



AGENDA

MEETING OF MAYOR AND CITY COUNCIL
CITY OF CLINTON
TUESDAY, JULY 1, 2014
P.S. BAILEY CITY COUNCIL CHAMBERS
M. S. BAILEY MUNICIPAL CENTER
211 NORTH BROAD STREET
5:00 P.M.

- A. Meeting called to order by Mayor McLean
- B. Invocation
- C. Pledge of Allegiance
- D. Approval of Minutes - June 2, 2014 (Page 1)
June 6, 2014 (Page 8)
- E. Mayor McLean to Recognize Citizens Registered to Address City Council
- F. City Manager's Reports and Recommendations:
 - 1. **CITY COUNCIL** to consider the following **PROCLAMATION:** (Page F-1)
 - (a) Tuesday, August 5, 2014 at National Night Out in the City of Clinton (Page F-3)
 - 2. **CITY COUNCIL** to consider **APPROVAL** of a **RESOLUTION SUPPORTING THE LAURENS COUNTY TRAILS ASSOCIATION EFFORTS IN PROMOTING TRAIL DEVELOPMENT IN THE CITY OF CLINTON, SURROUNDING AREAS AND LAURENS COUNTY** (Page F-4)
 - 3. **CITY COUNCIL** to conduct a **PUBLIC HEARING ON THE AMENDMENT TO THE CITY OF CLINTON ZONING MAP TO CHANGE THE ZONING OF FORTY (40) ACRES OF PROPERTY LOCATED ON WEST CORPORATE CENTER DRIVE TO COMMERCIAL (C-3)** (Page F-7)
 - 4. **CITY COUNCIL** to consider **SECOND AND FINAL READING** of an **ORDINANCE APPROVING THE AMENDMENT TO THE CITY OF CLINTON ZONING MAP TO CHANGE THE ZONING OF FORTY (40) ACRES OF PROPERTY LOCATED ON WEST CORPORATE CENTER DRIVE TO COMMERCIAL (C-3)** (Page F-10)
 - 5. **CITY COUNCIL** to consider **APPROVAL** of a **ONE YEAR LEASE EXTENSION WITH GYG, LLC FOR RENTAL SPACE TO PROVIDE LIBRARY SERVICES FOR THE CITY OF CLINTON** (Page F-13)



6. **CITY COUNCIL** to consider **RESCHEDULING THE SEPTEMBER CITY COUNCIL MEETING** (Page F-21)

G. **EXECUTIVE SESSION**

1. Personnel Matter related to:
 - (a) Office of the City Manager
 - (b) Department of Public Safety (2)
 - (c) Appointments to Board and Commissions
2. Legal Matter related to:
 - (a) Maintenance and Operation of the Sanitary Sewer System

H. City Attorney's Reports and Recommendations

I. **CITY COUNCIL** to appoint **MEMBERS TO THE CITY OF CLINTON TAX ACCOMMODATIONS COMMITTEE**

J. Mayor's Reports and Recommendations

K. Council Members Reports and Recommendations

L. Adjournment

THE AGENDA IS SUBJECT TO CHANGE AT ANY TIME PRIOR TO 24 HOURS BEFORE THE MEETING. A FINAL AGENDA WILL BE AVAILABLE 24 HOURS BEFORE THE MEETING DATE.

AGENDA

MEETING OF CLINTON CITY COUNCIL



TUESDAY, JULY 1, 2014

5:00 P.M.

**P. S. BAILEY CITY COUNCIL CHAMBERS
M.S. BAILEY MUNICIPAL CENTER**



CLINTON
South Carolina

MINUTES

JUNE 2, 2014

The regular Council meeting was held at 6:00 PM at the M.S. Bailey Municipal Center with Mayor Bob McLean presiding with Councilmembers Cook, Dowdle, Byrd, McGee, and Scarborough. Local news media present were Larry Franklin from the Clinton Chronicle, Randy Stephens from WLBG, and Daniel Lauer from the Laurens Advertiser. Notice was mailed and emailed to the local news media on May, 28 2014.

INVOCATION The invocation was given by Reverend Jerry Harris from the Church of Christ.

**PLEDGE
ALLEGIANCE** Mayor McLean asked Council and the audience to stand and say the Pledge of Allegiance.

MINUTES Mayor McLean asked Council to approve the minutes from May 12. Motion was made by Councilmember Cook to approve the May 12, 2014 minutes and seconded by Councilmember McGee. The vote was unanimous.

**CITIZENS
ADDRESS
COUNCIL
SENIOR
OPTIONS** Mayor McLean recognized Ms. Joy Lindsay, Senior Options Director. Ms. Lindsay stated that she was before Council for financial aid. Ms. Lindsay stated that Senior Options is a private non-profit organization. Ms. Lindsay stated that Senior Options purpose is to enrich the quality of life for Laurens County citizens by meeting their needs. Ms. Lindsay stated that Senior Options serves citizens in Laurens County who are 65 or older. Ms. Lindsay stated that Senior Options provides an Adult Day Care which requires \$250,000 annually to operate. Ms. Lindsay stated that six citizens from Clinton are in this program. Ms. Lindsay stated that Senior Options sponsors the Foster Grandparent Program in School District 56. Ms. Lindsay stated that this program provides help in the classroom so that the School District does not have to hire personnel. Ms. Lindsay stated that twenty-five citizens from Clinton participate in this program. Ms. Lindsay stated that Senior Options sponsors the Meal on Wheels program which requires \$350,000 annually to operate. Ms. Lindsay stated that Senior Options transports citizens to various appointments throughout the year and sixty-two citizens from Clinton participate in this program. Ms. Lindsay stated that it takes \$280,000 annually to run this program. Ms. Lindsay stated that Senior Citizens would appreciate any support from Clinton. Councilmember McGee stated that in the past the City did furnish the Meals on Wheels program a facility to work from. Mayor McLean thanked Ms. Lindsay for her presentation.

**PROCLAMATIONS
NATIONAL SAFETY
CAROLINA DAY
RECREATION** Mayor McLean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the first item on the agenda is the approval of Proclamations proclaiming June as National Safety Month, July as Park and Recreation Month, and June 28 as Carolina Day. Councilmember Dowdle made a motion to approve the Proclamations and seconded by Councilmember Byrd. The vote was unanimous.

**LCWSC
Presentation**

Mr. Stovall stated that the next item on the agenda is the presentation from the Laurens County Water & Sewer Commission. Mr. Stovall stated that the LCWSC purchases water from the City and is the City's largest customer. Mr. Stovall stated that the City contracts with the LCWSC to provide sewer treatment services for Clinton. Mr. Stovall stated that Mr. Ted Davenport, Clinton's Representative on LCWSC's Board and Jeff Fields, Executive Director for LCWSC would address Council. Mr. Stovall recognized Mr. Davenport. Mr. Davenport stated that he is Clinton's Representative on the LCWSC Board and that LCWSC is before Council to update them on several capital projects. Mr. Davenport stated that LCWSC appreciates the cooperation from the City of Clinton. Mr. Davenport stated that Mr. Fields would update Council on LCWSC's new projects. Mr. Fields stated that currently LCWSC's permit allows 2.75 MGD and the current flow is 1.2 MGD. Mr. Fields stated that the Phosphorous limit is 8,340 lbs. annually and LCWSC is currently loading 8000 lbs. of Phosphorous which is 96% of the limit. Mr. Fields stated that LCWSC is upgrading their facilities because of their limited ability to remove the phosphorous and other natural nutrients from the water. Mr. Fields stated that LCWSC facilities have no chemical feed for P removal and a limited aeration and oxidation ditch. Mr. Fields stated that LCWSC looked at their current facilities and wanted to upgrade them. Mr. Fields stated that the desired performance of a 2.75 MGD remains the same but the new facility would have biological nutrient removal capability. Mr. Fields stated that the upgrade would allow LCWSC chemical feed for additional removal. Mr. Fields stated that LCWSC's goal is to reduce P discharge to approximately 44% of the limit. Mr. Fields stated that the new Liquid Lime System would use Line Slurry which is effective with very little maintenance. Mr. Fields stated that another project is the Sand Creek Force Main Extension. Mr. Fields stated that the existing gravity discharge point is 24" but LCWSC plans to move the discharge downstream to 27". Mr. Fields stated that the Sand Creek Extension has three lift stations which are Millers Folk, High School, and Sand Creek. Mr. Fields stated that the Sand Creek line comes together at one point and LCWSC would divert some of the line with a tie-in. Mr. Fields stated that LCWSC would build a Lake Greenwood Water Plant. Mr. Fields stated that the capacity would be 4 MGD with an expandable package for technology. Mr. Fields stated that LCWSC would employ Lake Rabon, Enoree River, and Lake Greenwood as storage and drainage in order to service their current and potential customers. Mr. Fields stated that LCWSC is currently in the permit and design stage of the Lake Greenwood Water Plant with the hopes of completing this stage in three years. Mr. Fields stated that the State owns Lake Greenwood and LCWSC would have to negotiate the terms of the permit with the State and Greenwood. Mr. Fields stated that he would like LCWSC and the City to have a discussion about the new Water Plant and form a partnership that would benefit Clinton and the LCWSC. Councilmember Scarborough stated that the City of Clinton should be concerned about water supply fifty years down the road.

SECOND READING ORDINANCE BLUE LAWS Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance to temporarily suspend the application of Sunday sales prohibitions within the corporate limits of the City of Clinton. Mr. Stovall stated that this Ordinance suspends the Blue Laws and allows a business to be opened and to operate on Sunday. Mr. Stovall stated that Council has approved the first reading. Councilmember McGee asked if Council could approve this Ordinance annually and Mr. Stovall stated that the State only allows the City to suspend the Law every six months. Motion was made by Councilmember Scarborough to approve the second reading of an Ordinance suspending the Blue Laws and seconded by Councilmember Byrd. The vote was unanimous.

PUBLIC HEARING BUDGET FY 2014-15 Mr. Stovall stated that the next item on the agenda is a Public Hearing on the budget for the fiscal year 2014-15 for the City of Clinton. Mayor McLean opened the Public Hearing for public comments. Council did not receive any comments from the public and Councilmember McGee made a motion to close the Public Hearing and seconded by Councilmember Dowdle. The vote was unanimous.

SECOND READING ORDINANCE BUDGET FY 2014-15 Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance to appropriate and raise revenue and adopt a budget for the City of Clinton for the fiscal year ending June 30, 2015. Mr. Stovall stated that Council has gone over the budget several times and approved the first reading at the May Council meeting. Mr. Stovall stated that he would go over the highlights in the proposed budget. Mr. Stovall stated that the total budget for fiscal year 2014-15 is \$27,410,539.

GENERAL FUND Mr. Stovall stated that the budget includes the General Fund with a budget of \$6,258,530 and the Utility System with a budget of \$21,152,009. Mr. Stovall stated that the General Fund revenue adjustments are a 2 mil property tax increase for operations and a 4 mil increase for Reserve Fund development. Mr. Stovall stated that the City would use proceeds from the Local Option Sales Tax to fund Public Safety training and equipment acquisitions. Mr. Stovall stated that the Sanitation Fee would increase by .50 cents per month. Mr. Stovall stated that the budget addresses funding of deferred maintenance issues such as facility painting and repairs, supports strategic planning initiatives for the Department of Public Works, the Department of Public Safety, and the Department of Community & Economic Development, and code enforcement reform such as improving the appearance and marketability of Clinton. Mr. Stovall stated that

UTILITY SYSTEM the Utility System has revenue adjustments in the Electric rates, Water rates, and Sewer rates. Mr. Stovall stated that the electric base rate adjustment is \$6.55 per month and a kWh adjustment of \$0.0048 per kWh. Mr. Stovall stated that the water rate adjustments are a base rate adjustment of 2% plus \$1.00 per month and a consumption rate adjustment of 2%. Mr. Stovall stated that the Sewer rate adjustments are a base rate adjustment of \$1.50 per month and a

treatment rate adjustment of 5%. Mr. Stovall stated that the budget addresses public outreach and education, the Great Managers Program, and exceptional infrastructure in the Utility System. Mr. Stovall stated that the budget includes a 2% COLA for personnel and a salary program change in the Public Safety Department. Mr. Stovall stated that several new positions are included in the budgets which are a Special Projects Manager and personnel in the Water & Sewer Departments. Mr. Stovall stated that the budget funds \$278,900 for capital purchases in the General Fund and \$509,550 for capital purchases in the Utility System. Mr. Stovall stated that the debt service in the proposed budget is \$1,293,629. Mr. Stovall stated that the proposed budget efficiently and effectively supports Council's goals. Mr. Stovall thanked City staff for their support in preparing the budget. Mr. Stovall stated that the proposed budget is balanced and a balanced budget is achieved when the City has enough fiscal discipline to be able to equate the revenues with expenditures over the business cycles. Councilmember McGee stated that he appreciates the work City Staff does in preparing the budget but he is upset that the budget does not include enough funds for sidewalk and street repairs. Councilmember McGee stated that the City would have to address this issue in the future. Councilmember Cook made a motion to approve the second reading of the Ordinance to approve the budget for fiscal year 2014-15 and seconded by Councilmember Scarborough. The vote was unanimous.

**PUBLIC
HEARING
PROPERTY
ELIZABETH ST**

Mr. Stovall stated that the next item on the agenda is the Public Hearing on the transfer of property located at 804 Elizabeth Street in the City of Clinton. Mayor McLean opened the Public Hearing for comment. Council did not receive any comments and motion was made by Councilmember McGee and seconded by Councilmember Byrd. The vote was unanimous.

**SECOND
READING
ORDINANCE
PROPERTY
ELIZABETH ST**

Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance for the transfer of property located at 804 Elizabeth Street in the City of Clinton. Mr. Stovall stated that the City acquired the property located at 804 Elizabeth Street from the Forfeited Land Commission in 2014 and demolished the abandoned home on the property. Mr. Stovall stated that the City proposes to give ownership of the property to Homes of Hope. Mr. Stovall stated that Homes of Hope intends to construct a house on the property as part of Phase II of the Housing Development Project on Elizabeth Street. Motion was made by Councilmember McGee to approve the second reading of an Ordinance to transfer property located at 804 Elizabeth Street to Homes of Hope and seconded by Councilmember Byrd. The vote was unanimous.

**FIRST
READING
ORDINANCE
REZONING** Mr. Stovall stated that the next item on the agenda is the first reading of an Ordinance approving the amendment to the City of Clinton's zoning map to change the zoning of forty acres of property located on West Corporate Center Drive to Commercial (C-3). Mr. Stovall recognized Mr. Taylor, Economic Development Director. Mr. Taylor stated that the Planning Commission recommends Council approve the first reading of this Ordinance to rezone this property. Mr. Taylor stated that the Planning Commission held a Public Hearing on Tuesday, May 13, 2014 and did not receive any comments concerning the rezoning. Motion was made by Councilmember Dowdle to approve the first reading of the Ordinance rezoning property located at West Corporate Center Drive to Commercial (C-3) and seconded by Councilmember McGee. The vote was unanimous.

**RESOLUTION
FINANCE
BACKHOE** Mr. Stovall stated that the next item on the agenda is the approval of a Resolution for the financing of the purchase of a backhoe/loader. Mr. Stovall stated that the City wishes to replace an existing 21 year old 4 wheel drive backhoe/loader at the Department of Public Works. Mr. Stovall stated that the purchase and financing of the equipment was approved at the May Council meeting. Mr. Stovall stated that BB&T is financing the purchase and requires a Resolution. Mayor McLean asked if this was a normal procedure and Mr. Stovall stated yes. Councilmember Cook made a motion to approve the Resolution for the financing of the backhoe/loader and seconded by Councilmember McGee. The vote was unanimous.

**SECOND
READING
ORDINANCE
AMEND
PURCHASE
ORDINANCE** Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance to amend the City of Clinton Purchasing Ordinance to provide for priority to local vendors when practical. Mr. Stovall stated that the City received a recent bid from a vendor in Laurens County within \$20 of the bid but the City's Purchasing Ordinance requires the vendor to reside within the City's corporate limits. Mr. Stovall stated that this amendment extends local purchasing benefits to businesses located within Laurens County if no business in the City is able to provide the service or meet the stipulations of the local procurement regulations. Mr. Stovall stated that this amendment would support businesses in Laurens County. Motion was made by Councilmember Byrd to approve the second reading of an Ordinance to amend the Purchasing Ordinance to include vendors from Laurens County and seconded by Councilmember Dowdle. The vote was unanimous.

**SCHEDULE
COUNCIL
MEETINGS** Mr. Stovall stated that the next item on the agenda is the rescheduling of the July Council meeting. Mr. Stovall stated that Council needs to reschedule the July Council meeting because it conflicts with the PMPA Training Program. Mr. Stovall stated that Council also needs to schedule a special called meeting to address the Martha Dendy Demolition bids. Councilmember McGee made a motion to schedule a special called meeting on Friday, July 6 at 7:30 AM at the M.S. Bailey

Memorial Center and a regular July Council meeting on Tuesday, July 1 at 5:00 PM at the M.S. Bailey Memorial Center and seconded by Councilmember Byrd. The vote was unanimous.

**SENIOR
OPTIONS**

Mr. Stovall stated that the last item on the agenda is the appropriation of funds for Senior Options. Motion was made by Councilmember Byrd to provide \$3,000 to the Senior Options Program and seconded by Councilmember McGee. The vote was unanimous.

**EXECUTIVE
SESSION**

Motion was made by Councilmember Cook to go into executive session to discuss a personnel matter relating to the appointments to Boards and Commissions, one personnel matter relating to the Office of the City Manager, one legal matter regarding the appeal of the Design Review Board ruling regarding Doyle Hall, one legal matter regarding the provision of the Sanitary Sewer services, and one economic development matter relating to Project Sticky and return to open session on the call of the chair and seconded by Councilmember Byrd. The vote was unanimous.

OPEN SESSION

Mayor McLean declared Council back in open session. Mayor McLean stated that two personnel matters, two legal matters, and one economic development matter was discussed and no action was taken.

**MAYOR'S
REPORT**

Mayor McLean stated that Clinton True Value would have a grand opening on Friday, June 6 at 10:00 AM and would last two days. Mayor McLean stated that the Community Clean Up in Lydia Mill is Saturday, June 7 at 10:00 AM and is sponsored by the Department of Public Safety and the Laurens County Sheriff's Department. Mayor McLean stated that the next Town Rhythms is Thursday, June 26 at 7:00 PM downtown with the Tams performing.

**COUNCILMEMBER
REPORTS**

Councilmember McGee stated that School District 56 is honoring Ms. Cindy Jacobs on her nomination as Dietician of the year in South Carolina.

Councilmember Scarborough thanked Ms. Wyatt, Administrative Assistant, for her hard work on the recent Town Rhythms. Councilmember Scarborough thanked everyone involved in the Veterans Memorial service.

ADJOURN

With there being no further business before Council motion was made by Councilmember Dowdle to adjourn and seconded by Councilmember McGee. The vote was unanimous.

CITY CLERK

MAYOR

JUNE 6, 2014

A special called meeting was held at the M.S. Bailey Memorial Center at 7:30 AM with Mayor Bob McLean presiding with Councilmembers Scarborough, Byrd, McGee, and Cook. The City Manager and the City Attorney were present. News media present was Larry Franklin from the Clinton Chronicle. Notice was emailed to the local news media on June 3, 2014.

INVOCATION The invocation was given by Mayor Bob McLean.

**PLEDGE
ALLEGIANCE** Mayor McLean asked Council and the audience to stand and recite the Pledge of Allegiance.

**CITY MANAGER
REPORT** Mayor McLean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the first item on the agenda is the approval of the Martha Dendy demolition bids. Mr. Stovall stated that the City requested a special called meeting to approve the **MARTHA DENDY
BIDS** bids because the City has to have the item on the agenda twenty-four hours prior to the meeting. Mr. Stovall stated that the City procured the services of Dunn & Associates to design a demolition plan for the facility and to tabulate the demolition bids. Mr. Stovall stated that this project would use Community Development Block Grant funds to demolish the facility and the bids must be in compliance with the CDBG and the SC Department of Commerce. Mr. Stovall stated that the City received six bids with the lowest bid from Complete Demo Services LLC for \$222,025.50. Mr. Stovall stated that the bid must also be approved by the Department of Commerce since the agency manages the CDBG funds. Councilmember McGee asked how the company would dispose of the material. Mr. Stovall stated that the non-hazard material would be ground up on site and reused. Mr. Stovall stated that hazardous material would go to a certified landfill to handle asbestos and lead paint. Councilmember Byrd asked if the demolition affects the vandalized sections of the facility and Mr. Stovall stated no. Mr. Stovall stated that the City would have to determine how to move forward with the remaining building. Mr. Stovall stated that the vandalism is severe but the structure is sound. Councilmember Byrd asked if she could go look at the building and Mr. Stovall stated yes. Councilmember Byrd asked if the City would host another Public Hearing about the project. Mr. Stovall stated that the City would receive input from the public further into the project. Mayor McLean asked if there was a limit on the funds the City could receive because he thought the City could receive \$500,000. Mr. Stovall stated that the grant funds would cover the engineering and demolition costs. Mr. Stovall stated that if the City has a surplus then the City would ask the Department of Commerce on how to spend the remaining funds. Mr. Stovall stated that the City would wait until the demolition project is complete to evaluate the surplus. Motion was made by Councilmember Cook to approve the bid from Complete Demo Services LLC for the Martha Dendy project for a cost not to exceed \$222,025.50 and seconded by Councilmember McGee. The vote was unanimous.

MAYOR'S REPORT Mayor McLean reminded Council that True Value would hold their grand opening today at 10:00 AM.

COUNCILMEMBER REPORT Councilmember McGee stated that Councilmember Jenkins could not attend the meeting because of eye surgery.

ADJOURN With there being no further business before Council, Mayor McLean adjourned the meeting.

CITY CLERK

MAYOR



CLINTON
South Carolina

BACKGROUND
INFORMATION



City of Clinton, South Carolina
City Council Staff Report

Report Type: Action Item - City Council Meeting,
July 1, 2014

Title: Proclamations for July 1, 2014

From: Dianne Wyatt, Administrative Assistant

Department: Administration

Division: Administration

Recommendation:

Staff recommends that City Council:

1. Review and approve the resolution proclaiming:
 - a. Tuesday, August 5, 2014 as National Night Out in the City of Clinton

Executive Summary:

National Night Out is a unique crime prevention annual event sponsored by the National Association of Town Watch, takes place each year on the first Tuesday in August. Sponsored events are designed to: heighten crime and drug prevention awareness; generate support from local anti-crime programs; and strengthen neighborhood spirit. A standard proclamation declaring Tuesday, August 5, 2014 as National Night Out is attached for your consideration.

Background:

August 5, 2014 as National Night Out in the City of Clinton

The introduction of National Night Out began in 1984 as an effort to promote involvement in crime prevention activities, police community partnerships, neighborhood camaraderie and sending a message to criminals that neighborhoods are organized and fighting back. The first year, 2.5 million Americans across 400 communities participated in the event. Today over 37 million people in over 16,000 communities celebrate National Night across the United States and Canada.

Discussion:

No Report.



City of Clinton, South Carolina
City Council Staff Report

Financial Impact:

There is no fiscal impact on the City regarding this issue.

Policy Impact:

No policy impact or precedent is set by this action.

Timeline:

Not Applicable

Attachments:

The following resolution is attached for your consideration:

- A Resolution to Proclaim Tuesday, August 5, 2014, as National Night Out in the City of Clinton.

Prepared By: Dianne Wyatt, Administrative Assistant

Approved By: Frank Stovall, City Manager

City Manager Approval:



Frank N. Stovall, City Manager



**CITY OF CLINTON
STATE OF SOUTH CAROLINA
RESOLUTION**

**A RESOLUTION PROCLAIMING
TUESDAY, AUGUST 5, 2014 AS
NATIONAL NIGHT OUT IN
THE CITY OF CLINTON**

WHEREAS, the National Association of Town Watch is sponsoring a unique nationwide crime and drug prevention program on August 5, 2014 called "National Night Out"; and,

WHEREAS, the 31st annual National Night Out provides a unique opportunity for Clinton citizens to join forces with thousands of other communities across the country to promote cooperative police-community crime and drug prevention efforts; and

WHEREAS, National Night Out in 2013 involved 37.8 million people in 16,242 communities from all 50 states, U.S. territories, Canadian cities and military bases worldwide; and

WHEREAS, the residents of Clinton communities play a vital role in assisting the City of Clinton Department of Public Safety through joint crime, drug, and violence prevention efforts in the City and are supporting National Night Out 2014 locally; and,

WHEREAS, it is essential that all citizens of Clinton be aware of the importance of crime prevention programs and the impact that their participation has on reducing crime and drug abuse in the community.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CLINTON ASSEMBLED does hereby proclaim Tuesday, August 5, 2014 as National Night Out in the City of Clinton and urge all the citizens of Clinton to participate in the fight against crime.

RESOLVED this 1st day of July, 2014.

Robert T. McLean, Mayor

ATTEST:

Tammy Templeton, City Clerk



City of Clinton, South Carolina
City Council Staff Report

Report Type: Action Item - Resolution, July 1,
2014

Title: Resolution Laurens County Trails Association

From: Stephen Taylor, Director DCED

Department: Community & Economic Development

Division: Community & Economic Development

Recommendation:

Staff recommends that City Council:

1. Review and approve the resolution supporting:
 - a. **A RESOLUTION SUPPORTING THE LAURENS COUNTY TRAILS ASSOCIATION EFFORTS IN PROMOTING TRAIL DEVELOPMENT IN THE CITY OF CLINTON, SURROUNDING AREAS AND LAURENS COUNTY**

Executive Summary:

The Laurens County Trail Association would like for local governments in Laurens County to pass a resolution in supporting their efforts in promoting trail development throughout Laurens County. The resolutions assist in applying for federal and state grants.

Background:

The Laurens County Trail Association is a recently formed organization for the promotion of trails throughout Laurens County. Board members consist of trail enthusiasts and community leaders throughout Laurens County. Stephen Taylor, Director of Community and Economic Development serves on this board.

Discussion:

No Report.



City of Clinton, South Carolina
City Council Staff Report

Financial Impact:

There is no fiscal impact on the City regarding this issue.

Policy Impact:

No policy impact or precedent is set by this action.

Timeline:

Not Applicable

Attachments:

The following resolution is attached for your consideration:

- **A RESOLUTION SUPPORTING THE LAURENS COUNTY TRAILS ASSOCIATION EFFORTS IN PROMOTING TRAIL DEVELOPMENT IN THE CITY OF CLINTON, SURROUNDING AREAS AND LAURENS COUNTY**

Prepared By: Stephen Taylor, Director of Community & Economic Development

Approved By: Frank Stovall, City Manager

City Manager Approval:



Frank N. Stovall, City Manager



**CITY OF CLINTON
STATE OF SOUTH CAROLINA
RESOLUTION**

**A RESOLUTION SUPPORTING THE LAURENS COUNTY TRAILS ASSOCIATION
EFFORTS IN PROMOTING TRAIL DEVELOPMENT IN THE CITY OF CLINTON,
SURROUNDING AREAS AND LAURENS COUNTY**

WHEREAS, the Laurens County Trails Association operates as a nonprofit organization for the purpose of promoting trails in Laurens County, and;

WHEREAS, the purpose of the Laurens County Trails Association is to promote healthy lifestyles, to promote land and nature conservation, and to stimulate economic growth through the planning and assistance in implementing trails within Laurens County and;

WHEREAS, trails have significant impact on the health and economic viability of the region through encouraging active lifestyles, increased levels of tourism, enhanced property values and enhancing the quality of life; and

WHEREAS, trails and greenways are freely accessible community assets offering opportunities for recreation and exercise to everyone; and

WHEREAS, the Laurens County Trails Association will work with local entities throughout Laurens County in the educating, promoting and assisting in the development of trails.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Clinton do support the Laurens County Trails Association in its efforts in promoting the development of trails in the City of Clinton, surrounding areas of Clinton and Laurens County.

Adopted this _____ 1st day of _____ July _____, 2014.

Robert T. McLean, Mayor

ATTEST:

Tammy Templeton, City Clerk



City of Clinton, South Carolina
City Council Staff Report

Report Type: Action Item – Planning Commission Recommendation
Title: Re-Zoning Parcel Number 901-35-01-038
From: Stephen Taylor, Director Community & Economic Dev.
Department: Community & Economic Development
Division: Planning

Note: First Reading was approved on June 2, 2014. There are no changes to this action item.

Recommendation:

Staff recommends that City Council:

Review and approve Second Reading of An Ordinance to Amend the City of Clinton Zoning Map to Re-zone Parcel Number 901-35-01-038.

- a. The re-zoning of parcel number 901-35-01-038 from Planned Development District (PD) to Commercial (C-3).

Note: Prior to second reading, a public hearing must be held by Council on zoning issues.

Executive Summary:

Zoning Ordinance

This ordinance would re-zone parcel number 901-35-01-038 located off West Corporate Center Drive (Frontage Road) from Planned Development District (PD) to Commercial (C-3). This area is a part of Frontage Road and was intended for this type zoning.

Background:

This property is owned by the City for commercial development. This parcel consists of approximately 40 acres. The property was zoned for Planned Development District and under the City of Clinton’s Zoning Ordinance for Planned Development District has a time limitation of two (2) years for this type of zoning. After time limitations, the land classification shall revert to its previous zoning classification. This property had no prior zoning classification, because it was originally zoned as Planned Development District.



City of Clinton, South Carolina

City Council Staff Report

The Planning Commission reviewed the re-zoning request and conducted a public hearing on May 13, 2014. No one addressed the Planning Commission at the public hearing. No comments regarding the re-zoning were received by the City. The Planning Commission voted 4 to 0 to recommend to City Council that they approve the re-zoning. Three Planning Commissioners, Delmar Bailey, Austin Barnes and G.W. Dailey were absent from the meeting.

The zoning process has followed applicable S.C. State Law (Section 6-29-760).

Discussion:

Zoning

The chart below shows what types of uses are allowed under zoning (C-3)

Use	C-3
Single Family Residential	Allowed
Duplex Residential	Allowed
Multifamily Residential	Allowed
School	Allowed
Church	Allowed
Park	Allowed
Community Hall	Allowed
Government Services Facility	Allowed
Bars / Taverns	Allowed
Private Clubs	Allowed
Service / Gas Station	Allowed
Outdoor Storage	Allowed
Drive Through Restaurant	Allowed
Dry Cleaning	Allowed
Sexually Oriented Business	Prohibited
Cellular Tower	Allowed
Mobile Homes	Prohibited
Wholesale Business	Allowed
General Commercial	Allowed
Business Services	Allowed
Personal Services	Allowed
Office	Allowed
Manufacturing	Prohibited

Financial Impact:

No financial impact.



City of Clinton, South Carolina City Council Staff Report

Policy Impact:

No policy impact or precedent is set by this action.

Timeline:

Planning Commission Public Hearing:	May 13, 2014
First Reading:	June 2, 2014
City Council Public Hearing	July 1, 2014
Second Reading:	July 1, 2014

Attachments:

The following ordinance is attached for your consideration.

- **AN ORDINANCE APPROVING THE AMENDMENT OF THE CITY ZONING MAP TO ESTABLISH THE RE-ZONING OF 40 ACRES OF PROPERTY LOCATED AT WEST CORPORATE CENTER DRIVE TO COMMERCIAL (C-3)**

Prepared By: Stephen Taylor, Director of Community and Economic Development

Approved By: Frank Stovall, City Manager

City Manager Approval:

A handwritten signature in blue ink that reads "Frank N. Stovall".

Frank N. Stovall, City Manager



**CITY OF CLINTON
STATE OF SOUTH CAROLINA**

**AN ORDINANCE APPROVING THE AMENDMENT OF THE CITY ZONING MAP
TO CHANGE THE ZONING OF 40 ACRES OF PROPERTY LOCATED AT WEST
CORPORATE CENTER DRIVE TO COMMERCIAL (C-3)**

- WHEREAS,** by action of Ordinance the City of Clinton created a Zoning Ordinance which guides land use and development within the corporate limits of the City of Clinton, and;
- WHEREAS,** the said City of Clinton Zoning Ordinance outlines the procedure for a citizen or entity to request a zoning of property in accordance with the law of the State of South Carolina, and;
- WHEREAS,** the Planning Commission of the City of Clinton has reviewed a request to zone 40 acres of property belonging to the City of Clinton located at W. Corporate Center Drive and recorded as tax map number 901-35-01-038 and depicted on a plat completed and certified by ADTECH SURVEYING., on the 29th day of August 2003 to Commercial C-3 which is attached to this ordinance and recorded in the Laurens County Tax Assessor's Office and is hereby referenced as to all metes and bounds of the said property, and;
- WHEREAS,** the Planning Commission held a public hearing on the 13th day of May 2014 in accordance with applicable state law and the City of Clinton Zoning Ordinance, and advertised the public hearing in advance in accordance with the provision of the City of Clinton Zoning Ordinance, and posted the property in accordance with the provisions of the City of Clinton Zoning Ordinance, and;
- WHEREAS,** the City of Clinton Planning Commission has recommended that the property located at West Corporate Center Drive be zoned to Commercial C-3, and;
- WHEREAS,** the City of Clinton Planning Commission has recommended that the Official City of Clinton Zoning Map be amended to reflect this change.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON ASSEMBLED:

SECTION 1: That the City Council of the City of Clinton hereby approves the change in zoning for 40 acres located at West Corporate Center Drive to be re-zoned to Commercial C-3.

SECTION 2: That the City Council of the City of Clinton hereby approves the necessary changes to the Official Zoning Map of the City of Clinton to reflect the changes described in this ordinance.

SECTION 3: That the City Council of the City of Clinton directs the City Manager or his designee to take such action or actions as may be necessary to document this amendment including the production of a certified modification to the Official City of Clinton Zoning Map

SECTION 4: This ordinance shall become effective immediately upon approval and adoption.

APPROVED this 1st day of July, 2014.

Robert T. McLean, Mayor

ATTEST:

Tammy Templeton, City Clerk

Planning Commission Public Hearing:	May 13, 2014
First Reading:	June 2, 2014
City Council Public Hearing	July 14, 2014
Second Reading:	July 14, 2014



City of Clinton, South Carolina

City Council Staff Report

Figure 1.
Property to be re-zoned





City of Clinton, South Carolina

City Council Staff Report

Report Type: Action Item - Regular Council Meeting, July 1, 2014

Title: Public Library Lease Extension

From: City Manager, Frank N. Stovall

Department: Administration

Division: Administration

Recommendation:

Staff recommends that City Council:

- Authorize the City Manager to sign a one year lease extension with GYG, LLC in order to continue to provide library access and services to residents of Clinton in the current College Station location on Jacobs Highway in Clinton, SC.

Executive Summary:

The current lease to provide a location for the Clinton Library will expire on August 31, 2014. In order to continue to provide library services in that location, the library lease will need to be renewed at a cost of \$19,200 per year. Funds are available in the FY 2015 budget for this expense.

Background:

A two year lease was signed in 2009 between the City of Clinton and GYG, LLC of Clinton to allow the Laurens County Public Library to locate and operate a branch library in the College Station Shopping Center on Jacobs Highway. The lease was extended by mutual consent three times for one additional year each time. The extended lease will expire on August 31, 2015.

In order to continue to provide a location for a public library, the City has negotiated a one year lease extension through GYG's representatives at TD Bank. The extension, if authorized by City Council, would take effect on September 1, 2014 and terminate on August 31, 2015.



City of Clinton, South Carolina

City Council Staff Report

Discussion:

The City of Clinton leases space at the College Station Shopping Center in order to provide a location for the Clinton Branch of the Laurens County Public Library. The City of Clinton is responsible for renting the space, providing and paying for all utilities, maintaining pest control, providing janitorial services, and inspecting and maintaining the HVAC system for all repairs that cost less than \$500. Laurens County provides staff and library books and other items.

The existing library lease will expire on August 31, 2014 and the landlord has agreed to provide for a one year extension on the same terms as the previous lease. The location that currently houses the library was obtained on the premise that it would be a temporary location until a permanent location could be found. It was anticipated that a permanent solution would have been identified prior to August 31, 2011.

Financial Impact:

Funding to support the lease of the library is identified in the FY 2015 General Fund. Total cost of the library lease is \$19,200 per year.

Policy Impact:

No policy impact or precedent is set by this action. Council has approved these lease extensions in the past.

Timeline:

Approval of the lease extension will extend the current lease for the library until August 31, 2015. The extension will go into effect immediately.

Attachments:

- Library Lease
- Library Lease Extension (Proposed)

Prepared By: Frank Stovall, City Manager

Approved By: Frank Stovall, City Manager

City Manager Approval:


Frank N. Stovall, City Manager



City of Clinton, South Carolina
City Council Staff Report

Lease

This Lease made and entered into this __ day of August, 2009, by and between GYG, LLC, a South Carolina limited liability company (Landlord) and the City of Clinton (Tenant).

WITNESSETH:

In consideration of the covenants and agreements of the respective parties herein contained, the parties hereto, for themselves, their heirs, distributees, executors, administrators, legal representatives, and permitted assigns, do hereby agree as follows.

1. DEMISED PREMISES: Landlord by these presents does hereby demise and let unto Tenant, and Tenant leases and hires from Landlord for the term and upon the rental, covenants, and agreements set forth herein, those certain premises, situate, lying, and being in the City of Clinton, South Carolina, more particularly described as: approximately 8,040 square feet of space formerly designated as the Eckerd's Drug (107 Jacobs Highway, Clinton, SC 29325).

2. TERM & DELIVERY OF PREMISES: The term of this Lease shall be for 24 months beginning on the 1st day of September 2009 and ending on the 31st day of August 2011.

3. RENT: Tenant agrees to pay as rental to Landlord the annual sum of \$17,400 payable in advance without demand in equal monthly payments of \$1,450 on the first day of each and every month for 24 months to Landlord at:

Trust Department
Carolina First Bank
P. O. Box 494
Clinton, South Carolina 29325

Notwithstanding the above stated monthly rent amount, the amount payable monthly for the first six (6) months of the lease term (payments due September 1, 2009 – February 1, 2010) shall be \$1,350 per month.

4. COVENANT & CONDITIONS OF LEASE: This Lease is made on the following covenants and conditions which are expressly agreed to by Landlord and Tenant.

5. EXCLUSIVE AND AUTHORIZED USE: Tenant agrees to use the leased space for a public library.



City of Clinton, South Carolina

City Council Staff Report

6. TENANT'S SHARE OF REAL ESTATE TAXES: Not applicable.
7. TENANT'S SHARE OF INSURANCE PREMIUMS: Not applicable.
8. UTILITIES: Tenant will pay for all utilities furnished to the premises including water, gas, sewer, and electricity. Immediately upon occupancy, Tenant will contract with appropriate utility provider and have all utilities for leased premises transferred to Tenant's name. Tenant shall place trash in a container provided by tenant and shall empty it frequently at tenant's expense.
9. CONSTRUCTION: Landlord shall, at Landlord's expense, deliver the demised premises to Tenant in such a fashion as to enable Tenant, upon performance of any work by Tenant and the installation of Tenant's equipment and fixtures, to open its store for business in a normal manner. Tenant has inspected the premises and accepts the premises in its "as is" condition.
10. (A) REPAIR & CARE OF BUILDING BY LANDLORD & TENANT:
 1. By the Landlord: Landlord agrees for the term of this Lease, and renewals thereof, to keep in good order the roof and exterior walls of the demised premises {exclusive of glass and exterior doors} and the common areas of the shopping center and to deliver the HVAC system in good working order.
 2. By the Tenant: Tenant shall, at its own expense, maintain in good order the leased premises, including the cost of maintaining pest control inspection; the cost of interior cleaning; and inspect, service, and change filters in the heating and cooling systems at least two {2} times per year. Any repairs to the HVAC system under \$500.00 per occurrence shall be the expense of the Tenant.
 3. Tenant further agrees to make leasehold improvements suitable to the operation of Tenant's business. Such leasehold improvements shall be at Tenant's sole expense. Any improvements shall be with the consent of the Landlord, which consent shall not be withheld unreasonably.
11. OPTION TO RENEW: N/A
12. NUISANCES: Tenant shall not create any nuisances such as loud noises, flashing lights, odors, or barricades.
13. ERECTION & REMOVAL OF SIGNS: Tenant shall have the right, at its expense, and in conformity with applicable law and ordinances, and subject to the prior approval of the Landlord, which approval shall not be unreasonably withheld, to erect and thereafter, to replace, if it shall so elect, signs on the exterior fascia of the demised premises. Also, Tenant shall have the further right to erect, maintain, place and install its usual and customary signs and fixtures in the interior of the demised premises. Upon the termination of this Lease, Tenant shall remove all signs and repair the fascia, if necessary.
14. GLASS BREAKAGE & VANDALISM: Tenant agrees to replace all broken or damaged glass and to pay for any damage to structure caused by vandalism and breaking and entering.



City of Clinton, South Carolina

City Council Staff Report

15. **RIGHT OF ENTRY BY LANDLORD:** Tenant shall permit inspection of the demised premises upon reasonable notice by Landlord.
16. **THE PARTIES:** Nothing in this Lease creates a partnership or joint venture: the parties are Owner {Landlord} and Retailer {Tenant}.
17. **ASSIGNMENT & SUBLETTING:** Tenant cannot assign or sublet the demised premises without the prior written consent of Landlord. Such permission will not be unreasonably withheld.
18. **SECURITY DEPOSIT:** n/a
19. **LIABILITY FOR INJURIES & PROPERTY DAMAGE OF OTHERS:** Landlord pays for the fire insurance on the building. Tenant carries his own insurance on contents and will cause Landlord to be named as an additional insured on Tenant's business liability policy. Tenant agrees to indemnify and hold Landlord harmless of and from any and all claims of any kind or nature arising from Tenant's use of the demised premises during the term thereof.
- Landlord and Tenant hereby release each other from liability for loss or damage occurring on or to the leased premises or the premises of which they are a part, or to the contents of either thereof, caused by fire or other hazards ordinarily covered by fire and extended coverage insurance policies, and each waives all rights of recovery against the other for such loss or damage. Willful misconduct lawfully attributable to either party, whether in whole or in part a contributing cause of the casualty giving rise to the loss or damage, shall not be excused under the foregoing release and waiver, unless such claim arises from a negligent or intentional act of the Landlord.
20. **DAMAGE TO PREMISES:** If the premises are damaged by an insured casualty and insurance proceeds have been made available to Landlord, said damage shall be repaired by Landlord, to the extent of such available insurance proceeds, provided such repairs can be made within sixty (60) days after the occurrence of the casualty, and without the payment of overtime or other premiums. Until such repairs are completed, Rent shall be abated in proportion to that part of the premises unusable by Tenant.
- Should the premises be damaged as a result of any cause not covered by insurance, or if the insurance proceeds have not been made available to Landlord, or if repairs cannot be completed within sixty (60) days following the casualty date, Landlord shall have the option: (1) to repair the damage, this lease continuing in effect, but rent to be abated in accordance herein until such repairs are completed, or (2) to terminate this lease as of the casualty date, such notice of election to be made by Landlord within thirty (30) days of the casualty date.
21. **DEFAULT:** If Tenant makes default in the payment of rent provided herein or in making any other payments herein provided or in any covenant of this Lease, and the default shall continue for a period of ten {10} days after written notice to Tenant, Landlord may re-enter the demised premises and remove all persons and property therein. Tenant's obligation to pay rent and other charges shall not



City of Clinton, South Carolina

City Council Staff Report

abate, and Tenant shall remain liable for rent and other charges as set forth in the Lease. In the event either party shall enforce the terms of this Lease by suit or otherwise, the party at fault shall pay the cost and expenses incident thereof including a reasonable attorney's fee. Monthly rent is considered past due on the 10th day of each month, and a late charge of 5% must be paid on or after that day together with the costs of magistrates warrant.

22. SHORT FORM LEASE: This lease shall not be recorded, but a short form referring to this Lease, describing the premises and setting forth the term of this lease, may be prepared by either party, executed by both parties, and then recorded, at the cost and expense of the party requesting such recording.

22. RIGHT OF SUCCESSORS & ASSIGNS: The covenants and agreements contained herein shall apply to, inure to the benefit of, and be binding upon the parties hereto, their heirs, distributees, executors, legal representatives, and assigns.

23. NOTICE:

Landlord: GYG, LLC
c/o Trust Department
P. O. Box 494
Clinton, South Carolina 29325

Tenant: City of Clinton
Attn: City Manager
404 N Broad Street
Clinton, SC 29325

IN WITNESS WHEREOF, the parties hereto have caused the presents to be executed the day and year first above written.

WITNESS:

_____ Landlord: GYG, LLC

By: _____
Calhoun F. Gault
Its: _____

_____ Tenant: City of Clinton

By: _____
Its: _____



City of Clinton, South Carolina
City Council Staff Report

THIRD AMENDMENT OF LEASE

This Amendment of Lease is entered into by and between TD Bank, N.A. (f/k/a Carolina First, N.A.) as agent for GYG LLC with a mailing address of TD Bank, N.A., 1501 Main Street, Columbia, SC 29201 (Collectively "Lessor"), and the City of Clinton ("Lessee").

Background

By a certain lease dated September 15, 2009 (the "Lease"), Lessor leased to Lessee the premises described as follows: formerly Eckerd's Drug 107 Jacobs Hwy, Clinton, SC; and Lease Addendum further extending the lease term to August 31, 2012; And, further amended by First Lease Amendment dated July 3, 2012 and Second Amendment of Lease dated September 16, 2013;

Lessor and Lessee both desire to amend the Lease.

Therefore, in consideration of the mutual covenants contained herein and other valuable consideration received, and with the intent to be legally bound, Lessor and Lessee amend the Lease as follows:

1. The term of the lease is extended for a period of one year beginning on September 1, 2014 and ending on August 31, 2015.
2. The rental for the extended lease period shall be at Sixteen Hundred Dollars (\$1,600) per month.

Except as specifically modified herein, all other terms, covenants and conditions of the Lease will continue in full force and effect.

In the event of any conflict between the provisions of the Lease and this Amendment, the provisions of this Amendment shall control.

This Amendment shall be binding upon and shall inure to the benefit of the parties and their respective heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, this Amendment of Lease is executed on this _____ day of _____, 2014.

Executed in the presence of:

LESSOR

(Signature of witness)

By: _____
TD Bank, N.A., as Agent

(Signature of witness)



City of Clinton, South Carolina City Council Staff Report

Report Type: Action Item – Regular Council Meeting,
July 1, 2014

Title: Meeting Date Change

From: Frank Stovall, City Manager

Department: Office of the City Manager

Division: Administration

Recommendation:

Staff recommends that City Council:

Consider changing the date for the September City Council Meeting.

Executive Summary:

The first Monday of September is Labor Day, a holiday in the City of Clinton. City staff recommend that the meeting be rescheduled or that Council confirm that the meeting will be held on the holiday.

Background:

Not applicable.

Discussion:

Not applicable.

Financial Impact:

Not applicable.

Policy Impact:

Not applicable.

Timeline:

Not applicable.

Attachments:

None



City of Clinton, South Carolina

City Council Staff Report

Prepared By: Frank Stovall, City Manager

Approved By: Frank Stovall, City Manager

City Manager Approval:

A handwritten signature in blue ink that reads "Frank Stovall".

Frank N. Stovall, City Manager