

Regular Council Meeting
May 16, 2016
Council Chamber – Clemson City Hall

Call to Order: Mayor J.C. Cook, III at 6:40 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 Fox 21 TV News

Notification emailed: May 12, 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: Recognizing “*Building Safety Month*” - May 2016 and “*North American Safe Boating Week*” - May 21-27, 2016

Public Session: Mayor Pro Tem Tim Fowler presiding – Ms. Tommye Hurst, Executive Director of the Arts Center invited Mayor and Council to the Clemson Festival of Arts on Saturday, May 21st.

Mr. Scott Arbeno, 109 College St. spoke in reference to the Noise Ordinance, and asked when it would take effect. He also suggested the Ordinance have 5-6 days a year quiet time i.e. holidays etc. with no construction and for it to be neighborhood friendly with no late hours. Mayor Pro Tem Fowler responded that it would be effective after second/final reading and applied to all current projects.

Mr. Emily Hunter, 207 Wyatt Ave., spoke in reference to the Gameday/Special Event Parking Ordinance, and requested the parking start at 7:00 a.m. instead of 6:00 a.m. as it would be consistent with the Noise Ordinance times. She then asked for clarification on the Short Term Residential Rental Ordinance, that tenants of a rental house could not participate in the short term rental without the owner knowing it. Mayor Cook explained that the Ordinance requires the owner to register the property for the short term rental.

Mr. Tal Slann, 408 College Ave., spoke of concerns for the Gameday/Special Event Parking Ordinance with reference to who would be responsible for damages on public property. He stated that this section was impossible to enforce because he did not see how anyone could determine who did the damage. He also asked who can and cannot rent their residence in the Short Term Residential Rentals and the difference when someone is lodging at no cost for a separate event vs. other rental needs that are also short term. He then noted the issues with parking in all circumstances including Garage Sales on weekends.

Ms. Megan Cato, 9 Poplar Dr., spoke in reference to the Short Term Residential Rental Ordinance, and stated that it would be difficult to distinguish when she had family guests lodging at no cost vs renting to others at her home. She said she felt this would be hard to enforce and that there were laws already in place to control violations.

Mr. Rotie Salley, 116 Poole Lane, spoke in opposition to Gameday/Special Event Parking Ordinance and Short Term Residential Rental Ordinance because he had a break-in at his house during football season. He said he lives in a 60 yr. old neighborhood and the streets have not been paved for over 40 years. His main concern is for Poole Lane and Riggs Drive that are narrow streets and they are traffic hazards with new housing construction.

Ms. Renee Gahan, 300 Edgewood Ave., suggested the City use the old Zax's property to build a parking lot and bus people to and from game. She then read a note that she said explained the right perspective for laws and changes in Clemson with a long term plan to distinguish the town from the University.

Mayor Cook reminded everyone that Gameday parking and Short Term Residential Rentals have been going on for years and the Ordinances are intended to assist in protecting the neighborhoods.

Approval of Minutes: May 2, 2016 were approved as presented.

Reports/Discussion Agenda:

Mr. Todd Steadman presented The Arts and Culture Commission's Public Art Plan that has been a year's work of research to promote public art. Ms. Julie Peters, Arts and Culture Commission Chair provided an overview of the Plan and said they are very excited about it and how it relates to the City of Clemson. She said it was a response to the charge from City Council and the 2024 Comprehensive Plan in how to preserve and grow the City of Clemson. She stated it was a modest public investment for a huge payback from a marketing and economic standpoint. Ms. Peters said that public art lifts the human spirit and challenges individuals who encounter it to think differently about the world and yet be reminded of its history. She requested Council review the plan and schedule a work session for discussion. She then thanked Council's vision for the artistry and cultural vibrance of the City.

Mayor Cook commended the Commission for their time and effort to develop the Art Plan to provide the service to the community.

Mr. Kade Herrick, Clemson Area Chamber of Commerce Tourism Director gave a report regarding the 2016 spring break rowing program; the economic impact; and the new dock acquisition to accommodate increased participation – Mr. Herrick provided the report for the 2016 event with 1,071 athletes participating, a 33% increase from last year. The estimated economic impact for athletes and coaches accommodations was \$1,743,312.00 plus \$244,350.00 from Ohio State/Michigan's additional rooms. Mr. Herrick said that the Chamber purchased 5 Jon boats and a dock to enable the teams to get on and off the water in a timely manner. The cost for the purchases

was \$39,000.00 and they have secured \$24,500.00. He stated that they will apply for ATax funds and then any remaining balance will be presented to City Council for support. They are looking to extend the season for winter time with a couple hundred more participants to bring the number up to 1300 athletes and they are discussing a new facility dedicated specifically to rowing. Council Member Cox extended congratulations on a successful event.

Ms. Emily DeRoberts from Duke Energy District Manager provided a report on the scheduled power line tree trimming maintenance work that will be completed in the Clemson community this spring and summer – Ms. DeRoberts and Mr. Terry Smith presented a map of the area for the trimming and stated it meets Arborists guidelines. There is approximately 14 miles of cutting and this area has not been cut since 2009. Duke Energy will handle door hanger notifications 4 weeks prior only to property owners that will have work on their property. Property owners can request trees cut down but are required to sign a permit. There will be scheduled power outages in small areas and property owners will be notified prior to scheduled times.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported that CAT staff has submitted the Low-No Emission grant application; the recent “Shred-it Day” on Saturday, May 2nd brought over 3,000 lbs. of material shredded; the Sanitary/Stormwater Sewer water line work downtown is almost complete. The PCMA Annual Picnic is May 21st at Abernathy Park at 11:00 a.m.; the Budget Work Sessions are May 23rd-24th at 5:30 p.m. in the City Hall Community Room; the Clemson Area Chamber Awards Banquet is May 25th at 5:30 p.m. at the Outdoor Lab; and the MASC annual meeting reservations are due this week.

Council scheduled a Work Session to discuss the Public Art Plan from the Arts & Cultural Commission on July 18th at 5:00 p.m.

Policy/Action Agenda:

Consider for 1st Reading an Ordinance that amends the City of Clemson Noise Ordinance – Council Member Fowler made a motion, seconded by Council Member Ducworth to approve 1st Reading of an Ordinance that amends the City of Clemson Noise Ordinance. Vote on this motion was unanimous.

Consider for 1st Reading an Ordinance for Game-day and Special Event Parking – Council Member Chapman recused himself on this item due to his participation in Gameday Parking. Council Member Ducworth made a motion, seconded by Council Member Cox to approve 1st Reading an Ordinance for Game-day and Special Event Parking. Council discussed the parking start time and Council Member Ducworth amended the motion, seconded by Council member Oswald to change

start time to 7:00 a.m. Vote on the amendment was unanimous. Vote on the Ordinance as amended was unanimous.

Consider for 1st Reading an Ordinance for Short-term Residential Rentals – Ms. Mary McCormac, City Attorney requested this item be tabled until the June meeting. Council Member Ducworth made a motion, seconded by Council Member Oswald to table this item until June meetings. Vote on this motion was unanimous.

Consider Ordinances to adopt 1) Building and Related Codes; 2) amend Flood Damage Prevention; and 3) amend Non-Water and Sewer Impact Fees – Mr. Ben Collins, Chief Building and Fire Official presented this Ordinance to replace the 2012 Building Codes with the 2015 codes based on mandate by the State of SC. Mr. Collins stated that each inspector is continuing education through the rest of this year to be up to date with this code cycle. Council Member Cox made a motion, seconded by Council Member Fowler to approve the Ordinance to adopt Building and Related Codes. Vote on this motion was unanimous. Mr. Collins then presented the Ordinance to amend the Flood Damage Prevention that recognizing staff responsibility. Council Member Ducworth made a motion, seconded by Council Member Cox to approve the amendment to the Flood Damage Prevention. Vote on this motion was unanimous. Mr. Collins then presented the Ordinance to amend the Non-Water and Sewer Impact Fees that clarify the process for collection. Council Member Cox made a motion, seconded by Council Member Ducworth to approve the Ordinance to amend the Non-Water and Sewer Impact Fees for current procedures. Vote on this was unanimous.

Consider approval of an Expedited Services Policy for plan review and inspections – Mr. Ben Collins, Chief Building and Fire Official presented the policy to provide a means for a third party to contract services when the Planning and Codes staff cannot meet contractors needs for express time based on availability. Mr. Collins stated that it will be a pass through process with fees based on the third party rates. Council recommended changes to the policy and Mr. Collins made those changes. They also recommended cancellation notification be “2” hours prior to the scheduled inspection. Council Member Ducworth made a motion, seconded by Council Member Cox to approve an Expedited Services Policy for plan review and inspections with noted changes. (*See attached.*)

Consider Bid results for the Calhoun District Streetscape project – Mr. Rick Cotton, City Administrator presented this item with the results of negotiating the bid to \$841,894.00 with AOS Specialty Contractor Inc. and the Street Overlay bid Panagakos Asphalt Paving at \$73,029.00. Council Member Cox made a motion, seconded by Council Member Hay to approve bid results for the Calhoun District Streetscape project. Vote on this motion was unanimous. (*See attached.*)

Consider approval of Change Orders to Horizontal Unlimited (\$9,497.55) and Fowler Corporation (\$111,598.73) on the College Avenue stormwater and sewer line construction projects, and authorize the transfer of \$121,096.28 from General Fund to the Downtown Infrastructure capital projects – Council Member Fowler recused himself from this item due to his involvement in this project. Mr. Rick Cotton, City Administrator presented this item for the change orders. Council Member Ducworth made a motion, seconded by Council Member Cox to approve change Orders to Horizontal Unlimited (\$9,497.55) and Fowler Corporation (\$111,598.73) on the College Avenue stormwater and sewer line construction projects, and authorize the transfer of \$121,096.28 from General Fund to the Downtown Infrastructure capital projects. Vote on this motion was unanimous. *(See attached.)*

Consider authorizing Clemson Area Transit the budget authority to purchase a small cut-a-way bus or extended length conversion van to be used primarily for the Clemson to Greenville Depot route service – Mr. Al Babinicz, CAT Director presented this item for consideration and explained the difficulty of a regular size bus routing through the Clemson Amtrak Depot location. He said there is only 5 to 7 passengers on average and that lead to the decision to purchase an extended length conversion van. He said the van would be used over the next year and a half - twice a day -7 days a week. It has a rear wheel chair lift, a radio, cameras and the total cost for the van is \$65,000.00. Mr. Babinicz noted that the regular size CAT bus may be used for Holidays but rarely will be necessary. Council Member Fowler made a motion seconded by Council Member Oswald to approve authorizing Clemson Area Transit the budget authority to purchase an extended length conversion van to be used primarily for the Clemson to Greenville Depot route service. Vote on this motion was unanimous. *(See attached.)*

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 9:22 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor