately and until a line of sight can be reestablished.

- Install a rear-vision camera and backing sensor in vehicles. This reduces rear blind spots. Investing in a rear-vision camera and backing sensor system for vehicles can put drivers in full visual control of the rear of a vehicle. The use of backup cameras should not replace drivers looking to the right, left and behind as they back up, but can be used as an additional safeguard.

- Create and support a municipal training program. Such a program can include a drivers' course to teach and review backing techniques, and should cover topics like equipment usage, hand signals and dangers to avoid.

No amount of experience driving a vehicle forward can help a driver with backing a truck or other vehicles. All drivers need to practice in safe surroundings until they become familiar with the way the vehicle backs up compared to the direction the steering wheel is turned.

Collision avoidance systems are another tool that can help in preventing backing accidents. The wireless parking backup sensor system with sound will start to beep when there is something 8 feet away and continue getting faster as the vehicle gets closer, alerting the driver. This technology greatly reduces the potential of a backing accident. For SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Fund members, these systems can be considered for 50% reimbursement up to the stated limit through the SCMIT and SCMIRF grants. Grant funds are available on a first-come, first served basis until depleted.

For questions, contact the Municipal Association's Risk Management Services loss control staff at losscontrol@masc.sc.

'Council of Errors' Video Resource Now Available

From left: Municipal Association Field Services Managers Charlie Barrineau and Ashley Kellahan, as well as Anderson Mayor Terence Roberts, take part in the "Council of Errors" during Hometown Legislative Action Day.

A council taking votes over items not placed on the agenda. Motions to enter executive session without any given reason. An altercation breaking out between a disgruntled resident and a councilmember accused of not residing inside the municipality — followed by a mayor picking fights with the newspaper reporter in attendance.

These were only some of the catastrophes featured in the "Council of Errors," a mock public meeting that took place during Hometown Legislative Action Day. The gathering, presided over by Anderson Mayor Terence Roberts, included Municipal Association staff filling in for the various other officials who found new ways to violate state law or breach every rule of civility and decorum.

Municipal Association Director of Advocacy and Communications Scott Slatton led a group discussion following every particularly bad error to discuss with the audience of elected officials and municipal staff what the mock council should have done with the issues it faced.

Although Slatton opened the session by expressing his hope that his audience knew the laws of conducting meetings and therefore "none of you will learn anything" from the legal and ethical mistakes on display, the session did offer an engaging way to review some of the basics of running a meeting. In that spirit, the Municipal Association has a video of the session available at www.masc.sc (keyword: Council of Errors).

The session frequently referred to many of the Association's more detailed resources that can help with conducting public meetings correctly. Here are some of those available through the Association's website:

Handbook for Municipal Officials in South Carolina

This handbook covers the basics of how city and town councils, departments, boards and commissions operate. It explains issues such as local government finance, human resources, elections, ordinances, public utility operations, planning and annexation, among others.

How to Conduct Effective Meetings handbook

This handbook offers guidance on adopting rules of procedures; how the presiding officer and other members of the governing body should act, make motions and handle voting; how to set an agenda; how to schedule and publicize the meeting lawfully; and how to follow the law when entering into executive session. It also provides a model rules of order document, which includes procedures recommended by the Municipal Association as well as actions required by law.

Forms and Powers of Municipal Government handbook

This resource explains each of the three forms of government available to South Carolina municipalities: the council form, the mayor-council form and the council-manager form. It explains the roles and powers of the full council, the mayor, and the administrator or manager, if any, in the different forms.

Public Official's Guide to Compliance with the S.C. Freedom of Information Act

This guide is a publication of the SC Press Association. It contains the full text of the state's FOIA law, along with explanations of all of the provisions, as well as a discussion of how to respond to FOIA requests. It includes a flowchart on how to handle different circumstances where a council seeks to amend the agenda for a public meeting.

Pocket Parks, Parklets Go Places Traditional Parks Can't

Bluffton opened the May River Road Pocket Park in late 2022. Photo: Town of Bluffton.

Parks and Recreation

While they are small in size, pocket parks and parklets are big additions to cities and towns — offering a hidden surprise, a spot for neighbors to gather or a fun place to sit outdoors on a downtown street.

Pocket parks are easily accessible, small facilities that provide an inviting public area that don't require the large investment needed for larger parks.

The Town of Bluffton now has two pocket parks, with the May River Pocket Park offering a small plaza with seating, landscaping and sidewalks connecting neighborhoods and developments. It opened last fall, after a resident and local developer donated the land adjacent to the thoroughfare of May River Road and Stock Farm, a mixed-use development, where it's often used by business owners and pedestrians in the historic district.

"The site is located in the heavily traveled Bluffton Historic District with pedestrian connections to business, shopping and residential areas. The property is situated next to the recently completed May River Streetscape project," said Pat Rooney, manager of capital improvement projects for Bluffton. "It provides additional green space along the major roadway, and allows expansion of the streetscape beyond just the right-of-way."

Rooney said the public already has been drawn to the pathways and seating areas, while the landscaping and greenspace has been well received.

"Residents always appreciate the town's efforts to preserve and enhance greenspace, rather than see more rooftops and parking," he said.

He said the town council looks for opportunities to preserve open space, historic features and create more parks, with Pritchard Street Pocket Park another example of the town's effort "to create a small waterfront passive park that provides citizens with views and access to the May River."

Also gaining in popularity are parklets — public seating platforms that typically are placed in curbside parking spaces. The parklets offer an outdoor gathering area, often with seating, greenery and artwork, and can be used by restaurants for outdoor dining or can be open to anyone who wants to sit and relax outdoors. They have grown in popularity in downtown districts, particularly in the wake of social distancing and outdoor gatherings during the pandemic.

Columbia has two parklets that sit in its busy downtown district: one on Washington Street near Main Street; and one at Hampton and Main streets. Lucinda Statler, Columbia's planning administrator, said the city first decided to apply for a grant for the parklets in 2020, but the COVID-19 pandemic caused the grant deadline to be extended and the city revised its application.

"We spun the story a little to talk about how important it is to have outdoor spaces because of the pandemic," Statler said. "We got the grant and then had city support services help put it together. And we worked with [arts and culture nonprofit] One Columbia to get an artist to work on it. It's been a multi-faceted group effort."

Columbia has established two pocket parks in its Main Street district. Photo: City of Columbia.

Clemson University professor and West Pelzer Mayor Blake Sanders, at right, led architecture students in developing a parklet for the Town of Central. Photo: Blake Sanders.

The city used some leftover grant money to start the parklet at Hampton and Main, aiming to develop the parklets as a pilot program to get people familiar with them.

"It seems like it's something you can just plop down, but it is a little harder than it seems," she said, adding that the city must take into consideration who maintains the streets where the parklets are located, curbs and sloped gutters, as well as drainage and available shade.

"You need to find a location that has support from adjacent businesses. Not everybody wants parking spaces to go away. There are a lot of things that have to be thought about," she said.

But Statler said parklets are definitely worth the work and effort to create them.

"It's a great way to add people to occupy the street, especially where the sidewalk is tight. It adds public space to the city," she said. "Ours are public art pieces when nobody occupies them. We engaged with two artists to make them lively and fun and vibrant on the street. They make more spaces for people and add life to the street."

In the Upstate, Clemson University students teamed with the mayor of West Pelzer to create a parklet for the Town of Central.

West Pelzer Mayor Blake Sanders, who owns a planning and landscape firm that focuses on ways to engage

people in public places, particularly in rural and small communities, also teaches an architecture class at Clemson University. The class focuses on community engagement and enrichment, and students are required to dive into a community, design a solution to a problem, and then build it. Last year, the students decided to explore parklets.

"Residents always appreciate the town's efforts to preserve and enhance greenspace, rather than see more rooftops and parking,"
– Pat Rooney, manager of capital improvement projects, Town of Bluffton

"Parklets add a different dimension to a town or city. First, parklets give a vibe of being hip, cool and whimsical. Frankly, they are just fun to be in and explore," Sanders said "Second, parklets increase revenue. With more spaces to engage the public, perhaps sit and dine, then the more revenue generated by local businesses."

On the first day of class, students talked about their own hometowns and discussed how even attractive downtowns too often force people inside a building as soon as they get out of the car.

"How do we make a space for the public to use that feels connected? We

couldn't build a plaza, so parklets grew out of that," Sanders said.

Sanders developed a partnership where the students could interview and interact with downtown development program Main Street South Carolina and Jenny Boulware, its director. The parklet's design, Sanders said, can make it suitable for many communities.

"The specifics of the interior of the parklet allow for internal circulation, seating, bar level leaning, spaces for planters, and, most importantly, social interaction," he said.

The parklet was designed to be flat packed and delivered on two pallets. It was constructed by students on-site at Clemson and then dismantled and shipped to Central.

"The design package for the parklet also included step-by step instructions, along with labeled parts and pieces, for easy reconstruction – think like an IKEA manual," he said.

In Central, it was installed next to the caboose on Main Street, near the town's farmers market, and assembled by town and Main Street Central staff.

His advice for other cities adding parklets: "First, know the space will be popular. A single parking space is not large enough for the amount of activity and programmable space you will want. Consider two parking spaces, if funding and opportunity allows."

Sanders added that making a parklet capable of breaking down and moving can help.

"Once you install one in one block of town, you'll hear wants and needs from other areas. Make it portable so it can appear during special events, grand openings, et cetera. They shouldn't be permanent," he said. "Have some fun component that encourages children to interact. Finally, promote it using all means and methods. It's important that people know what the purpose of the parklet is, how long it will be there and why it exists."

Laurens' public plaza aims to provide shared outdoor dining space for restaurants and a coffee shop. Photo: City of Laurens.

Streetscaping Brings Safety, Walkability and Charm

Parks and Recreation

Municipalities across South Carolina are prioritizing streetscapes and ease of pedestrian travel to optimize safety, economic development and community pride. From cyclist paths to streamlining foot traffic to expanding accessibility, streetscapes and beautification projects are underway, transforming the way residents interact with downtowns.

Focusing on these goals, the City of Greenville has pursued improvement projects along two of the city's major thoroughfares: Augusta Street and Stone Avenue.

"Augusta Street is one of our major commercial corridors in the city," said Clint Link, director of engineering services for Greenville. "It does have a fairly long history of the need for traffic safety and pedestrian safety improvements."

A pedestrian fatality in 2021 reenergized the city's commitment to improving safety along this major corridor. It sought consultants to perform a road safety audit, a detailed traffic capacity analysis and an urban design analysis. By the end of 2021, the city had a completed assessment that gave a variety of project recommendations, including widening and fixing sidewalks, adding crosswalks and pedestrian traffic signal enhancements, and lighting improvements.

A multidisciplinary study team with representatives from Greenville County, the police and fire departments, Greenlink Transit, the city's planning and zoning department, traffic engineering and the SC Department of Transportation weighed in. The ultimate conclusion was that a road diet — a reduction of lanes to create room for safety enhancements — could work for a portion of the road.

Link described the "extensive public involvement" that went into planning, including three public meetings over a six-month period while the engineering analysis study took place. At a final public meeting, the planning commission presented the analysis, and city council supported proceeding with the road diet.

Following the completion of the initial Augusta Street road diet, which slowed traffic and received positive reviews, the city has

turned its attention to a second phase, expanding the road diet and implementing recommendations from the pedestrian safety plan. Improvements are coming soon to nearby Stone Avenue, which has similar traffic volumes.

"We've got a really good model for how we handled Augusta Street," Link said. "We're generally following that same model for Stone Avenue."

Phase 2 of the Augusta Street road diet and streetscape project is now underway and has another year of engineering, design, and analysis left to do. The Stone Avenue project is off the ground with an estimated nine-month turnaround time.

In the City of Darlington, plans for a streetscape improvement project are coalescing on the heels of $750,000 worth of funding from the Community Development Block Grant and a $75,000 match from Darlington County.

"We have a walking trail, two parking lots that will be repaired, and a placemaking effort that will occur in an alley that is unused. Our hope is to create a place there that will encourage a sense of civic engagement, so that you would actually go to the

The location for a streetscape improvement project in Darlington seeks to improve connectivity in the downtown. Photo: City of Darlington.

place — not just walk through it to get from one part to the other — but [see it as] a place where people would want to hang out," said Merry Morgan Smith, Darlington's economic development and planning director.

The city was grateful for the match provided by the county, Smith said.

"The return will be exponential as far as our visual environment will go a long way to reshaping the downtown, so we're super excited about that," Smith said, adding that some property owners have begun tidying up in anticipation of the project.

The project will include parking area refurbishments, green space, and a walking trail.

"We're really excited that we're going to be able to take this alleyway [Hewitt Alley] that nobody uses at the moment and turn it into possibly our most valuable public asset," Smith said.

Hewitt Alley connects to the Darlington County Historical Commission and Museum, as well as the new county courthouse, now under construction. Other beautification projects are also underway.

"Our code calls for trees for every certain number of parking spaces, and so we'll incorporate those into our [refurbished] parking lots," Smith said.

Darlington has been named a Tree City USA for 25 years, and takes pride in its tree canopy and looks to incorporate trees into its placemaking, Smith said, adding that the project aims to improve the city for the benefit of its entrepreneurs.

"I think that this project will help with Darlington's sense of local identity and culture and give back some civic pride," she said. "That in turn, will spur development here."

Over in Laurens County, the City of Laurens is ramping up its beautification and development initiatives.

"It's sort of a product of a variety of different initiatives," said Mayor Nathan Senn, alluding to the new pedestrian plaza that recently held its grand opening, as well as the beautification and streetscaping projects underway.

Streetscaping improvements were outlined as far back as the city's 2017 Master Plan. In cooperation with the Main Street Laurens program, the city got to work. On the recommendation of the U.S. Forestry Commission, the city replaced the older, expiring Japanese zelkova trees with beds for new street trees.

"We also have done a number of community surveys as part of our comprehensive plan process, and one of the things that we've consistently heard from residents is that we need more connectivity and more [Americans with Disabilities Act] accessibility," said Senn.

The initiatives received support from the American Rescue Plan funds the city received. With the closure of the city's restaurants in response to the COVID-19 pandemic, Senn said that there was nowhere to accommodate diners because of the barrenness of its sidewalks. The plan for a public plaza allowed the city to help its existing restaurants and coffee shop by giving them a shared outdoor dining space, he said.

Yet another initiative is the Connect Laurens program, according to City Administrator Eric Delgado.

"The new sidewalks are kind of aged out, and the eastern and western sides of Laurens are really underdeveloped with connectivity infrastructure," Delgado said, noting that the project will be realized in phases.

The city is also actively upgrading its sidewalks to increase ADA accessibility. These implementations will allow greater downtown access for non-driving residents, elderly residents, and residents overcoming mobility challenges. And that's not all — while renovating the pedestrian plaza, bricks over a century old were uncovered in pristine condition.

"When we uncovered about 4 inches of asphalt which had been laid over the years, the bricks underneath were in very, very good shape," said Senn.

These vitrified bricks dating to 1908 survived the test of time, and at a special-called city council meeting, the council decided to move forward with the financing to unearth these historic bricks.

"[This] was really exciting because it would bring our streets back to their appearance in 1908 and that would match the county's $5.1 million restoration of our historic courthouse, which is going to be taking that building back to [its] 1911 appearance," Senn said.

As cities across South Carolina continue to prioritize streetscapes and walkability, communities are continuing to experience great civic engagement, community pride, and economic development as a result.

Augusta Street — Road Diet/Streetscape (Phase 2)
W AUGUSTA PLACE TO CRYSTAL AVENUE

The streetscaping on Augusta Street in Greenville is joined by a road diet, or a reduction of lanes to create room for safety enhancements. Photo: City of Greenville.

Parks and Recreation

Pay Attention to Playground Safety Standards

Playgrounds serve as a key attraction that families look for in city parks, but unless they are designed and maintained appropriately they can also become a source of injuries for children and can lead to lawsuits for municipalities. The best way for officials to keep this from happening is to make certain they are following appropriate industry standards.

A few safety documents have emerged as industry standards for playgrounds:

- The Consumer Products Safety Commission's *Public Playground Safety Handbook*, available at www.cpsc.gov.

- The American Society for Testing and Materials' *Standard Consumer Specification for Playground Equipment for Public Use*, available at www.astm.org.

Following these standards can be critical for avoiding legal and financial risks. Evidence that a playground owner did not adhere to these standards was considered admissible by the South Carolina Supreme Court in *Ellege v. Richland/Lexington School District Five.* The case involved a slip-and-fall injury in which a child broke her leg, ultimately suffering complications that required significant surgery. The trial that followed revealed that the monkey bar equipment involved had been modified according to the recommendations of a playground equipment sales representative who did not have training or an engineering license.

Here are some important takeaways from the standards:

Assess current and future equipment

Cities and towns should formally review playground facilities for potential hazards, looking for the foreseeable ways that equipment will be used by park guests and the steps needed to keep it safe to use. By using the published guidelines, they can determine whether equipment is safely designed, assembled and maintained.

Playground facilities need to an inspection for safety issues at least once a month, and more often during high-use periods like the summer. Whenever possible, parks departments should use a safety inspector certified by the National Recreation and Park Association.

Use a preventive maintenance program

Document all inspection findings and maintenance performed. Correct any identified hazards.

Using safety signage

Make sure that playground equipment has proper signage providing direction and warnings are clearly visible and easily understood — even by those for whom English is not a first language.

Consumer Product Safety Commission Public Playground Safety Checklist

The commission offers a brief checklist to determine critical playground safety issues. Here are its checkboxes:

Make sure surfaces around playground equipment have at least 12 inches of wood chips, mulch, sand or pea gravel; or are mats made of safety-tested rubber or rubber-like materials.

Check that protective surfacing extends at least 6 feet in all directions from play equipment. For swings, be sure surfacing extends — in front and back — twice the height of the suspending bar.

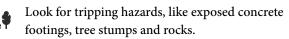Make sure play structures more than 30 inches high are spaced 9 feet apart.

Check for dangerous hardware, like open "S" hooks or protruding bolt ends.

Make sure spaces that could trap children, such as openings in guardrails or between ladder rungs, measure less than 3.5 inches or more than 9 inches.

Check for sharp points or edges in equipment.

Look for tripping hazards, like exposed concrete footings, tree stumps and rocks.

Make sure elevated surfaces, like platforms and ramps, have guardrails to prevent falls.

Check playgrounds regularly to see that equipment and surfacing are in good condition.

The SC Municipal Insurance and Risk Financing Fund provides a parks and recreation toolkit for its members. In addition to playground safety issues, it addresses concerns of parks and recreation personnel, the liability issues involved in fees and supervision, sports programs and other facility guidelines. Learn more about SCMIRF at www.masc.sc (keyword: SCMIRF).

Parks and Recreation

Tree Trimming Keeps Risks in Check

Whether it's the result of storm damage, unhealthy trees or improper cutting, falling tree limbs can damage property or injure or kill those standing in the wrong place at the wrong time — often giving them no warning or time to get out of the way.

With tree limbs posing a threat to lives and safety, and capable of creating property damage insurance claims and work, city and town governments need to pay attention to the routine maintenance of publicly owned trees. Publicly owned trees like those in a park or positioned along downtown sidewalks should be properly maintained to keep them healthy, safe, and capable of providing shade and property appeal.

Good tree maintenance begins with regular inspections to determine if a tree needs pruning, mulching, fertilizing, irrigation or pest management. While pruning can reduce the weight that might make a branch likely to fail and fall on someone, it also brings challenges, such as making sure that workers apply cuts in a way that keeps the tree balanced and viable. It also brings plenty of safety challenges — everything from workers falling from cranes or trees to being struck by falling trees or electrocuted during accidental contact with an overhead powerline.

The American National Standards Institute and the International Society of Arboriculture publish tree pruning and safety standards, known as the ANSI A300 (Part 1) Pruning Standard. The standards are highly technical, providing diagrams of the order in which to apply specific cuts to a tree, making its removal as safe as possible while also minimizing harm to the tree.

Here are some general guidelines for keeping tree trimming safe:

Prune when trees are dormant.

Deciduous trees, or trees that shed their leaves at the end of the growing season, typically have a period of inactivity during the winter.

Hire only licensed tree care businesses and experienced professionals to prune and maintain trees.

Arborists and tree workers certified by the International Society of Arboriculture must pass a written test of basic arboricultural knowledge and attend continuing education courses to maintain their certification.

Require personal protective equipment, or PPE, for any city workers assigned to tree trimming.

This includes safety glasses, a helmet, gloves and ear protection when the workers use power equipment. Workers operating chainsaws should have proper training in their use, and should wear chainsaw chaps protecting their legs if working from the ground.

Always perform a hazard assessment of the work area before starting the work.

Do not allow trees to be "topped."

Topping refers to removing the entire top of a tree, such as removing a portion of its trunk or primary branches. It significantly stresses the tree and leaves behind wounds that are prone to disease and decay, making the tree less safe and reducing its lifespan and aesthetic appeal.

The Occupational Safety and Health Administration maintains numerous resources for understanding and guarding against the hazards of tree care work. Learn more at https://www.osha.gov/tree-care/hazards-solutions.

Parks and Recreation

Calendar

For a complete listing of the Association's training opportunities, visit www.masc.sc to view the calendar.

APRIL

14 Municipal Court Administration Association of SC Spring Meeting. Cooperative Conference Center, Columbia.

18 Risk Management Services Competent Person Trenching and Excavation Training. Municipal Association of SC, Columbia.

18 Business Licensing Essentials – Short Term Rentals. Virtual.

19 – 21 Municipal Clerks and Treasurers Institute, Year 1, Session B. Hilton Columbia Center, Columbia.

27 SC Municipal Human Resources Association Spring Meeting. Cooperative Conference Center, Columbia.

MAY

16 Risk Management Services Law Enforcement Training. Cooperative Conference Center, Columbia.

16 Business Licensing Essentials – Appeals and Delinquents. Virtual.

17 – 19 SC Community Development Association Annual Meeting. Hilton Myrtle Beach Resort.

JUNE

1 SC Association of Stormwater Managers Second Quarter Meeting. Cooperative Conference Center, Columbia.

4 – 7 SC Association of Municipal Power Systems Annual Meeting. Embassy Suites, Myrtle Beach.

20 Business Licensing Essentials – Coin and Amusement Devices, SC Department of Revenue. Virtual.

27 – 28 Municipal Court Administration Association 101 Session A. Municipal Association of SC, Columbia. Topics include charges, bonds and court basics.

JULY

18 Business Licensing Essentials – Class Schedule Changes. Virtual.

27 – 30 Municipal Association of SC Annual Meeting. Hyatt Regency Greenville.

AUGUST

15 Business Licensing Essentials – Local Revenue Services Programs, Where to Find Reporting, Local Collections. Virtual.

23 – 25 Municipal Court Administration Association of SC Annual Meeting. Marina Inn at Grande Dunes, Myrtle Beach.

SEPTEMBER

7 SC Association of Stormwater Managers Third Quarter Meeting. Cooperative Conference Center, Columbia.

13 – 15 Municipal Clerks and Treasurers Institute, Year 2, Session A. Hilton Columbia Center.

19 Business Licensing Essentials – Peddlers and Special Events, Farmers Markets. Virtual.

20 – 22 Municipal Technology Association of SC Annual Meeting. Hilton Myrtle Beach.