

Regular Council Meeting
March 2, 2015
Council Chamber – Clemson City Hall

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

Invocation and Pledge of Allegiance: Mayor Cook

Members present: Mayor J.C. Cook, III presiding, Council Members Chapman, Ducworth, Fowler, Hay and Oswald. **Absent:** Council Member Cox

Media present: Greg Oliver – *the Journal*

Notification emailed: February 25, 2015 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

Proclamation: Recognition of Student Painters – Mr. Leonardo Adams

Public Session: Mayor Pro Tem Fowler –

Ms. Linda Gahan, 101 Martin Street spoke in reference to the presentation from Clemson University Architectural students of their vision in how the downtown area should be developed. She requested Council consider displaying the downtown models at City Hall for public viewing. She stated that she believes there is disconnect with the out of town/state developers in how they are incorporating the vision and the requirements of the City's Ordinances. She requested Council also discuss this with the boards and commissions to make sure the developers have the same vision and are aware of the requirements in the Ordinances when plans are submitted.

Mr. Kade Herrick, Tourism Director, Clemson Area Chamber provided Council with an update on tourism events. The Tiger Paw Classic was a great success and rowing has started even though the weather has interfered, they still have 900+ athletes. Mr. Herrick said the Chamber will attend the Shaw Air Force Base Travel Fair and hold an Ultimate Price Package give away that includes football game tickets for Military Appreciation Day, hotel accommodations, dinner and gift cards. Mr. Herrick then recognized businesses that sponsored the prize package.

Mayor Cook suggested staff request the Clemson University Architectural student's display their model at City Hall for the public.

Approval of Minutes: February 2, 2015 were approved as presented.

Reports/Discussion Agenda:

Receive a status report on the sanitary sewer line replacement projects that are being constructed from the proceeds of the State Revolving Fund Loan Program – Mr. Benjie McGill, Utilities Director presented this report and stated that the winter weather had interfered with the schedule but that 25-35% was completed and 90% of the sewer line was cleared. He gave detail of the process, then provided a rendering of the location of the work and the progress thus far.

Receive an update on the Municipal Separate Storm Sewer System (MS4) permit application process and a Draft Budget for the initial start-up of a new Storm Water Utility – Mr. Kent Guthrie, City Engineer and Mr. Hal Clarkson, PE, CRM of Woolpert, presented a draft Ordinance and said it was complex because there

are a lot of options. Mr. Clarkson has experience with developing these type Ordinances at multiple locations in SC and said that Clemson's was comparable to others that are a similar size. The Ordinance has 6 different components that give the City the authority to implement the elements required in the program and to appropriate a funding source for Storm Water Utility Management. Mr. Clarkson then provided information on the requirements for the Storm Water Utility Management Plan that details how the City will meet the requirements of the permit.

Mr. Rick Cotton, City Administrator stated that the fee section of the Ordinance has an ERU rate of \$4.00 and a commercial rate of \$12.00. The mapping is the most expensive cost at \$150,000.00 to \$225,000.00. Mr. Cotton provided Council with a 2yr. budget to generate \$385,000.00 each yr. in revenue with expenses/costs to operate including the two new positions, Storm Water Manager and GIS Mapping. The Ordinance has to be adopted by April 1st and Council requested a Public Hearing on March 16th at 7:00 p.m. so that 1st Reading would be on the same agenda with a special called meeting for 2nd Reading before April 1st.

Review and discuss the City's Infrastructure Reimbursement Agreement Program (IRA)- Mr. Rick Cotton, City Administrator stated that there will probably be several requests for IRA's over the next couple months and he explained the process. The program is detailed in the City Ordinance and allows developers to provide public infrastructure that may or may not have direct bearing on their development; i.e. a water line extension or a sidewalk extension. The program allows the developer to recapture that cost over a period of up to 10 years. He then provided an example and stated that the program is totally voluntary and the reimbursement is at a percentage designated by Council. Mayor stated that this was not a guarantee to developers but is an option and is considered on a case by case basis.

Legislative update - Mr. Rick Cotton, City Administrator reported on the proposed bills that will make a significant impact on business licenses tax revenue. He stated that business licenses is a key revenue source for the City and that the first proposed bill would dissolve business licenses; the second proposed bill would base business licenses on employees; and the other (Quinn bill) would cap business licenses at \$100 for in-town businesses. The City collects \$1.3 million in business license tax and a portion of that is from MASC insurance/telecommunication tax collection program. The City Business License Office collected \$745,000.00 in business license taxes last fiscal year from 1669 businesses, only 620 were in town. This reduction would cut revenue over \$600,000.00 and could cause a 12.2 mill property tax increase to make up the difference which is equivalent to 10 police officers. Mayor Cook stated that this was another chip away in cutting revenue as was done with home rule in the 70's. Local representatives and the Chamber of Commerce understand the importance of the license revenue and are opposed to the bill but there are others supporting it. Mayor requested Council Members to respond to the local representatives expressing the impact it would be on the City with a tax increase and reduction of services. Council Member Oswald stated that he felt that licensing should be considered at high volume margin vs low volume margin and that it is

unfair to businesses. He suggested the City consider the license based on the profit margin. Council discussed the rates and explained that they are based on business type/activity according to NAICS (Northern America Industry Classification System) and the IRS rating. Council Member Oswald stated that he was not familiar with the rate classifications.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported that bids are due April 2nd for the Tiger Blvd retaining wall project. Clemson Area Transit is now a direct recipient and can move forward with an RFP for a bus tracking unit. The Clemson Area Chamber's Oconee/Pickens Legislative event is March 26th at 3:00 p.m. at the World of Energy. Mr. Cotton also reminded Council that Public Official's Statement of Economic Interest are due by March 30th.

Mr. Todd Steadman, Zoning & Codes Administrator reported that the final ruling on the appeal with the Board of Architectural Review was that board members had indeed followed the rules so that project can now move forward. He also said that he will have a report on expanding the Rental Housing Program for Council's review prior to the upcoming Plan Retreat. He then presented a handout on the game day parking issue for Council's response to present to the Planning Commission at the meeting next Monday night and Council will be able to discuss it further at the Plan Retreat then formally consider it in April.

Policy/Action Agenda:

Consider for 2nd Reading an Amendment to Section 5-4 for a Building and Fire Code Board of Appeals with seven members and adding the responsibility of handling fire code appeal issues – There were no changes since 1st reading. Council Member Fowler made a motion, seconded by Council Member Ducworth to approve 2nd Reading an Amendment to Section 5-4 for a Building and Fire Code Board of Appeals with seven members and adding the responsibility of handling fire code appeal issues. Vote on this motion was unanimous. (*See attached*)

Consider authorizing a bid from Clements Electrical in the amount of \$31,500.00 for the demo and installation of 25 streetlights on College Avenue – Mr. Andy Blondeau, Assistant City Administrator presented this item with a recommendation for the bid award to Clements Electrical. Council Member Ducworth made a motion, seconded by Council Member Hay to approve a bid award to Clements Electrical in the amount of \$31,500.00 for the demo and installation of 25 streetlights on College Avenue. Vote on this motion was unanimous.

Consider displaying a banner in the flag plaza for the May 15th Paint the Town Purple Event – Mr. Andy Blondeau, Assistant City Administrator presented this item and said it was the same as last year's Paint the Town Purple celebrating Relay for Life. Council Member Chapman made a motion, seconded by Council Member Fowler to approve displaying a banner in the flag plaza for the May 15th Paint the Town Purple Event. Vote on this motion was unanimous.

Consider displaying a banner in the flag plaza to notify the public of summer camp registration – Mr. Andy Blondeau, Assistant City Administrator stated that the banner was on display now because it was time sensitive. The last Council meeting was cancelled due to inclement weather and this is a City event, so the Mayor approved the display. Council Member Ducworth made a motion, seconded by Council Member Oswald to approve displaying the banner in the flag plaza to notify the public of summer camp registration. Vote on this motion was unanimous.

Consider possible action by the City of Clemson to collect damages from AT&T for non-completion of street repair work that was completed as a component of overhead to underground utility conversion on Earle Street in Downtown Clemson – Mr. Andy Blondeau, Assistant City Administrator stated that payment was received from AT&T and this item does not need to be considered. *(Memo attached.)*

Executive Session:

Council Member Ducworth made a motion, seconded by Council Member Chapman to enter into Executive Session to receive a legal briefing and discuss a personnel matter. Vote on this motion was unanimous.

Following Executive Session Council Member Ducworth made a motion, seconded by Council Member Fowler to exit Executive Session and return to regular session. Vote on this motion was unanimous. Mayor Cook reported that Council received the legal briefing and discussed the personnel issue.

Council Member Chapman then made a motion, seconded by Council Member Fowler authorizing staff to participate in the Class Action, Proposed Settlement of Accommodation Taxes or Fees on the gross proceeds from rental of sleeping accommodations to transient guests. Vote on this motion was unanimous.

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 9:40 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor