

Regular Council Meeting
March 21, 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, Ducworth, Hay, Fowler and Oswald; **Absent:** Council Member Cox

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

Notification emailed: March 16, 2016 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.

Proclamations: Mayor Cook presented a proclamation to Miss Clemson, Rachel Wyatt with her platform “Life without Limits” and to Miss Clemson Teen, Makayla Stark with her platform “Best Foot Forward”.

Public Session: Mayor Pro Tem Tim Fowler presiding – Mr. Vince Jackson, representing the Greater Clemson Music Festival and Dr. Jeff Martin, Clemson Sertoma President, announced their partnership for the upcoming Music Festival, April 15th- 24th. Mr. Jackson invited Mayor, and Council to the Men of Distinction performance and the festival of events with live performers, scheduled tours and food.

Ms. Elaine Richardson, 301 Edgewood Avenue, spoke in reference to the City Code of Ordinances, Section 15-5 Economic Development Advisory Committee and requested information on its status. Mr. Rick Cotton, City Administrator responded and stated that the committee was created for retail recruitment but soon after it was established Council obtained a Buxton Report to determine businesses that would be a good fit for the community. The Buxton report produced a top 20 list of businesses and several of them are now local businesses in the community so Council then collapsed the committee. Ms. Richardson requested Council’s consideration to re-establish the committee. Mayor Cook suggested staff advertise for volunteers and see if there is enough volunteers for the committee. Ms. Richardson also spoke of concerns for 65’ mixed use structures/hotels in CM district and the impact to the surrounding neighborhoods downtown.

Ms. Elizabeth Vogt, 201 Martin Street, spoke of concerns for 65’ mixed use structures/hotels in CM district and said this request is about Keowee Trail. She referenced Council’s vote opposing 65’ hotel previously for Keowee Trail and stated that this was a backdoor to allow the construction of a 65’ hotel. Ms. Vogt stated that her main concerns were procedurally to allow a blanket zoning in the CM district.

Approval of Minutes: March 14, 2016 were approved as presented.

Reports/Discussion Agenda:

SC Alliance for Mobile Infrastructure Award presented by Director, Ms. Terecia Wilson. Ms. Wilson presented the award to Mr. Al Babinicz, Clemson Area Transit (CAT) Director for making a

difference with the first electric transit system in the world. Mr. Babinicz commended the bus operators for their efforts to make CAT successful. Mayor and Council commended Mr. Babinicz for his vision and dedication to CAT.

Boards and Commissions Recognition – Mr. Todd Steadman, City Planner recognized members of the Board of Architectural Review - Ms. Jane Brown and Mr. Wayne Lefwich and the Board of Zoning Appeals – Mr. Brian Roberts, for their dedicated service.

Discuss the possible receipt of a financial gift that would require the City of Clemson accepting responsibility for the Calhoun School Memorial Stone (located on College Avenue in front of the US Post Office building) – Mayor J.C. Cook, III presented this item with the history of the memorial stone that was installed several years ago. The person responsible for maintaining the memorial stone has requested to donate the balance of the funds to the City to maintain the care of the stone. Council had no concerns in accepting the funds and maintaining the care of the stone.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported the following – the RR construction project will restart in May once the updates of agreements are final and completion is expected in 12 to 16 months. City Staff will have an agreement for a transfer of streets from SCDOT at the April Council meeting. SCDOT will pay the City for repairs on North Clemson Avenue and has estimated the cost of improvements for pavement overlay at \$33,800 and costs for sidewalk and storm drainage repairs at \$76,650. Staff will design and bid this project for summer 2017. Representative Gary Clary has advised that the indigent defense bill is still in the budget proviso and is sitting in the house and ways committee. The City of Clemson will host the next PCMA meeting Monday, March 28th at 7:00 p.m. Mr. Cotton and Council Members Chapman and Ducworth will attend the next quarterly CAT meeting on April 6th at 10:00 at the Madren Center. Mr. Cotton also reported that the ground breaking for the Inn at Patrick Square is April 14th at 9:00 a.m.

Council Member Chapman reported that the kick-off meeting for the Re-Imagine CAT was held last week and objectives were discussed so the project is on its way.

Policy/Action Agenda:

Consider approval of an Infrastructure Reimbursement Agreement between the City of Clemson and CCSHP Clemson, LLC, the developer of the 114 Earle Apartments, which provides for 40 public parking spaces to be constructed in the parking garage and to be leased to the City of Clemson for 50 years – Mr. Rick Cotton, City Administrator presented this item and the terms and conditions are included in the lease agreement. Council Member Oswald made a motion, seconded by Council Member Ducworth to approve an Infrastructure Reimbursement Agreement between the City of Clemson and CCSHP Clemson, LLC, the developer of the 114 Earle Apartments, which provides for 40

public parking spaces to be constructed in the parking garage and to be leased to the City of Clemson for 50 years. Vote on this motion was unanimous. (*See attached.*)

Consider a Memorandum of Understanding and Agreement between the City of Clemson and Farm Clemson LLC, which provides for property line adjustments and streetscape improvements related to the residential development called "The Farm" located on Old Central Road in the City of Clemson – Mr. Rick Cotton, City Administrator and Mr. Todd Steadman, City Planner explained the issues with the property and the exchange that is indicated in the agreement. Council Member Fowler made a motion, seconded by Council Member Chapman to approve a Memorandum of Understanding and Agreement between the City of Clemson and Farm Clemson LLC, which provides for property line adjustments and streetscape improvements related to the residential development called "The Farm" located on Old Central Road in the City of Clemson. Vote on this motion was unanimous. (*See attached.*)

Consider an Agreement between the City of Clemson and Hogan Construction Group, LLC for the design-build construction of a new fire station building to be constructed on Issaqueena Trail – Mr. Rick Cotton, City Administrator provided a brief overview of the agreement that outlined the design build project with a \$1.9 million budget. Council Member Hay made a motion, seconded by Council Member Oswald to approve an Agreement between the City of Clemson and Hogan Construction Group, LLC for the design-build construction of a new fire station building to be constructed on Issaqueena Trail. Vote on this motion was unanimous. (*See attached.*)

Consider whether the City Council should authorize the Planning Commission to consider a zoning text amendment to create a new conditional use in the CM Zoning District to allow hotels a height between 41' and 65' subject to the same conditions imposed on that use in the CP-2 Zoning District – Ms. Mary McCormac, City Attorney presented this item and referred to the City code that addresses the procedure of considering/voting on an item again within a certain period of time. The Planning Commission wants to discuss allowing 65' in all CM districts for all hotels only. She said the CM district includes Keowee Trail specifically that was voted on in recent months and Council denied the request. Council then had detailed discussion on the prior vote that denied allowing 65' for an entire project on Keowee Trail and the options for the Planning Commission's discussion. Ms. McCormac suggested the Ordinance also be amended to clarify a map amendment for a parcel vs text amendment for the property within the district. Mr. Todd Steadman, City Planner noted that all commercial districts except CM allows 65' hotels and that the CM District was a very small area within the City. Council Member Fowler made a motion, seconded by Council Member Ducworth to authorize the Planning Commission to consider a zoning text amendment to create a new conditional use in the CM Zoning District to allow hotels a height between 41' and 65' subject to the same

conditions imposed on that use in the CP-2 Zoning District. After much more discussion Mayor Cook and Council Members Ducworth, Fowler and Oswald voted in favor of the motion. Council Members Chapman and Hay voted in opposition to the motion. Motion passed 4 to 2.

Consider approval to plant pinwheels at the Clemson Police Department on Tuesday, April 12th for Crime Victim's Rights Week – Chief of Police Jimmy Dixon presented this item requesting the planting of pinwheels for awareness and prevention of child abuse on April 12th. Chief Dixon stated that the kick-off for the Crime Victim's Rights Week is Sunday, April 10th at 2:00 p.m. to 4:00 p.m. with a cookout at Nettles Park followed by a week of events. Council Member Ducworth made a motion, seconded by Council Member Oswald for approval to plant pinwheels at the Clemson Police Department on Tuesday, April 12th for Crime Victim's Rights Week. 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 8:15 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor