

**Regular Council Meeting**  
**July 5, 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 Hay

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

**Media present:** None present

**Notification emailed:** June 30, 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 Cook presiding – Mr. Mark Cato, 9 Poplar Dr. complimented the City Horticulturist, Tony Tidwell on a great job in all the City's landscapes, etc. He also asked for consideration to implement earlier start times in the Noise Ordinance for Commercial areas.

**Approval of Minutes:** June 20, 2016 approved as presented.

**Reports/Discussion Agenda:**

Review and discuss a proposed Wastewater Capacity Reservation Agreement – Mr. Rick Cotton, City Administrator presented the capacity agreement that outlines when a contractor reserve tentative capacity and how they would keep it or lose it. Mr. Cotton noted the amount of available capacity and stated that when capacity is at 98% the City must be ready for construction to expand. Council discussed the capacity projection and how any additional projects will take up the current available capacity. Mayor Cook suggested the Policy include both Clemson and Pendleton sewer plants. Staff requested the agreement be on the next meeting agenda and that the Pendleton Policy will be presented will be presented also in the weeks ahead.

Staff and Council Reports:

Mr. Lowell Arwood, IT Director presented a Master Lease Agreement for Mayor and Council's review on small cell clusters for Verizon Wireless in the City of Clemson. Mr. Arwood stated that sub leases will be submitted as the locations are selected. Mrs. Mary McCormac, City Attorney has reviewed the agreement and it includes a fee for her services. There could be 10 or more clusters to expand band width throughout the Clemson area. The agreement is based on same type agreements in other areas and Mr. Arwood noted that other vendors can request the same type of agreement with the City. If Council approves, Verizon will request sites and staff will move forward with sub leases. Clemson University and Duke Energy have this same type agreement with Verizon. The Downtown area is the prime area especially for football weekends. Staff requested this agreement be on the next meeting agenda.

Mr. Rick Cotton, City Administrator reported that the City had been awarded transit services for the Bridge to Clemson program. There will be a 3-way agreement with High Point Apts., Tri-County Tech and the City of Clemson for school semesters only.

**Policy/Action Agenda:**

Consider for 2<sup>nd</sup> 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 changes since 1<sup>st</sup> reading. Council Member Chapman made a motion, seconded by Council Member Hay to approve 2<sup>nd</sup> 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. (*See attached.*)

Consider for 2<sup>nd</sup> 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 no changes since 1<sup>st</sup> reading. Council Member Chapman made a motion, seconded by Council Member Ducworth to “not approve” 2<sup>nd</sup> 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. (*See attached.*)

Consider for 2<sup>nd</sup> 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 no changes since 1<sup>st</sup> reading. Council Member Ducworth made a motion, seconded by Council Member Oswald to approve 2<sup>nd</sup> Reading of an Ordinance for a proposed Text Amendment to Article XIV. Amendment to Clarify the Process for Map and Text Amendments. Vote on this motion was unanimous. (*See attached.*)

Consider for 1<sup>st</sup> Reading an Ordinance to allow the City of Clemson to enter into an Agreement to create permanent easements on Earle Street, Findley Street and Foy Creek Drive all of which will be in favor of CCSHP Clemson, LLC – Mr. Jacob Peabody, Zoning Administrator presented this item for an easement on the footings that would be located on public property. Mr. Peabody stated that the project is being built lot line to lot line which is allowed but this requires the footings to be under

the stairs, handicapped ramps, sidewalks and retaining walls to support a project that is built at the lot line. Council Member Chapman expressed frustration of the lengthy plan review sessions for negotiations with this developer and that this should have been discussed at that time. Mr. Rick Cotton, City Administrator responded that the benefit of this easement is that the handicap ramp and stairwell routes to public parking and the new sidewalk area would never be anything but sidewalk. He said the new superintendent had been very cooperative and worked well with City staff. Council discussed and cautioned setting a precedence in allowing this change. Staff agreed that this type issue should be addressed in the permit process when a project has a building up to the property line. City Attorney, Mary McCormac stated that the discussion was a balance of the need for the handicap ramp to the parking garage and the new sidewalks. Mr. Todd Steadman, Zoning Administrator also commented that the project had not changed and is being built as the site plan indicated. Mr. Keith Robinson, Residential Builder requested to comment and asked if the same consideration would be given to a residential builder because he had a similar situation extending a porch on a condo that encroached onto the City sidewalk. Mayor Cook responded that it depended on circumstances and this project is a Planned Development not residential. Mr. Cotton stated that the benefit is to the City and at no cost to the tax payer, and that there is a process for issues in residential areas through the Building Board of Appeals. Mr. Peabody said that the philosophical aspect is public vs private space and that this project is very different than a private residence. Council Member Ducworth made a motion, seconded by Council Member Oswald to approve 1<sup>st</sup> Reading an Ordinance to allow the City of Clemson to enter into an Agreement to create permanent easements on Earle Street, Findley Street and Foy Creek Drive all of which will be in favor of CCSHP Clemson, LLC. Vote on this motion was unanimous.

Consider a proposal for “Spring into Clemson” event April 1, 2017 from Ms. Shannon Lambert, Executive Director Pickens County Advocacy Center – Chief Jimmy Dixon presented an updated proposal with significant changes for the Spring into Clemson event. He said is it tentatively scheduled for April 1<sup>st</sup>, and the changes are -no pets allowed, no street alcohol sales, and College Ave will be blocked at Keith Street to Hwy 93. The street will be closed at 12:00 noon, the event is 1:00 p.m. to 8:00 p.m. and the streets will open back up at 9:00 p.m. The volunteers will wear “Staff” T-shirts identifying them and vendors will obtain their own liability insurance. City Staff will consider costs for security officers and funding will be requested for consideration at a later date. Council Member Ducworth made a motion, seconded by Council member Chapman to approve a proposal for “Spring into Clemson” event April 1, 2017 from Ms. Shannon Lambert, Executive Director Pickens County Advocacy Center. (*See attached.*)

Consider approval of a Request for funds from the ARTS Center – Council Members Ducworth and Oswald presented the request for \$19,950.00 for the Arts Center. The funds requested are for repairs/upgrades \$8,200.00, scholarships \$2,750.00, operating expenses \$9,000.00. Council discussed the options for support and where to allocate funding. Council Members Oswald and Ducworth suggested there be a budgetary item for the expenses to be considered annually. Mr. Rick Cotton, City Administrator stated that there was \$7,500.00 already budgeted and the funds could be split among hospitality and accommodations tax. He also noted that other non-profit organizations could submit requests too. Council Member Oswald made a motion, seconded by Council Member Ducworth to approve a request from the ARTS Center for \$19,950.00 to be funded from the hospitality and accommodations tax funds. 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 8:07 p.m.

Respectfully submitted,

Approved

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Beverly A. Coleman, CMC

By: \_\_\_\_\_  
J.C. Cook III, Mayor