

Regular Council Meeting
August 17, 2015
Council Chamber – Clemson City Hall

Call to Order: Mayor J.C. Cook, III at 7:12 p.m.

Invocation and Pledge of Allegiance: Council Member Fowler

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

Media present: Greg Oliver, the *Journal*, and Vince Jackson, the *Independent Mail*

Notification emailed: August 12, 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.

Public Session: Mayor Pro Tem Fowler presiding – Mr. Tal Slann, 422 College Avenue spoke of concerns for traffic at the intersection of Clemson / Calhoun Street and suggested a four way stop. He also commented on short term rental requirements and suggested there be safety inspections as there are with other rentals.

Approval of Minutes: August 10, 2015 were approved as presented.

Reports/Discussion Agenda:

Consider setting a date for a joint work session with the Planning Commission and the Board of Architectural Review to discuss proposed changes to the Article XI. Architectural Review of the City Zoning Ordinance. Council scheduled a work session on August 31st at 6:30 p.m. in the City Hall Community Room.

Receive a report regarding the expansion of on-line payment options for City services, registration fees, and municipal court fines – Mr. Lowell Arwood, Information Technology Director presented a demo of “nCourt” and an overview of online payments for court fines. He stated that it is also integrated with Law Track software that is currently used at the Police Department. There are mobile apps available and the City does not pay for the software. The company charges a service/convenience fee per transaction that is paid directly to them by the payee along with the amount of fine. The City will receive a check or a wire transfer into the City bank account for the fine amounts from “nCourt”. The software is used throughout the states and it is SLED compliant. The company offers other opportunities for online payments that the City can add as needed. The on-line payment option with Municipal Court fines will go live in September.

Discuss the Proposal from Collegiate Development Group, developers of the Earle Street Apartments redevelopment project, for the possible acquisition of public parking spaces within the facility parking garage through an Infrastructure Reimbursement Agreement – Mr. Rick Cotton, City Administrator presented this item for the Earle Street project with options to add spaces in the parking structure. The proposal offers 40 spaces with a 30 yr. lease and Mr. Cotton explained the details and did not recommend it. Council discussed “purchasing” the spaces or a 50 yr. lease. Council will review and advise their recommendations by the end of the week.

Staff and Council Reports – Mr. Rick Cotton, City Administrator reported that the Sertoma Club’s Annual Conference -Public Service Celebration is Thursday, August 20th at Catherine Smith Plaza, at 6:30 p.m. The MASC Regional Advocacy Meeting is September 24th in Mauldin at 11:00 a.m. Mr. Buck Hyde is retiring after

31 yrs. of service with the Utilities Department and reception is Thursday, August 27th in the City Hall Community Room, 3:30 p.m. to 6:00 p.m.

Mr. David Conner, Public Works Director reported that the City of Clemson and Clemson University have partnered to clean up the silt build up at the entrances into the City that SCDOT has not maintained. Clemson University has a large street sweeper and they agreed to share the use of the equipment at an hourly rate of \$105.00 plus fuel. It will take a couple times a year to keep it maintained for a total cost of about \$1000.00 a year. Mr. Conner said they also talked about other shared opportunities with the University for mulch, etc.

Council Member Ducworth reported that he met with the Arts Center to discuss their request for financial support. Ms. Susan Stamey of Stancil, Cooley, Estep and Stamey and the Arts Center Treasurer provided an overview of their financial report with income and expenses over the last 2 years. Council Member Ducworth said they have an immediate need of \$12,500.00 and have requested an additional \$12,500.00 at the end of December. They have also requested a reoccurring allocation of \$25,000.00 in the City's budget. This item will be presented as an action item tonight.

Mayor Cook reported that "Welcome Back" for Clemson University students was packed even with the weather. Students are back!

Policy/Action Agenda:

Consider 2nd Reading of an Ordinance to amend Article 3, Section 12-44 and Article 5, Section 12-83 and 12-87 of the City of Clemson Municipal Code regarding local option accommodations tax, hospitality tax and hospitality fee remittance by defining when a payment must be postmarked to be considered for on time payment – Mr. Andy Blondeau, Assistant City 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 an Ordinance to amend Article 3, Section 12-44 and Article 5, Section 12-83 and 12-87 of the City of Clemson Municipal Code regarding local option accommodations tax, hospitality tax and hospitality fee remittance by defining when a payment must be postmarked to be considered for on time payment. Vote on this motion was unanimous. (*See attached.*)

Consider 2nd Reading of proposed Zoning Ordinance text amendments to Section 19-107 Definitions to add a definition of Short-term Rentals, Section 19-303 Table 19-303 to add Short-term rentals as a conditional accessory use in residential districts, and to amend Section 19-305 to add conditional use standards for short-term rentals in residential districts and to update Section 19-107 Definitions – 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 Cox to approve 2nd Reading of proposed Zoning Ordinance text amendments to Section 19-107 Definitions to add a definition of Short-term Rentals, Section 19-303 Table 19-303 to add Short-term rentals as a conditional accessory use in residential districts, and to amend Section 19-305 to add conditional use standards for short-term rentals in residential districts

and to update Section 19-107 Definitions. Council discussed the requirements and Mr. Steadman reminded Council that the requirements would be developed at a later date and that the Ordinance is just establishing the allowed use. Vote on this motion was unanimous. (*See attached.*)

Consider 2nd Reading of a proposed Zoning Ordinance text amendment to Section 19-603 Exceptions to maximum Structure Height to include non-habitable architectural features – Mr. Todd Steadman, Zoning & Codes Administrator presented this item with no changes since 1st reading. Council Member Cox made a motion, seconded by Council Member Ducworth to approve 2nd Reading of a proposed Zoning Ordinance text amendment to Section 19-603 Exceptions to maximum Structure Height to include non-habitable architectural features. Vote on this motion was unanimous. (*See attached.*)

Consider 2nd Reading of a proposed Zoning Ordinance text to amend Section 19-804 Shared Parking to amend standards for shared parking in commercial districts and Section 19-802. Off-Street Parking Space Requirements for Medical Uses – 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 Hay to approve 2nd Reading of a proposed Zoning Ordinance text to amend Section 19-804 Shared Parking to amend standards for shared parking in commercial districts and Section 19-802. Off-Street Parking Space Requirements for Medical Uses. Vote on this motion was unanimous. (*See attached.*)

Consider a Recommendation from the Arts and Cultural Commission to provide \$10,000 to the Clemson Arts Center to support the Clemson Festival of Arts and assure its long-term sustainability. *This item was tabled at last meeting.* – Council Member Ducworth made a motion seconded by Council Member Oswald to place the item back on the table. Vote on this motion was unanimous. Council Member Ducworth then made a motion, seconded by Council Member Fowler to approve this item as requested in staff reports for \$12,500.00 immediately plus \$12,500.00 in January 2016 from the hospitality tax funds; and a financial report must be submitted from the Arts Center each April with their budget recommendations. Vote on this motion was unanimous. (*See attached.*)

Consider the request from Ms. Dixie Waldrop for financial assistance from the City of Clemson for the start-up of a new Miss Clemson and Miss Teen Clemson scholarship pageant in 2016 – Mayor J.C. Cook, III gave a recommendation of \$7500.00 = \$5000.00 to run pageant and \$2500.00 to advertise/promote the event. Council Member Cox made a motion, seconded by Council Member Ducworth to approve the request from Ms. Dixie Waldrop for financial assistance from the City of Clemson for the start-up of a new Miss Clemson and Miss Teen Clemson scholarship pageant in 2016. Mayor Cook made a friendly amendment to specify the amount of \$7500.00 from the Local Option Accommodations Tax Fund and require a report of how the \$2500.00 was used. Council Member Cox accepted the amendment. Vote on this motion was unanimous.

Consider a Development Agreement between the City of Clemson, South Carolina, and the independent development firms of The University House Clemson, L.L.C, Developer of University House

Clemson; PHU HWY 76 Clemson, L.L.C., Developer of Grandmarc of Clemson; CCSHP Clemson, L.L.C., Developer of Earle Street Apartments; and 412 College Avenue, L.L.C., Developer of 412 College Avenue, for the financing and construction of sanitary sewer line capacity improvements that will provide utility services for the benefit of said development projects hereto – Mr. Rick Cotton, City Administrator presented this item to install new lines to rid a potential sewer bottleneck with the future capacity from new developments at this location for a cost of \$337,000. The agreement allocates cost sharing components of the three developers and their share is a \$125,000.00 cap. Council Member Oswald made a motion, seconded by Council Member Hay to approve a Development Agreement between the City of Clemson, South Carolina, and the independent development firms of The University House Clemson, L.L.C, Developer of University House Clemson; PHU HWY 76 Clemson, L.L.C., Developer of Grandmarc of Clemson; CCSHP Clemson, L.L.C., Developer of Earle Street Apartments; and 412 College Avenue, L.L.C., Developer of 412 College Avenue, for the financing and construction of sanitary sewer line capacity improvements that will provide utility services for the benefit of said development projects hereto. Vote on this motion was unanimous. *(See attached.)*

Consider a Proposal from Seamon, Whiteside & Associates for engineering fees for the construction design and bid documents, bidding services and construction inspection/administration services for the Old Calhoun District Streetscape Project – Mr. Andy Blondeau, Assistant City Administrator presented this item with the cost for services; construction documents \$28,740.00, bidding and negotiation phase \$8465.00, and construction phase and services inspections \$21,240 for total of \$58,445.00. Council Member Ducworth requested clarification on the administrative fees and Mr. Blondeau responded that he would address those fees with the firm but the total is within the scope of the project. Council Member Cox made a motion, seconded by Council Member Fowler to approve a Proposal from Seamon, Whiteside & Associates for engineering fees for the construction design and bid documents, bidding services and construction inspection/administration services for the Old Calhoun District Streetscape Project at a cost of \$58,445.00. Vote on this motion was unanimous. *(See attached.)*

Consider a Proposal from the engineering firm of Goodwyn, Mills and Cawood, for architectural and engineering design services for the replacement of the office and laboratory facility at the Cochran Road Wastewater Treatment Plant, and authorize the City Administrator to execute a contract for services related to this project – Mr. Rick Cotton, City Administrator presented this item for the design firm recommendation with Goodwyn, Mills and Cawood. Council Member Oswald made a motion, seconded by Council Member Ducworth to approve a Proposal from the engineering firm of Goodwyn, Mills and Cawood, for architectural and engineering design services for the replacement of the office and laboratory facility at the Cochran Road Wastewater Treatment Plant, and authorize the City Administrator to execute a contract for services related to this project. Vote on this motion was unanimous. *(See attached.)*

Executive Session:

Council Member Ducworth made a motion, seconded by Council Member Cox to enter into Executive Session to consider reappointment for Accommodation Tax Committee members. Vote on this motion was unanimous. Council Member Ducworth made a motion seconded by Council Member Oswald to exit Executive Session and return to the regular Council meeting. Vote on this motion was unanimous.

Following Executive session Council Member Cox made a motion, seconded by Council Member Ducworth to re-appoint Ms. Tommye Hurst and Mr. William B. Harley, Jr. to the Accommodation Tax Committee. 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 9:10 p.m.

Respectfully submitted,

Approved

By: _____

Beverly A. Coleman, CMC

J.C. Cook III, Mayor