

**Regular Council Meeting
October 19, 2015
Council Chamber – Clemson City Hall**

Call to Order: Mayor J.C. Cook, III at 6:30 p.m.

Invocation and Pledge of Allegiance: Council Member Chapman

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

Media present: No media present.

Notification emailed: October 14, 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: No public comments.

Approval of Minutes: October 5, 2015 were approved as presented.

Reports/Discussion Agenda:

Discuss the potential creation of a policy that would allow advance capacity allocation at the Cochran Road wastewater treatment plant to development companies that are considering a financial investment into the Clemson community – Mr. Rick Cotton, City Administrator and Mr. Benjie McGill, Utilities Director presented this item and explained the issues. Mr. Cotton noted the current capacity at the Cochran Rd. and Clemson-Pendleton plant. He explained the Preliminary Engineering Report requirement from DHEC when capacity reaches 80% which the City has done and that when the capacity reaches 90% the plan to expand has to take action. The capacity at Cochran Rd. is expected to reach 80% capacity by 2017. City staff has received a request from a developer to guarantee capacity without a planned project. There are no guarantees of a project until a plan has been submitted. Mr. Cotton stated that the allocation for capacity is not issued by the demand of a developer, it is first come first serve basis upon receipt of impact fees, plans for the development and issuance of building permits, etc. The proposed policy can allow options to reserve capacity and include redevelopment and annexation projects; allow a developer to reserve capacity for a certain length of time; and state what happens if they fail to deliver. Council requested staff to obtain more information from other municipalities that have same type policy before it is considered for a formal vote.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported that the conservation area behind the University House project where trees are to be planted has an easement and for now it will be declared deed restricted. The developer is concerned that they would be held responsible for clearing the conservation easement but in this case the vegetation will be removed by the City to recapture the

sewer easement. When the project is complete staff will assess the area and seek input from an arborist for best vegetation planting.

Mr. Cotton also reported that the City has contracted GeoTech for the retaining wall on Tiger Blvd. and they will assess the costs for repair. The RFQ deadline on indefinite delivery for engineering services is October 29th; the RFP for the Fire substation is advertising this week; the FY 2014-15 financial variance report will be presented at the next meeting. Staff is meeting with the developer on the Earle Street project parking deck that will be attached to the IRA at the next meeting. CAT has an RFQ for route analysis and long term plan due next week; and the next PCMA meeting is Monday, October 26th at Six Mile at 7:00 p.m.; PCMA Banquet is Monday, November 16th.

Council Member Cox requested that the one way at Hedge Row Lane be considered as an agenda item for a formal vote; and stated concerns for traffic flow being extremely disruptive and damaging to the street at Hillcrest Ave. from the construction at Mellow Mushroom. Staff responded that the contractors at Mellow Mushroom should come off Hwy 93 and not Hillcrest. Mayor Cook stated that the one way at Hedge Row Lane could be an item for consideration but that it was understood that the community did not want it changed.

Policy/Action Agenda:

Consider changing the City Council meeting of Monday, November 16, 2015, because the Pickens County Municipal Association annual banquet is scheduled for that same evening. Council moved the regular Council meeting to Monday, November 23, 2015.

Request approval of a Public Hearing date for an Ordinance to amend the City of Clemson Zoning Ordinance to establish conditional use standards and parking standards for banquet and outdoor event facilities, as well as, definitions for same. Council set the date of the public hearing for November 23, 2015 at 6:30 p.m.

Request approval of a Public Hearing date for an ordinance to amend the City of Clemson Zoning Ordinance Article VIII, section 19-807, table 19-807 E.2. To eliminate the 3' setback requirement for vehicular use areas directly abutting an active railroad right of way. Council set the date of the public hearing for November 23, 2015 at 6:30 p.m.

Consider Approval of Accommodation Tax Committee recommendations for allocation of FY 15/16 funding - Ms. Sharie Nichols, Assistant Finance Director presented this item with no changes since last meeting. Council Member Cox made a motion, seconded by Council Member Fowler to approve the Accommodation Tax Committee recommendations for allocation of FY 15/16 funding. Vote on this item was unanimous. (*See attached.*)

Consider the request of the United Methodists Women of Clemson United Methodists Church to place a banner in the City's flagpole plaza to advertise the Fall Festival and Bazaar from November 5th to 14th – Mr. Rick Cotton, City Administrator presented this item. Council Member Ducworth made a motion, seconded by Council member Cox to approve the request of the United Methodists Women of Clemson United Methodists Church to place a banner in the City's flagpole plaza to advertise the Fall Festival and Bazaar from November 5th to 14th. Vote on this motion was unanimous.

Executive Session:

Council Member Ducworth made a motion, seconded by Council Member Fowler to enter into Executive Session to consider appointment of Judges to the Clemson Municipal Court. SC Code 30-4-70 (a) (1); and discuss a contractual issue related to the Pendleton/Clemson WWTP. SC Code 30-4-70 (a) (2). Vote on this motion was unanimous.

Council Member Ducworth made a motion, seconded by Council Member Fowler to exit Executive Session and return to the regular meeting. Vote on this was unanimous. Following Executive Session Council Member Cox made a motion, seconded by Council Member Ducworth to appoint Ms. Nikki Munn as Associate Municipal Court Judge with a salary of \$39,520.00 and Ms. Teresa Daniel as Municipal Court Judge. They will be sworn in at the next Council Meeting on November 2nd. Vote on this motion was unanimous.

Mayor Cook then reported that Council discussed the issues related to Pendleton/Clemson WWTP and he, Mr. Rick Cotton, City Administrator and Pendleton's Mayor, Administrator will meet to discuss the issues further.

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor