

Minutes
Special Called Council Meeting
Monday, July 6, 2020
5:00 p.m.

Members present were Mayor Terry Merritt, Council Members Taft Matney, Carol King, Michael Reynolds, Dale Black, and Diane Kuzniar. City Attorney John Duggan and City Administrator Brandon Madden were also present.

1. Call to order- Mayor Terry Merritt

Prayer- Dr. Neely

2. New Business

Executive Session

- a. Motion to enter into Executive Session as allowed by State Statute Section 30-4-70 (a)(1) and (a)(2)

Councilman Matney made a motion to go into executive session. Councilwoman King seconded the motion. The vote was unanimous (6-0).

Mayor Merritt reconvened the council meeting after the executive session. Councilman Matney reported no action or votes were taken in executive session.

Mayor Merritt read Councilman Black's resignation letter from his position as Mayor Pro Tempore.

- b. Possible action on items discussed in executive session

Councilwoman King made a motion to add an item to Committee of the Whole to consider a resolution to admonish and censure Councilman Dale Black. Councilman Reynolds seconded the motion to consider this item as Committee of the Whole.

Councilman Black recused himself from this discussion since it was regarding him and left Council chambers.

The vote to consider this item as Committee of the Whole was unanimous (5-0).

Councilwoman King made a motion to adopt the resolution to admonish and censure Councilman Dale Black. Councilman Reynolds seconded the motion.

Councilman Reynolds requested Mayor Merritt read the resolution being considered.

The vote to adopt the resolution was unanimous (5-0).

Councilman Matney made a motion to consider an item informally through Committee of the Whole. Councilwoman King seconded the motion. The vote was unanimous (6-0).

Councilman Matney made a motion to adopt a resolution to develop guidelines for education and training opportunities for diversity training and the use of social media for all elected officials, city employees and persons serving on city boards, commissions, and other capacities for the city and also providing for public forums for citizens and local business to engage in discussions of diversity issues and provide recommendations for city officials. Councilwoman King seconded the motion and the vote was unanimous (6-0).

3. Public Comment- Comments will be limited to three minutes per person.

- a. Gene Gore: 230 Tar Boulevard. I am a taxpayer and a homeowner in the City of Mauldin. I have about three things I would like to speak on tonight. I do not know what you mean about admonishing someone. Can you tell me what that means? Does anyone understand what it means? OK.

I am here tonight to support Dale Black's right to express himself under the 1st Amendment of the Constitution. What he said was wrong, he has admitted it and apologized for it, but obviously that was not enough. I also acknowledge the protesters have the same right and the right to ask him for his resignation. The problem is not going to go away. The people want Dale Black to resign. I think the only way to do that... I looked at Google and got two separate answers. Number 1 is Council members can call a special meeting and vote whether Dale Black is to resign or not. If the vote is that he resign, a special election would be held. On the other hand, if you vote and there is not a majority, then Mr. Black would continue and serve out the remainder of his term.

I was told by the Administrator that the only person who can remove him is the Governor. If that is true, let us get off our duffs and contact the Governor. Nothing has ever come of name calling. That is not the way this is done. You need to act instead of hiding and thinking it will go away. You are hiding from the protesters. You need to act.

- b. Randy Eskridge: I will be very brief. Thank you, Council, for allowing time to speak. The Constitution allows for free speech.

Mayor: Please state your address.

Randy Eskridge: My address is 211 Springdale Drive here in Mauldin. I believe the Constitution allows for free speech. What that means to me is if you agree with what I say or not, that is ok and whether I agree with what you say or not, that is ok. I do not think it is right to bully an elected official into resigning his position just because he stated his opinion. Whether you agree with me or not, that is ok. Dale and I have known each other for a long time, and we have not always agreed with each other, but one thing I can tell you is he is not a racist. I would like that to be known. Thank you for your time.

- c. Teresa Mattison: I am a resident of Mauldin at 5 Winery Court and I am a business owner at 400 South Main Street. I have lived here for 21 years. Originally I was not going to get up and speak, but as this gentleman before said, there is a right to free speech, and I agree with that, but free speech does not mean he has the right to put someone down or be disrespectful. With that being said, I am going to read what I wrote to Dale Black.

Being a Mauldin resident for 21 years, and a business owner for 16 years, I am ashamed and embarrassed, but as a black human being, I was offended. We teach our children to show respect, be kind, and if you do not have anything nice to say, keep your mouth closed. Whether we have freedom of speech or not, that is what we teach our children. Our expectations of those we elect to lead are higher and they need to raise the bar and lead by example.

Dale Black is an elected official who has a responsibility to represent all of the residents of Mauldin. Your being elected is a privilege. When you choose to insert your personal prejudices and opinions, you are doing your community a disservice and you need to step aside. I respect that you have. If you were laughed in the face by an employee of a business, you would not expect the employer to keep that person on staff. An apology is not a free pass and does not mean

that what you said should be forgotten. Words have a lasting effect, and an apology is not just supposed to be accepted.

I remember my great-grandfather used to say your thoughts become your words, your words become your actions, your actions become your character, and your character becomes your destiny. I am ashamed we are even having to do this. As the gentleman stated about the protesters- we did not start this. What you elected to do is what he called your freedom of speech.

- d. Curtis Johnson: Thank you for your consideration. We appreciate the opportunity to meet with you and Councilman Black. I am sure that having served on Council, that you have your own personal relationships with Councilman Black. I am sure it is probably difficult for Ms. King, Ms. Kuzniar, and Mr. Reynolds to make public statements about this and I respect the difficult choices you have made. I only met Councilman Black two weeks ago and he came across as a genuinely friendly and personable gentleman. While he made statements that we disagreed with, we have expressed publicly and privately that we are going to treat Councilman Black and his family with dignity and respect. As we have stated privately and publicly, our posture against Councilman Black is not personal, nor is it a desire to harm his name or his posture in the community. However, as an elected official, and Mayor Pro Tempore of the City of Mauldin, the many publicly shared posts that exploit our racial differences and demean our cultural heritage are incendiary and deeply offensive to a growing number of the Mauldin constituency who make up all ethnicities. We all acknowledge the fact that everyone is entitled to their opinion, and appreciate the freedom of speech, but even that freedom comes with consequences.

As an elected official, his words carry weight and the words and images can be considered as reflective as those of the City of Mauldin, the Council, and in height of such racial tensions through the country and the world, we all must reject words and images that project hate and divisiveness. We are not seeking to damage him personally, but we are seeking as Mayor and Council you hold him accountable publicly as a means of making a public statement that we are a better Mauldin. The mindset that produced the racially divisive posts, you are making a public statement that we are a community that celebrates diversity and not one that denigrates the population of its people. You made a public statement that Mauldin is sensitive to its people and strives to overcome the offenses that have crippled other cities. This is the Mauldin we all want.

I only have one request, to get more information regarding our other requests made for a citizen commission as well as an advisory board for a relationship with the police department. We understand this is a decision Council has to make. We continue to ask for his resignation, and we thank you for your consideration to our requests. Thank you for your time.

- e. Eric Steele: 814 Worchester Drive. I am a former resident of the City of Mauldin. I think that Facebook is exasperating to have. People act and react to things in the heat of the moment. I am not here to defend Dale Black's actions, but his character. I am not aware of any previous racial bias on Dale's part. I believe Dale is a good man who made a mistake. We have a method to replace public officials. If Council decides this is warranted, I believe there can be sanctions. This continual tit for tat, he said, she said is not the answer. Thank you for your time.
- f. Jim Neighbors: 1 Cade Court. Thank you for those on Council who responded. What was posted on Facebook was deeply offensive to me and everyone I know in Mauldin. I teach at Wofford College and have taught a lot of students. If I were to have said or posted anything remotely offensive or like you did, I would resign immediately. I have a responsibility to those people and for the damage caused. I would have conveyed to people the idea that I think of them as lesser human beings and that there is some kind of racial hierarchy. That is profoundly damaging, and people should not have to listen to this and get it from an elected official. That is a disgrace. I appreciate the fact that you resigned as Mayor Pro Tempore, but you need to resign from Council. With that, the healing can begin. That cannot begin without the acknowledging and taking responsibility for what was said.
- g. Rachael Putman: I reside at 104 Brookbend Court here in Mauldin. I have been a resident of Mauldin for 20 years. I have enjoyed the intimacy of Mauldin and especially as a suburb of Greenville County. I have been an active member of Mauldin Recreation. My family has enjoyed football, basketball, and baseball. My husband has been a coach, I have been a Team Mom, and our sons are All-Star players. I served on Mauldin High School Booster Club for almost 20 years.

For twenty years, I have been a neighbor of City Councilman Dale Black. Almost every day, Dale would wave to us and say hello as we went in and out of the neighborhood. His comments have been very

offensive and hurtful to me. I have a responsibility to my community to expect a better community for my sons. I want them to return to a Mauldin that is safe and welcoming. I served my community and my employer and work with diversity, and I certainly appreciate Mauldin City Council for accepting and understanding the importance of this. I do expect as a paying citizen and taxpayer that the community expects City Council to align our actions with our thoughts. I promised my family that I would give back to my community and be a responsible citizen, and I want to express my concerns. For my family, it concerns me that we are not at the point that we recognize the comments are too soon. I don't discredit that Mr. Black does not have bad intentions and is not a bad person, but I did expect more in our community. I will forever watch his property, and be a good person, and I will always treat you with the dignity that you expect, and I expect in return.

Freedom of speech is a right that all Americans should have the expectation for, but as an elected official, we expect a level of respect. I appreciate your service, but I expect better and more of our City Council. I appreciate your time and your support, and I trust that as elected officials you will act appropriately. Thank you.

- h. Bruce Wilson: Once again, Council, I appreciate your letting me speak. I am Bruce Wilson with Black Lives Matter. I am not a Mauldin resident, but I am a resident of Greenville County. I have heard a lot about freedom of speech. I want to take you from just this weekend of this freedom of speech I received from a gentleman in Spartanburg. I cannot really use the language and terminology, but you will get the idea. He expressed his willingness to see me hung by a noose. He informed another individual that my house would be blown up. He said I was a walking dead man. He wanted to see me dead. He said he planned to kill me and kill the individual that lives up the street from him. This is what we are talking about when we say freedom of speech. It has consequences and meaning. You cannot believe that it is ok to engage in racist terminology and not understand that there are consequences. There are people who can die behind so-called freedom of speech if it is not used wisely.

Today I have been engaged with the FBI and US Attorney because of this freedom of speech. When we have an elected official for the community there should be a higher standard. You have to be able to overcome any prejudices you may have inherently. You have to be able to understand right now what black America is dealing with. What this nation is dealing with. It is hurtful. I have been marching and

protesting here in Mauldin and the reason I have been doing it, Mr. Black, is so my children would not have to do it. It was not an embarrassment, because we were doing it peacefully. We were asking, demanding, that you step down. If you truly love this community like I read in one of your statements, I am here to tell you the community is hurt.

I know there are some that will pat you on the back and tell you to keep pushing forward, that you have freedom of speech, but I think they are forgetting that you are an elected official. There is a higher standard. I hope that we can end today with the Council understanding that this is serious, and that freedom of speech can hurt. It is true that some individuals lost their life for that freedom of speech, but we cannot use it to hurt the community. Just like I cannot go to a movie theater and scream out "fire", Mr. Black cannot use social media to bring out racism. Thank you.

- i. Clarence Thornton: I live in Greenville, South Carolina. I have a hard time today because you are choosing who to serve. A man cannot serve two masters. Love one and hate the other. You cannot say I choose to come to America and choose the Confederacy at the same time. The bible said I will spew you out of my mouth. The Confederacy is a symbol of hate. Show me anytime where the Confederacy ever did anything out of love. You do not have to go too far, when people are trying to go to their church, and someone took out a gun and murdered them. The Bible says repent, but has South Carolina truly repented? South Carolina is one of the few states in the nation, three, that will not promote a hate crime bill. I have seen Bruce Wilson work hard to get South Carolina to do it. The Bible tells me no one can say I love my brother but have hate in my heart. We are supposed to be the light of the world. The Bible tells me so many things. Hate cannot cancel out hate, only the Lord can do that. I cannot make you love me, only God can do that. We can pass laws that stop you from hating. That is the hate crime bill. The community has zero confidence in your abilities. The Confederacy never ever stopped hating. Never stopped hating. You talk about George Floyd, but the Confederacy is what I hate.
- j. Michael Reynolds: I did not give a formal statement, but I held many conversations over the past few weeks regarding this issue. I disagree with the posts from Mr. Black. I have had members of the community reach out to me both for Mr. Black and in opposition. Mr. Black is a good man, a good father, church member, and has been a good representative for and of the City of Mauldin. He is kind to strangers

and friends. Unfortunately, sharing these posts brought Mr. Black's ability to represent Mauldin into question. Race relations can be an uncomfortable topic to discuss. It is out of this pain that growth can occur. I told my 12-year-old son there were ways to grow. We still have so much we can learn, and I am proud of all of you. I am proud of the Mauldin residents who are here. This community is diverse and thriving. I believe this can highlight problems, but things can change from on-way conversations, to conversations in the driveway, on the golf course, and conversations with our neighborhood. These driveway conversations that I have had with you have helped shape my view. I have thought about public service as a Christian and council member. I am reminded of the oath I took. "I do solemnly swear (or affirm) that I am duly qualified, according to the constitution of this state, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the constitution of the state and of the United States.

"As councilmember of the City of Mauldin, I will equally, fairly and impartially, to the best of my ability and skill, exercise the trust reposed in me and will use my best endeavor to preserve the peace and carry into effect, according to law, the purpose for which I have been elected. So help me God." This moment has caused me to step back and reflect. Each council member represents with individual personalities and we have a different approach to serving. We can come together and learn from each other to make Mauldin progress. I may get laughed at for this, but I read this poem the other day and I want to read it to you.

The Cold Within by James Patrick Kinney

Six humans trapped by happenstance
In bleak and bitter cold.
Each one possessed a stick of wood
Or so the story's told.

Their dying fire in need of logs
The first man held his back
For of the faces round the fire
He noticed one was black.

The next man looking 'cross the way
Saw one not of his church
And could not bring himself to give
The fire his stick of birch.

The third one sat in tattered clothes.
He gave his coat a hitch.
Why should his log be put to use
To warm the idle rich?

The rich man just sat back and thought
Of the wealth he had in store
And how to keep what he had earned
From the lazy shiftless poor.

The black man's face bespoke revenge
As the fire passed from his sight.
For all he saw in his stick of wood
Was a chance to spite the white.

The last man of this forlorn group
Did nought except for gain.
Giving only to those who gave
Was how he played the game.

Their logs held tight in death's still hands
Was proof of human sin.
They did not die from the cold without
They died from the cold within.

Mayor Merritt read the resolution regarding diversity.

4. Adjournment- Mayor Merritt adjourned the meeting.

Respectfully Submitted,
Cindy Miller
Municipal Clerk