

Regular Council Meeting
January 4, 2016
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 Ducworth

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: December 31, 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 Tim Fowler presiding – Ms. Patricia Finley, 10 Foy Creek Dr., spoke of concerns that the Fendley Street property is not secure and is unsafe with open buildings. Mr. Rick Cotton, City Administrator responded that the City had been made aware and the new owner will secure the property.

Mr. Derek Hodgin, 420 Shore Crest Dr., spoke of concerns for the Infrastructure Reimbursement Agreement with the City leasing 40 parking spaces from a business owner. He also spoke in reference to 65 ft. structures allowed on Keowee Trail and his concerns for the pace, scale and quality of projects that have been approved over the last 12-18 months for construction. He said that the proposed Keowee Trail project is extreme compared to what is there now. He requested more consideration for quality and pace of construction in long term development.

Ms. Katie Healy, 140 Folger St., spoke of concerns for the quality of the Oak St. apartments and specifically the trash receptacles facing the streets. She stated that the fence is always open making the receptacles visible towards the street. She also spoke of concerns for the Keowee Trail 65 ft. structures and a proposed boutique hotel that was discussed a few months ago. She stated that the changes in town are being made for the developers, not the citizens and it affects the entire town.

Mr. Kevin Collins, 133 Thomas Green Blvd., business owner and developer of the Keowee Trail project spoke in favor of the 65 ft. structures. He stated that the City had shown this area for new development and it is currently zoned for mixed use with 50 ft. structures. Mr. Collins said he is requesting the 65 ft. structure allowance from one end of Keowee Trail to the other and it has already been in the Comp Plan by the City and the citizens for smart growth. He noted that his intention was to build whether it is 50 ft. or 65 ft. structures and that this project will also have to be approved by the Board of Architectural Review.

Mr. Ken Brown, 326 Wellington Way, spoke in favor of the 65 ft. height structure on Keowee Trail. He said that Clemson University's plan to expand to 30,000 students will promote an increase in density of the downtown area and in the long run that will protect the greater Clemson area for single family development outside the downtown area.

Approval of Minutes: December 14, 2015 were approved as presented.

Reports/Discussion Agenda:

Review and discuss the proposed Infrastructure Reimbursement Agreement between the City of Clemson and CCSHP Clemson, LLC which will provide for future City property tax reimbursements for the lease of 40 public parking spaces within Earle Street Parking Garage – Mr. Rick Cotton, City Administrator presented this item and stated that this IRA is different as it is reimbursement of future City property taxes to offset the cost of constructing 40 parking spaces that will be leased and operated by the City for the next 50 years. He requested Council review it and provide comments before it is presented for a formal vote.

Consider a Policy to govern the use of the electronic message board to be placed at the flag plaza at the intersection of Tiger Boulevard and Hwy 76 – Mr. Andy Blondeau, Assistant City Administrator presented this item with the draft policy. He stated that the board was scheduled to be installed in two weeks and it will replace the banners that are currently used. He requested Council review the policy and forward any comments/suggestions to him.

Discuss potential acceptance of the transfer of ownership of North Clemson Avenue from SCDOT maintenance and ownership to the City of Clemson's street inventory – Mayor Cook presented this item and stated Clemson University wants to take ownership of a portion of Hwy 93 and a portion of North Clemson Avenue currently owned by SCDOT would be considered an orphan road. Council discussed the plans of the University and requested staff to make sure of stormwater drainage and assess what is under the road/sidewalks before any decision is made.

Consider setting a date and time for a Council Work Session to receive a report on the City's Storm Water Utility, including the status of the Clemson's Small Municipal Separate Storm Sewer System (SMS4) permitting and mapping process – Council set a date of Thursday, January 28th at 12:00 noon in the City Hall Upper Conference Room.

Staff and Council Reports.

Mr. Rick Cotton, City Administrator reported that the Fire Station Committee reviewed and selected 4 out of 11 design proposals that will be interviewed the end of January. Mr. Don Collins, Collins Design Services will represent the City with an extensive range of services in a formal contract for \$19,000.00. Mr. Cotton then reported that travel arrangements for an exchange visit to Kansas will be made this week. The Old Calhoun Streetscape project is at 90% of the plan review and will finalize mid-January. The City's offer made to the owner of Rubin Square was declined so staff will proceed with an appraisal. The North Clemson Streetlight project has restarted and will be complete in a couple of days. January 11th is the JCUAB meeting at 1:30 p.m. and CAT's 20th Birthday celebration at 12:00 -2:00p.m.; January 14th Planning staff will host a drop-in review of the Architectural Review Standards; the next regular Council meeting is on Tuesday, January 19th at 6:30 p.m.; and Judge Barnes retirement reception is tomorrow.

Policy/Action Agenda:

Consider 2nd Reading of an Ordinance to rezone 240+/- acres located on the east side of Anderson Highway and southeast of Old Stone Church Road from R-20, Single-Family Residential District and concurrently annex un-zoned lands in Pickens County into the City of Clemson under a proposed Planned Development zoning district by Pacolet Milliken Enterprises. (PC TMS# 4053-15-64-1213) – Ms. Sharon Richardson, Planning & Codes Director presented this item with no changes or comments since 1st Reading. Council Member Fowler made a motion, seconded by Council Member Cox to approve 2nd Reading of an Ordinance to rezone 240+/- acres located on the east side of Anderson Highway and southeast of Old Stone Church Road from R-20, Single-Family Residential District and concurrently annex un-zoned lands in Pickens County into the City of Clemson under a proposed Planned Development zoning district by Pacolet Milliken Enterprises. (PC TMS# 4053-15-64-1213). Vote on this motion was unanimous. (*See attached.*)

Consider 2nd Reading of an Ordinance for a proposed rezoning of land located at 300 Cochran Road by the City of Clemson from R-20 to RIL with a concurrent annexation/rezoning of a newly acquired parcel added to this property. (TMS # 4054-09-25-3949 and a portion of 4054-10-36-3411 acquire from Clemson University by the City of Clemson) – Ms. Sharon Richardson, Planning & Codes Director presented this item with no changes or comments since 1st reading. Council Member Ducworth made a motion, seconded by Council Member Fowler to approve 2nd Reading of an Ordinance for a proposed rezoning of land located at 300 Cochran Road by the City of Clemson from R-20 to RIL with a concurrent annexation/rezoning of a newly acquired parcel added to this property. (TMS # 4054-09-25-3949 and a portion of 4054-10-36-3411 acquire from Clemson University by the City of Clemson). Vote on this motion was unanimous. (*See attached.*)

Consider 1st Reading of an Ordinance for a proposed text amendment to Section 19-404 Density, Bulk, Dimensional Requirements for Principal and Accessory Uses and/or Structures in the Non-residential Districts to allow 65 ft. of height for structures in the CM, Commercial Mixed-Use District for properties abutting Keowee Trail – Ms. Sharon Richardson, Planning & Codes Director presented this item and stated that the Planning Commission recommended approval with a 4 to 3 vote. The Planning Commission presented 2 options, 1- for all properties on Keowee Trail only; 2- for only hotel/motel specific on Keowee Trail and the Commission recommended option 1. Ms. Richardson noted all emails with comments on this item were forwarded to Council. Council Member Fowler commented that parking would be the same in 50 ft. or 65 ft. and Ms. Richardson stated yes that the # of parking spaces depends on the use in the CM district. She stated that this property is also in the Architectural Review district and will have to meet those standards as well. Council Member Chapman made a motion, seconded by Council Member Oswald to deny the recommendation for option 1 on the 1st Reading of an Ordinance on a proposed text amendment to Section 19-404 Density, Bulk, Dimensional Requirements for Principal and Accessory Uses and/or Structures in the Non-residential Districts to allow 65 ft. of height for structures in the CM, Commercial Mixed-Use District for

properties abutting Keowee Trail. Council discussed the area in more detail for the additional 15ft. height structure and the idea of a planned development. Vote on this motion was unanimous.

Consider 1st Reading of 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 – Ms. Sharon Richardson, Planning & Codes Director presented this item with no additional comments since the public hearing and Planning Commission unanimously recommended approval of the Ordinance. Council Member Cox made a motion, seconded by Council Member Oswald to approve 1st Reading of 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. Vote on this motion was unanimous.

Consider 1st Reading of 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 – Ms. Sharon Richardson, Planning & Codes Director presented this item with no comments since public hearing and Planning Commission unanimously recommended approval of the Ordinance. Council Member Ducworth made a motion, seconded by Council Member Hay to approve 1st Reading of 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. Vote on this motion was unanimous.

Consider 1st Reading of an Ordinance for a Proposed Zoning Text Amendment to Section 19-405. Standards for Conditional Use and Special Exceptions for Non-residential Districts, Table 19-405. Table of Standards for Conditional Uses and Special Exceptions in Non-residential Districts to clarify the requirement for vehicular use areas abutting non-lakefront properties owned by the US Army Corps of Engineers – Ms. Sharon Richardson, Planning & Codes Director presented this item with no comments since public hearing and Planning Commission unanimously recommended approval of the Ordinance. Council Member Cox made a motion, seconded by Council Member Ducworth to approve 1st Reading of an Ordinance for a Proposed Zoning Text Amendment to Section 19-405. Standards for Conditional Use and Special Exceptions for Non-residential Districts, Table 19-405. Table of Standards for Conditional Uses and Special Exceptions in Non-residential Districts to clarify the requirement for vehicular use areas abutting non-lakefront properties owned by the US Army Corps of Engineers. Vote on this motion was unanimous.

Consider accepting a Bid from TRANE in the amount of \$34,700.00 to replace the automated control system for the HVAC equipment serving the expansion wings at City Hall – Mr. Andy Blondeau, Assistant City Administrator presented this item and recommended Trane Upstate for the bid award. He stated that the third party Engineer has reviewed and approved the recommended bid. Council Member Ducworth made a motion, seconded by Council Member Chapman to approve a Bid from TRANE in the amount of \$34,700.00

to replace the automated control system for the HVAC equipment serving the expansion wings at City Hall. Vote on this motion was unanimous. *(See attached.)*

Executive Session:

Council Member Cox made a motion, seconded by Council Member Ducworth to enter into Executive Session to discuss the appointment of new City Attorney position – SC Code of Laws Section 30-4-70 (a)(1). Vote on this motion was unanimous. Council Member Cox then made a motion, seconded by Council Member Oswald to exit Executive Session and return to the regular meeting. Vote on this motion was unanimous.

Following Executive Session, Mayor Cook reported that City staff will make a formal offer to Ms. Mary McCormick for the part time City Attorney position. If accepted Council will appoint Ms. McCormick at the next Council meeting.

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Approved

By: _____

Beverly A. Coleman, CMC

J.C. Cook III, Mayor