

**Regular Council Meeting
November 22, 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 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 Mike Eads, the *Independent Mail*

Notification emailed: November 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. Patricia Finley, 10 Foy Creek Drive spoke in opposition to a turning lane on Keith Street. She stated larger vehicles parking in angle spaces on Keith Street would cause more traffic problems. She suggested making Earle Street one way to Finley Street.

Approval of Minutes: November 7, 2016 were approved as presented.

Reports/Discussion Agenda:

Review and discuss conceptual design for a dedicated right turn lane on Keith Street – Mr. Kent Guthrie, City Engineer presented this item with a rendering for three lanes for 11 ft. of the street. This will allow four cars stacked in the left hand lane but eight parking spaces will be lost. The vehicles parked in angled spaces on the street will protrude into the road. Council discussed options and agreed that the two easement issues at this location have to be settled before a turn lane can be considered.

Staff and Council Reports:

Mr. Rick Cotton, City Administrator reported that Mr. Jacob Peabody, Zoning Administrator provided Council with information for the upcoming Rental Housing Suspension Hearing on December 5th. Mr. Cotton explained that once a show cause or suspension hearing has been requested, *ex parte* communication rules apply meaning that neither the requesting party nor City staff should have any discussions about the matter with any member of the Council. A member of Council who has *ex parte* contact with a requesting party or City staff about a pending matter may put himself/herself in the position of having to be recused from the matter. City Attorney McCormac stated that any Council members who are contacted by a party may state that the City Attorney has advised that they cannot have any communication before the hearing.

Mr. Cotton also reported that the City Banquet is Friday, December 2nd. The Calhoun St. landscaping has made major progress and the bus shelter is ordered. Staff has begun meetings with Clemson University to extend the fire service contract and hope to have a contract in place by March 2017 for next year budget.

Mayor Cook reported on the PCMA banquet Monday night honoring Police and Firemen of the year throughout the County. He said local legislators are going to visit fire fighter at the local fires to feed them Thanksgiving dinner and volunteers welcome to join.

Policy/Action Agenda:

Consider approval of an Agreement with the Center for Transportation and the Environment to administer the City's FTA LowNo grant – Mr. Al Babinicz, CAT Director presented the agreement for approval as discussed at the last meeting for grant administration, bus procurement, deployment, project validation and grant closeout procedures associated with the FTA LowNo grant. He said it was a three year agreement for the scope of work and a not to exceed budget for the bus purchase project. Council and City Attorney McCormac suggested removal of paragraph 6. – “Indemnification” in the agreement. Mr. Babinicz then stated it takes 18 months to build the buses and they have 30 day demos for each bus so they expect to put the new buses on the street August 2018. The purchase plan is for 10 buses with an option to buy 28 more as the state portion of the grant will provide additional funds for more buses. The buses that are being replaced will be auctioned and some kept for spares. Council Member Cox made a motion, seconded by Council Member Oswald to approve the agreement with the Center for Transportation and the Environment to administer the City's FTA LowNo grant with removal of paragraph 6. Vote on this motion was unanimous. (*See attached.*)

Consider construction Bids for the Cochran Road Wastewater Treatment Plant Office and Laboratory – Mr. Rick Cotton, City Administrator presented this item with 5 bids that were higher than the anticipated budget and suggested a re-bid. The re-bid deadline would be December 15th with a pre-bid conference prior to that date. Council discussed the re-bid process and the option to lessen the scope of the project. Council Member Chapman made a motion, seconded by Council Member Ducworth to reject the bids for the Cochran Road Wastewater Treatment Plant Office and Laboratory and direct staff to rebid the project with changes in scope of work. Vote on this motion was unanimous. (*See attached.*)

Consider acceptance of 514 sq. ft. of land to be transferred from Tax Map 4054-12-87-2203 owned by Two Blue Stallions LLC to the City of Clemson. This land is currently being used as and will continue to be used as a portion of the street known as Vista Circle – Mr. Kent Guthrie, City Engineer presented this item and stated that the paving was encroaching on the property and the owner offered to deed it over to the City. Council Member Hay made a motion, seconded by Council Member Cox to accept the 514 sq. ft. piece of land that is currently being used and will continue to be used as a portion of the street known as Vista Circle to be transferred from Tax Map 4054-12-87-2203 owned by Two Blue Stallions LLC to the City of Clemson. Vote on this motion was unanimous. (*See attached.*)

Consider a Resolution to approve the City of Clemson Employee Safety Manual as required annually by SC Municipal Insurance Trust (SCMIT) and SC Municipal Insurance Risk Financing Fund

(SCMIRF) – Ms. Tracy Taylor, Human Resource Coordinator presented the Resolution to acknowledge the City’s awareness of employee safety. Council Member Fowler made a motion, seconded by Council Member Ducworth to approve the City of Clemson Employee Safety Manual. Vote on this motion was unanimous. *(See attached.)*

Consider a Resolution to authorize the City of Clemson to 1) assume a claim deductible increase with the SC Municipal Insurance Financing Fund; 2) increase the excess liability to \$2 million; and 3) add optional coverage for land use litigation – Mr. Rick Cotton, City Administrator presented the Resolution to increase of the deductible to \$5000, increase excess liability to \$2 million and add the land use litigation. City Attorney McCormac and Council discussed the detail of the land use litigation coverage. Council Member Ducworth made a motion, seconded by Council Member Hay to approve a Resolution to authorize the City of Clemson to 1) assume a claim deductible increase with the SC Municipal Insurance Financing Fund; 2) increase the excess liability to \$2 million; and 3) add optional coverage for land use litigation. Mayor Cook voted in opposition to this motion. Council Members Chapman, Cox, Ducworth, Fowler, Hay and Oswald voted in favor of this motion. Motion passed 6 to 1 vote. *(See attached.)*

Consider group health insurance quotes for 2017 – Mr. Rick Cotton, City Administrator presented this item and reviewed premiums, claims, a cost comparisons and the self-funded analysis for 2017. He then stated that the recommendation for the health insurance provider of the self-funded plan is PAI and HHC. Mr. Scott Ogburn, Sr. Vice President, ECM Solutions reviewed the details of the current years’ experience in claims. Mr. Cotton stated that there would be no changes in premium or coverage/benefit for year 2017. Council Member Hay made a motion, seconded by Council Member Cox to approve HCC and PAI for the employee’s group health insurance for 2017. *(See attached.)*

At this time, the votes of this dates run-off election were available and Council Member Oswald congratulated Mr. Mark Cato as the new elected Council Member. He expressed his appreciation for the opportunity to serve on Council the last eight years and Mayor Cook extended appreciation for Council Member Oswald’s service.

There being no further business, a motion was made, duly seconded, and unanimously approved to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Approved

Beverly A. Coleman, CMC

By: _____
J.C. Cook III, Mayor