

Regular Council Meeting
June 20, 2016
Council Chamber – Clemson City Hall

Call to Order: Mayor Pro Tem, Tim Fowler at 6:30 p.m.

Invocation and Pledge of Allegiance: Council Member Ducworth

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

Media present: Greg Oliver, the *Journal*

Notification emailed: June 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.

Public Session: Mayor Pro Tem, Tim Fowler presiding – Ms. Beth Smith, 125 Poole Lane, spoke in opposition to the Short Term Rental Ordinance and questioned the responsibility of the homeowner to acquire insurance during the rental periods and state taxation requirements. Ms. Smith mentioned the new house on Wyatt Ave. that has been proposed as a rental and concerns that the neighborhood has no covenant. Council member Chapman responded that the owner has stated that his intention was to renovate the house and rent it on a short term basis. The owner then retained legal counsel and Council Member Chapman has not spoken with him since. He said the owner could apply for a short term rental permit but he would only qualify for 2 unrelated occupants if it is not an owner occupied residence. He also said that Council discussed concerns for homes being purchased specifically for short term rentals and being occupied only on football weekends but with the Ordinance limits those issues. Mr. Rick Cotton, City Administrator stated that short term rentals are happening now but the Ordinance allows a revocation of permit for violations which in turn allows protection of neighborhoods. Council Member Fowler stated that there were many changes made in the draft process of the Ordinance and that changes could be made in the future as well. The intent is to allow it but have restraints to protect the neighborhoods.

Mr. Adam Artigliere, 208 Riggs Drive spoke in support of the Short Term Rental Ordinance. He said he offers short term rental at his home and he does not want parties or more than 10 people in his home. He also said his neighbors are notified when it is rented. Mr. Artigliere stated that he felt the inspection section was more applicable to fulltime rental. He does obtain an insurance endorsement for rental periods and said that other responsible persons will do the same. He said he thought this was a much stronger Ordinance compared to a neighborhood covenant.

Approval of Minutes – June 13, 2016 were approved as presented.

Reports/Discussion Agenda:

A report from members of the Leadership Clemson Class of 2016 – Ms. Beverly Coleman, City Clerk reported on the Leadership training and the class sessions. Ms. Coleman stated that the program and the experience was great. She then introduced Ms. Marjorie Luke, Mr. Mike Teague, and Mr. Eric Lambert, that also attended the class. Ms. Marjorie Luke reported on the class project. The

2016 class project was a fundraiser campaign to purchase 40 beds for the children at the new Helping Hands facility. The goal was to raise \$14,680.00 and after a grant from Clemson Community Foundation, a class member match of funds and much effort from all classmates, the class exceeded the goal and raised \$19,519.00. Ms. Luke stated that there were challenges in accomplishing the goal that required negotiation skills, teamwork, creativity, communication/facilitation skills, and leadership. So much was learned by all. Mr. Lambert then spoke on his experience in how the group of multiple backgrounds came together to accomplish the common goal and stated that the group exceeded his expectations.

A proposal for "Spring into Clemson" event April 1, 2017 from Ms. Shannon Lambert, Executive Director Pickens County Advocacy Center – Council Member Cox introduced Ms. Lambert to provide the details for this event. She stated that the intent is to have a downtown family friendly event. They have 10 non-profits organizations committed to participate with 10 volunteers per organization. Chief Jimmy Dixon has been involved in the discussions for location, alcohol and street closure. She reviewed the proposal for activities, costs, safety and parking and said that they would like to allow the sell/carry of alcohol on College Avenue. The participating vendors would be required to register and submit proof of insurance. Council discussed the date of the event, entertainment stages, patrons of downtown businesses during the event and alcohol wristbands. Ms. Lambert stated that she will follow up with liability details. Council suggested City staff review and proceed with plans for the event to be an item on the next agenda. (*See attached.*)

Ms. Tommye Hurst, Executive Director for the Clemson ARTS Center, presented a financial report to City Council – Ms. Hurst gave an update on this year's activity at the ARTS Center. The Passports of the Arts partnered with Clemson University, was recognized as a Town & Gown event in the International Town & Gown Newsletter and had an increase of 30% in ticket sales. The Festival of Arts also had a 30% increase in attendance. The Center has begun a Patron's Plaza Brick Campaign for the Founder's Art area that has already sold 20 engraved brick. Ms. Hurst stated that Art Education is the main focus at the Center and art classes have been modified to increase the profit margin and add classes. Summer art camp has begun and this year scholarships have provided 10 seats in the summer program. She said the financial position has improved and reports were shared with Council. Ms. Susan Stamey, Treasurer of the ARTS Center provided the report as of May 31, 2016 and stated that assets have increased by \$25,000.00. Ms. Stamey reviewed a comparison of this year's budget to last year's budget with a statement of financial income and expenses. She said the Center's net income is \$12,670.00 and that it is going in the right direction financially. The ARTS Center will present a proposal to request funding at an upcoming Council meeting. Council Member Ducworth stated that the board has worked diligently and the Center is certainly at a better place than last year.

Staff and Council Reports:

No reports.

Policy/Action Agenda:

Consider for 2nd Reading an Ordinance for Short-term Residential Rentals – Ms. Mary McCormac, City Attorney stated she had made the only change Council requested for the dwelling definition. Council Member Chapman made a motion, seconded by Council Member Ducworth to approve 2nd Reading of an Ordinance for Short-term Residential Rentals. Vote on this motion was unanimous. (*See attached.*)

Consider for 2nd Reading an Ordinance authorizing the City of Clemson to execute and deliver an equipment Lease Purchase Agreement in the amount of \$225,000.00 to defray the costs of acquiring Police patrol vehicles, and other matters relating thereto – Mr. Rick Cotton, City Administrator presented this item with no changes since 1st reading. Council Member Ducworth made a motion, seconded by Council Member Chapman to approve 2nd Reading of an Ordinance authorizing the City of Clemson to execute and deliver an equipment Lease Purchase Agreement in the amount of \$225,000.00 to defray the costs of acquiring Police patrol vehicles, and other matters relating thereto. Vote on this motion was unanimous. (*See attached.*)

Consider for 2nd Reading an Ordinance authorizing and directing the issuance and sale of, not exceeding \$2,800,000.00 General Obligations Bonds, with the proceeds to be utilized for the design, construction and equipping of a new fire substation and up-fit of space in City Hall for Engineering offices – Mr. Rick Cotton, City Administrator presented this item with no changes since 1st reading. Council Member Cox made a motion, seconded by Council Member Hay to approve 2nd Reading of an Ordinance authorizing and directing the issuance and sale of, not exceeding \$2,800,000.00 General Obligations Bonds, with the proceeds to be utilized for the design, construction and equipping of a new fire substation and up-fit of space in City Hall for Engineering offices. Vote on this motion was unanimous. (*See attached.*)

Consider for 2nd Reading an Ordinance to raise revenue and adopt an annual budget for the City of Clemson for the period of July 1, 2016 to June 30, 2017 – Mr. Rick Cotton, City Administrator presented this item and stated that the budget included a millage rate of 84.20 with no changes since 1st reading. Council Member Ducworth made a motion, seconded by Council Member Cox to approve 2nd Reading of an Ordinance to raise revenue and adopt an annual budget for the City of Clemson for the period of July 1, 2016 to June 30, 2017. Vote on this motion was unanimous. (*See attached.*)

Consider for 2nd Reading an Ordinance for major amendments to the Issaqueena Trail Planned Development as requested by Earle & Rice Investment, LLC to add storage and apparel retail

uses to the land use allowances for Parcel "A" and modify the parking to comply with Article VII, Off-Street Parking – Mr. Todd Steadman, City Planner 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 an Ordinance for major amendments to the Issaqueena Trail Planned Development as requested by Earle & Rice Investment, LLC to add storage and apparel retail uses to the land use allowances for Parcel "A" and modify the parking to comply with Article VII, Off-Street Parking. Vote on this motion unanimous. (*See attached.*)

Consider for 2nd Reading an Ordinance for a proposed Text Amendment to Section 19-305: Conditional Use and Special Exception Standards for Residential Districts to Clarify the Standards for Private Recreational Facilities Serving a Neighborhood or Residential Complex, Section 19-305, Table 19-305 Conditional Use and Special Exception Standards for Residential Districts, (Subparagraph B.1.A.1) – Mr. Todd Steadman, City Planner 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 an Ordinance for a proposed Text Amendment to Section 19-305: Conditional Use and Special Exception Standards for Residential Districts to Clarify the Standards for Private Recreational Facilities Serving a Neighborhood or Residential Complex, Section 19-305, Table 19-305 Conditional Use and Special Exception Standards for Residential Districts, (Subparagraph B.1.A.1). Vote on this motion was unanimous. (*See attached.*)

Consider for 1st Reading an Ordinance of a proposed Text Amendment to the City of Clemson Zoning Ordinance to Remove the Allowance for Increase to Dwelling Occupancy for Patio and Zero-Lot-Line Developments with On-site Management and to Require Landscaping/Bufferyards for Shared Parking for Same in the RM-1 & RM-2 Districts. Planning Commission recommends adopting these changes – Mr. Todd Steadman, City Planner presented this item with no comments/changes since the public hearing. Council Member Cox made a motion, seconded by Council Member Chapman to approve 1st Reading of an Ordinance of a proposed Text Amendment to the City of Clemson Zoning Ordinance to Remove the Allowance for Increase to Dwelling Occupancy for Patio and Zero-Lot-Line Developments with On-site Management and to Require Landscaping/Bufferyards for Shared Parking for Same in the RM-1 & RM-2 Districts. Vote on this motion was unanimous.

Consider for 1st Reading an Ordinance of a proposed Text Amendment to the City of Clemson Zoning Ordinance to Allow 65' Height for Hotels in the CM, Commercial-Mixed-use District as a Conditional Use. Planning Commission recommends not adopting these changes – Mr. Todd Steadman, City Planner presented this item with the detail of the proposed text amendment. He stated that the census of the comments from the Public Hearing was also not to support this Ordinance. Council member Ducworth made a motion, seconded by Council Member Cox to “not

approve” 1st Reading of an Ordinance of a proposed Text Amendment to the City of Clemson Zoning Ordinance to Allow 65’ Height for Hotels in the CM, Commercial-Mixed-use District as a Conditional Use. Vote on this motion was unanimous.

Consider for 1st Reading an Ordinance of a proposed Text Amendment to Article XIV. Amendment to Clarify the Process for Map and Text Amendments. Planning Commission recommends adopting these changes – Mr. Todd Steadman, City Planner presented this item with an explanation of the definition. Council Member Chapman made a motion, seconded by Council Member Hay to approve 1st Reading of an Ordinance of a proposed Text Amendment to Article XIV. Amendment to Clarify the Process for Map and Text Amendments. Vote on this motion was unanimous.

Consider approval of a Change Order to Fowler Corporation on the College Avenue stormwater and sewer line construction projects, and authorize the transfer of the Change Order Amount from the General Fund to the Downtown Infrastructure capital projects – Mayor Pro Tem Fowler recused himself from this item due to his involvement with the project. Mr. Rick Cotton, City Administrator presented this item for the final change order in the amount of \$58,020.56. Council Member Cox made a motion, seconded by Council Member Chapman to approve a Change Order not to exceed \$58,020.56 to Fowler Corporation on the College Avenue stormwater and sewer line construction projects, and authorize the transfer of the Change Order Amount from the General Fund to the Downtown Infrastructure capital projects. 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 8:18 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor