

Council Meeting
(Tuesday) January 20, 2015
Executive Session at 6:30 p.m.; Regular Meeting 7:30 p.m.
Council Chamber - Clemson City Hall

Executive Session:

Council Member Ducworth made a motion, seconded by Council Member Fowler to enter into Executive Session to discuss a legal issue. Vote on this motion was unanimous. Following Executive Session Council Member Ducworth made a motion, seconded by Council Member Fowler to exit and go into regular session. Vote on this motion was unanimous. There were no reports or actions taken from this session.

Call to Order regular Council meeting: Mayor J.C. Cook, III at 7:30 p.m.

Invocation and Pledge of Allegiance: Council Member Cox

Members present: Mayor Cook, Council Members Cox, Chapman, Ducworth, Fowler and Hay

Absent: Council Member Oswald

Media present: Mr. Greg Oliver, *the Journal*

Notification emailed: January 14, 2014 to the *Greenville News*, the *Journal*, the *Independent Mail*, the *Pickens Sentinel*, the *Easley Progress*; WSNW Radio, WYFF Channel 4, WSPA Channel 7 and Fox 21 TV News

Oath of Office: New Council Member June Hay

Proclamation: Recognition of Small Business Week - February 8-15

Public Session: Mayor Pro Tem Fowler – No public comments.

Approval of Minutes: January 5, 2015 – approved as presented.

Reports/Discussion Agenda:

Receive a report from Mr. Dave Frock, Executive Director of Campus Recreation for Clemson University, regarding the future improvements to be constructed at University Beach – Mr. Frock updated City Council on plans that are about to launch on campus. The Y Beach/Campus Beach property will become the Snow Outdoor Recreation Center. He provided a rendering of the Master Plan and said they plan to break ground March-April and be open for fall semester. There will be athletic fields, facilities, restrooms, classrooms, an outdoor pavilion, a performance stage and other amenities for sport and other types of events. Mr. Frock stated that this Center would be considered a City Park and would be a mixed use for both students and the community with 250 parking spaces, plus a potential for 600+ more parking spaces.

Receive a report from Mr. David Conner, Public Works Director, and Mr. Mitchell Swaney, Sanitation Supervisor, regarding curbside leaf and brush pickup regulations, volumes of materials collected and operational issues – Mr. Rick Cotton, City Administrator commented that there are 269 active landscape and tree service providers in the Clemson area. He said the Public Works department has maintained the same number of workforce from 1997-2013 for residential sanitation with 14 staff members. Mr. Conner then reviewed the history of the sanitation pick up process to current day that consists of 2 automated leaf trucks and one staff person in each truck that can pick up in all weather. Mr. Conner said in 2005 they implemented

a GPS technology program that issues work orders for pick up as items were seen on Sanitation routes and this has changed the way the City does business. He said the brush regulations has operated in the same manner for 25 yrs. for pick up and they have 30-35,000 cubic yards of brush grinded to mulch each year from home owners and 6,000 yards of leaves. Contractors are required by ordinance to remove product that they generate other than leaves and have that cost of removal included in the cost to their customer. The City picks up all leaves but reminds contractors to remove what they generate otherwise. Mr. Conner stated that if they did not enforce the Ordinance the City would be taken advantage of by a contractor and other cities in local areas have same Ordinance. The volume would increase substantially and the services provided were not designed to accommodate the contractors, only the home owners and that the mulch is also available to homeowner free of charge. Council Member Fowler asked why was there a difference in who generates the debris from lawn care. Mr. Conner explained that it was the amount of product from the landscaper that would be the issue. Council discussed providing pick up for the homeowner regardless of who produced the debris. Ms. Beverly Coleman, City Clerk asked if Council would include commercial property because landscapers provide services to them as well which includes apartments, restaurants and other commercial properties. Mayor then stated that this discussion would have to continue at a separate meeting.

Consider City Council Member Appointments to Council Committee and liaison positions with organizations that are affiliated with the City of Clemson – Mayor J.C. Cook, III stated that a Mayor Pro Tempore had to be appointed and the other positions could be discussed for volunteers. Council Member Ducworth made a motion, seconded by Council Member Cox to re-appoint Council Member Fowler as Mayor Pro Tempore. There were no other nominees. Vote on this motion was unanimous. (*Other assignments are attached.*)

Discuss the possible Amendment to Section 5-4 to increase the size of the Construction Board of Appeals to seven and adding the responsibility of handling fire code appeal issues. The new name of the board would be the Building and Fire Code Board of Appeals – Mr. J.W. Box, City Fire Marshall stated that the current Building Board of Appeals had assisted in any Fire Code issues but that adding the Fire Code to the Board of Appeals would allow two members that have fire code background address specific fire issues. Council Member Chapman asked if there was a need to add two members or just have two of the current five meet the fire background requirement. Council discussed the difficulty in getting volunteers on the different boards and Mr. Box responded that the Board did not meet often, only if there were issues and that was rarely. Mr. Box also stated that he did not think it would be an issue getting volunteers to meet the criteria for this board. Mayor Cook then stated that this item would be on the agenda for 1st reading at next meeting.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported that the City received the executed Amtrak agreement and has sent back to SCDOT so they can get a start date for construction. Mr. Kent Guthrie, City Engineer and staff has been working with SCDOT staff on the embankment eroding under the pedestrian bridge along

Highway 123/Tiger Blvd. and an independent Engineering firm has proposed a 90 ft. segmented block wall that will cost approximately \$285,000.00. The City has \$100,000.00 designated to this project from GO bond and the C-Fund Committee has approved funding the remaining \$185,000.00. Construction will be after May 15th. The Leadership Clemson class starts January 22nd with 16 participants enrolled. The PCMA meeting on Monday, January 26th has been moved from Liberty to Clemson at 7:00 p.m. in the Community Room at City Hall and local legislature will attend. The ITGA Conference early bird deadline is January 31st and anyone planning to attend should confirm to Sandra O'Kelley. The annual Council planning retreat is March 13th and location TBA. The Clemson Clean Sweep is April 4th to 8th. Mayor Cook, Ms. Sharon Richardson, Planning & Codes Director and Mr. Cotton recently met with Pacolet Milliken to discuss the contract with the preferred Engineering Design Team on the scope of the project.

Policy/Action Agenda:

Consider for 2nd Reading a proposed Zoning Text Amendment, 2014-R-20, Definition of Structure Height – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes since 1st reading. Council Member Fowler made a motion, seconded by Council Member Cox to approve 2nd Reading of a proposed Zoning Text Amendment, 2014-R-20, Definition of Structure Height. Vote on this motion was unanimous. (*See attached.*)

Consider for 2nd Reading a Zoning Text Amendment, 2014-R-21, Bufferyard & Screening between Nonresidential Uses in Commercial Districts – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes since 1st reading. Council Member Ducworth made a motion, seconded by Council Member Fowler to approve 2nd Reading of a Zoning Text Amendment, 2014-R-21, Bufferyard & Screening between Nonresidential Uses in Commercial Districts. Vote on this motion was unanimous. (*See attached.*)

Consider for 1st Reading a proposed Text Amendment to the Rental Housing Ordinance – Mr. Todd Steadman, Zoning & Codes Administrator with no changes since Council's last draft. Council Member Cox made a motion, seconded by Council Member Ducworth to approve 1st Reading of a proposed Text Amendment to the Rental Housing Ordinance. Vote on this motion was unanimous.

Consider for 1st Reading a proposed Zoning Text Amendment, 2014-R-24, Minimum Front Setback Clarifications in CM, Commercial Mixed-Use Districts – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no comments/changes since the public hearing. Council Member Chapman made a motion, seconded by Council Member Fowler to approve 1st Reading of a proposed Zoning Text Amendment, 2014-R-24, Minimum Front Setback Clarifications in CM, Commercial Mixed-Use Districts Vote on this motion unanimous.

Consider for 1st Reading a proposed Zoning Text Amendment, 2014-R-25, to clarify the standards for required commercial frontage in mixed-use structures in C and CM Districts – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no comments/changes since the public hearing. Council Member Fowler made a motion, seconded by Council Member Cox to approve 1st Reading of a proposed

Zoning Text Amendment, 2014-R-25, to clarify the standards for required commercial frontage in mixed-use structures in C and CM Districts. Vote on this motion was unanimous.

Consider for 1st Reading a proposed Zoning Text Amendment, 2014-R-26, to fix a Scribner's error for lettering to Section 19-634 – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes/comments since the public hearing. Council Member Ducworth made a motion, seconded by Council Member Fowler to approve 1st Reading of a proposed Zoning Text Amendment, 2014-R-26, to fix a Scribner's error for lettering to Section 19-634. Vote on this motion was unanimous.

Consider for 1st Reading a proposed Zoning Text Amendment, 2014-R-27, to correct a Scribner's error in Article VII Sign Regulations Section 19-701.N – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes/comments since the public hearing. Council Member Cox made a motion, seconded by Council Member Hay to approve 1st Reading of a proposed Zoning Text Amendment, 2014-R-27, to correct a Scribner's error in Article VII Sign Regulations Section 19-701.N. Vote on this motion was unanimous.

Consider for 1st Reading a proposed Zoning Text Amendment, 2014-R-28, to clarify step-back requirements in AR-2 Districts and AR-6 Districts – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes/comments since the public hearing. Council Member Ducworth made a motion, seconded by Council Member Cox to approve 1st Reading of a proposed Zoning Text Amendment, 2014-R-28, to clarify step-back requirements in AR-2 Districts and AR-6 Districts. Vote on this motion was unanimous.

Request for City Council pre advertise and set a date for a Public Hearing to consider a text amendment to the City's Zoning Ordinance to amend language to Article 7 Signs Section 19-706.D.7 and Section 19-706.C.8. for Electronic Reader Board Standards – Mr. Todd Steadman, Zoning & Codes Administrator presented this item and stated that the Planning Commission met and will make a firm recommendation at their next meeting but a public hearing should be scheduled so the process is not prolonged. Council set a date for the public hearing on February 16th at 7:00 p.m.

Executive Session:

Council Member Ducworth made a motion, seconded by Council Member Fowler to enter into Executive Session to consider applicants for Board & Commission appointments. Vote on this motion was unanimous. Following Executive Session, Council Member Fowler made a motion, seconded by Council Member Ducworth to exit and return to regular session for a vote on the board appointments. Council voted by ballot to appoint Mr. Chad Carson –Planning Commission; reappoint Mr. Tom Henderson and Mr. Davis Moorhead and appoint Mr. Tal Slann to the Board of Architectural Review; reappoint Mr. Jonathan Silkworth and Mr. Marvin Dixon and appoint Mr. Ray Brown to the Board of Zoning Appeals; reappoint Mr. Tommye Hurst and appoint Ms. Margaret Bynum, Mr. Robert Phillips and Ms. Susan Whorton to the Arts and Culture Commission.

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 10:00 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor