

AGENDA

**MEETING OF MAYOR AND CITY COUNCIL
CITY OF CLINTON
MONDAY, FEBRUARY 1, 2010
CITY COUNCIL CHAMBERS
6:00 P.M.**

- A. MEETING CALLED TO ORDER BY MAYOR RANDALL
- B. INVOCATION
- C. APPROVAL OF MINUTES – January 4, 2010
- D. MAYOR TO RECOGNIZE CITIZENS REGISTERED TO ADDRESS CITY COUNCIL
- E. CITY MANAGER'S REPORTS AND RECOMMENDATIONS
 - 1. Council to Consider Approval of a Resolution Proclaiming the Month of February as Black Hickory Month in the City of Clinton (Page 1)
 - 2. Council to Consider Approval of a Resolution Proclaiming The Month of February as Cities Mean Business in the City of Clinton (Page 2)
 - 3. Council to Consider Approval of a Resolution Proclaiming the Month of February as Boy Scouts of America Month in the City of Clinton (Page 3)
 - 4. Council to Consider Second and Final Reading of an Ordinance Approving the Amendment of the City Zoning Map to Change the Zoning of 1.738 +/- Acres of Property Located on Musgrove Street from Residential (R-1) to Planned Development District (PDD) and to Amend the Boundaries of the Musgrove Street PDD (Page 5)
 - 5. Council to Consider Second and Final Reading of an Ordinance to Adopt the Comprehensive Plan for the City of Clinton in Compliance With South Carolina Code Section 6-29-510 (Page 7)
 - 6. Council to Consider Second and Final Reading of an Ordinance to Amend the Clinton Design Review Ordinance to Provide for A Seven Member Design Review Board (Page 9)

7. Council to Consider Approval of Bids for the Purchase of a Spare Transformer for the Asten Johnson Manufacturing Facility (Page 19)
8. Council to Consider Approval of Bids for the Purchase of Public Safety Vehicles (Page 22)
9. Council to Consider Approval of Pest Control Service for City Buildings, Parks and Rosemont Cemetery (Page 24)
10. Council to Consider Approval of the 2009-2010 Laurens County Fire Contract (Page 26)

F. CITY ATTORNEY'S REPORTS AND RECOMMENDATIONS

G. MAYOR'S REPORTS AND RECOMMENDATIONS

H. COUNCILMEMBERS' REPORTS AND RECOMMENDATIONS

I. EXECUTIVE SESSION

1. Personnel Matter relating to the Municipal Judge
2. Personnel Matters relating to the appointment of members to the:
 - a) Planning Commission
 - b) Design Review Board
3. Contractual Matter relating to the disposal of property
4. Legal Matter relating to the I-385 water line replacement
5. Legal Matter relating to the Katrina Fay Lawsuit
6. Economic Development Matter relating to funding of specific economic development initiatives

J. ADJOURNMENT



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

**A RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS
BLACK HISTORY MONTH IN THE CITY OF CLINTON**

- WHEREAS,** much of the City of Clinton's honor, strength and stature can be attributed to the diversity of cultures and traditions that are celebrated by the residents of this great city; and
- WHEREAS,** African Americans have played significant roles in the history of South Carolina's economic, cultural, spiritual and political development while working tirelessly to maintain and promote their culture and history; and
- WHEREAS,** as a result of their determination, hard work, intelligence and perseverance, African Americans have made valuable and lasting contributions to the City of Clinton and our State, achieving exceptional success in all aspects of society including business, education, politics, science, and the arts; and
- WHEREAS,** in 1976, Black History Month was formally adopted to honor and affirm the importance of Black History throughout our American experience, which goes back thousands of years and includes some of the greatest, most advanced and innovative societies in our history that we can all draw inspiration from; and
- WHEREAS,** Black History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, took a stance against prejudice to build lives of dignity and opportunity, advanced the cause of civil rights, and strengthened families and communities; and
- WHEREAS,** during Black History Month all Americans are encouraged to reflect on past successes and challenges of African Americans and look to the future to continue to improve society so that we live up to the ideals of freedom, equality and justice.

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CLINTON ASSEMBLED does hereby proclaim the month of February 2010 as Black History Month in the City of Clinton, and that by issuing this proclamation the City Council of the City of Clinton encourages all residents to join the members of the City Council in honoring the many contributions made by African Americans to the City of Clinton and to the State of South Carolina.

RESOLVED this 1st day of February, 2010.

ATTEST:

Randy Randall, Mayor

Tammy Templeton, City Clerk



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

**A RESOLUTION PROCLAIMING THE MONTH OF FEBRUARY AS
CITIES MEAN BUSINESS MONTH IN THE CITY OF CLINTON**

- WHEREAS,** cities and towns are the economic engines of South Carolina; and
- WHEREAS,** the partnership between local officials and business leaders is critical to the new knowledge economy and the future of regional workforce development; and
- WHEREAS,** cities and towns offer a positive quality of life that attracts business, industry, and new jobs to the region; and
- WHEREAS,** the success of the State relies upon the economic success and prosperity of hometowns; and
- WHEREAS,** "Cities Mean Business" month celebrates that cities and towns are committed to a strong and positive relationship with local business leaders,

NOW THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CLINTON ASSEMBLED does hereby proclaim the month of February as Cities Mean Business Month in the City of Clinton, and that by issuing this proclamation the City of Clinton affirms its dedication to businesses that operate in the City of Clinton and its commitment to the economic success and competitiveness of the City of Clinton and the State of South Carolina.

RESOLVED this 1st day of February, 2010.

ATTEST:

Randy Randall, Mayor

Tammy Templeton, City Clerk



A RESOLUTION TO HONOR THE BOY SCOUTS OF AMERICA ON THEIR 100TH ANNIVERSARY, TO EXPRESS GRATITUDE TO THE VOLUNTEERS WHO COMMIT COUNTLESS HOURS TO INSPIRE AND PREPARE FUTURE GENERATIONS OF LEADERS, TO CELEBRATE A 100 YEAR LEGACY OF "DOING A GOOD TURN" AND "BEING PREPARED," AND TO PROCLAIM FEBRUARY 2010 AS "BOY SCOUTS OF AMERICA MONTH" IN THE CITY OF CLINTON, SOUTH CAROLINA

WHEREAS, the Boy Scouts of America, a volunteer organization, was incorporated by Chicago publisher William D. Boyce on February 8, 1910, after learning of the Scouting movement during a visit to London; and,

WHEREAS, the Boy Scouts of America received a federal charter on June 15, 1916, to teach boys and young men patriotism, courage, self-reliance, and kindred values, and to prepare them to make ethical and moral choices throughout their lifetimes; and,

WHEREAS, the twelve points of the Scout Law - trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent - describe for the Scout how to live a life of honor and are the epitome of a Scout volunteer; and,

WHEREAS, faithfully fulfilling the Scout Slogan, "Do a Good Turn Daily," each Scout commits to perform at least 12 hours of community service yearly, totaling more than 30,000,000 community services hours each year across the nation; and,

WHEREAS, steadfastly serving the City of Clinton and surrounding area, the Saluda River District and the Blue Ridge Council select community service projects that positively impact the City of Clinton; and

WHEREAS, more than one million adult volunteer leaders selflessly serve young people in their communities through organizations chartered by the Boy Scouts of America, build the character and integrity of America's youth, and prepare them to become responsible adults who participate as leaders in society according to the Scout Oath and Law; and

WHEREAS, today the Boy Scouts of America is the largest youth service organization in America, with nearly three million members learning responsible citizenship, character development, and self-reliance through participation in a wide range of outdoor activities, educational programs, and career-oriented programs in partnership with community organizations; and,

WHEREAS, today, more than ever, America needs inspiration from role models who demonstrate a strong sense of personal mission and purpose, cling to the values described in the Scout Oath and Law, and embody the Boy Scout motto "Be Prepared" with a steadfast commitment to God, Country and self.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF CLINTON ASSEMBLED on this day, February 1, 2010, congratulates the Boy Scouts of America on its 100th Anniversary, encourages this fine organization in its Service, and proclaims the month of February 2010 as “Boy Scouts of America Month”.

RESOLVED this 1st day of February, 2010.

Randy Randall

ATTEST:

Tammy Templeton, City Clerk



**CITY OF CLINTON
STATE OF SOUTH CAROLINA**

**AN ORDINANCE APPROVING THE AMENDMENT OF THE CITY ZONING MAP
TO CHANGE THE ZONING OF 1.738+/- ACRES OF PROPERTY LOCATED ON MUSGROVE
STREET FROM RESIDENTIAL (R-1) TO PLANNED DEVELOPMENT DISTRICT (PDD) AND TO
AMEND THE BOUNDARIES OF THE MUSGROVE STREET PDD**

- 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 to request a rezoning of property in accordance with the laws of the State of South Carolina, and;
- WHEREAS**, the Planning Commission of the City of Clinton has reviewed a request to rezone from Residential R-1 to Planned Development District PDD 1.588+/- acres of property belonging to 2027 Land and Development Company, LLC, located on and near Musgrove Street and Red Line Street, and recorded as tax map numbers 901-10-01-025, 901-06-07-016, and 901-06-07-017 and depicted on a plat recorded in Plat Book 16 Page 34 and recorded in the Laurens County Tax Assessor's Office and is hereby referenced as to all mets and bounds of the said property, and;
- WHEREAS**, the Planning Commission held a public hearing regarding the property recorded as tax map numbers 901-10-01-025, 901-06-07-016, and 901-06-07-017 on the 10th day of November 2009 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 Planning Commission of the City of Clinton has reviewed a request to rezone from Residential R-1 to Planned Development District PDD .15+/- acres of property belonging to 2027 Land and Development Company, LLC, located on and near West Red Line Street, and recorded as tax map numbers 901-06-06-004, and 901-06-06-014 and depicted on plats recorded in Plat Book 32 Page 275 and Plat Book 31 Page 165, respectively, and recorded in the Laurens County Tax Assessor's Office and is hereby referenced as to all mets and bounds of the said property, and;
- WHEREAS**, the Planning Commission held a public hearing regarding the property recorded as tax map numbers 901-06-06-004, and 901-06-06-014 on the 17th day of December 2009 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 referenced herein be rezoned from Residential (R-1) to Planned Development District (PDD) and be included in the Musgrove Street Planned Development District, and;

WHEREAS, the City of Clinton Planning Commission has created regulations which are included in the current zoning ordinance which provide guidelines for development in the Musgrove Street Planned Development District (PDD), and;

WHEREAS, the City of Clinton Planning Commission has recommended that the Official City of Clinton Zoning Map and Ordinance be amended to reflect this change.

NOW THEREFOR 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 the property referenced herein and located inside the corporate limits of the City of Clinton from Residential (R-1) to Planned Development District (PDD) and designates it as part of the existing Musgrove Street Planned Development District (Musgrove Street – PDD).

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 _____ day of _____, 2010.

Randy Randall, Mayor

ATTEST:

Tammy Templeton, City Clerk

Planning Commission Public Hearing:	November 10, 2009 & December 17, 2009
First Reading:	January 4, 2010
City Council Public Hearing	January 4, 2010
Second Reading:	



**CITY OF CLINTON
STATE OF SOUTH CAROLINA
ORDINANCE**

**AN ORDINANCE TO ADOPT A COMPREHENSIVE PLAN FOR THE CITY OF CLINTON
IN COMPLIANCE WITH SOUTH CAROLINA CODE SECTION 6-29-510**

- WHEREAS,** the City of Clinton Planning Commission has, pursuant to Section 6-29-510 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, by resolution, recommended that the City of Clinton Comprehensive Plan set forth in that certain document entitled *City of Clinton Comprehensive Plan 2010* and attached hereto and incorporated herein by reference as Exhibit "A", be adopted by the City Council of the City of Clinton; and
- WHEREAS,** the City of Clinton Comprehensive Plan includes those planning elements required by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 to be contained in a local comprehensive plan, namely: (1) a population element which considers historic trends and projections, household numbers and sizes, educational levels, and income characteristics; (2) an economic development element which considers labor force and labor force characteristics, employment by place of work and residence, and analysis of the economic base; (3) a natural resources element which considers slope characteristics, prime agricultural and forest land, plant and animal habitats, parks and recreation areas, scenic views and sites, wetlands, and soil types; (4) a cultural resources element which considers historic buildings and structures, residential districts, unique, natural, or scenic resources, archaeological, and other cultural resources; (5) a community facilities element which considers water supply, treatment and distribution; sewerage system and wastewater treatment; solid waste facilities; education facilities, and libraries; (6) a housing element which considers location, types, age, and condition of housing, owner and renter occupancy, and affordability of housing; (7) a land use element which considers existing and future land use by categories and components; (8) a transportation element which considers transportation facilities including road improvement, new road construction, transit projects, pedestrian and bicycle projects, and other elements of the transportation network; and (9) a priority investment element which considers coordination among local and regional governments and local and regional public service providers resulting in future development that is more cost effective and more efficient in the consumption of land; and
- WHEREAS,** the nine (9) planning elements enumerated above are an expression of the recommendations of the City of Clinton Planning Commission to the City Council of the City of Clinton with regard to the wise and efficient use of public funds, the future growth, development, and redevelopment of the Commission's area of jurisdiction, and consideration of the fiscal impact on property owners.

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

SECTION 1 **Adoption of the Comprehensive Plan.** The City Council of the City of Clinton, South Carolina, hereby adopts the City of Clinton Comprehensive Plan entitle *City of Clinton Comprehensive Plan 2010* as set forth in Exhibit "A" attached hereto, under the authority of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (Chapter 29) and in accordance with Section 6-29-510, *et seq.* Of the *Code of Laws of South Carolina*, 1976, as amended.

SECTION 2 **Effective Date.** This ordinance shall take effect upon approval.

ORDAINED this __ day of _____, 2010

Randy Randall, Mayor

ATTEST:

Tammy Templeton, City Clerk

PLANNING COMMISSION RESOLUTION:
PUBLIC HEARING ADVERTISED DATE:
PUBLIC HEARING:
FIRST READING:
SECOND READING:

DECEMBER 8, 2009
DECEMBER 2, 2009
JANUARY 4, 2010
JANUARY 4, 2010



City of Clinton

Memo

To: Josh Kay, City Manager
From: Frank Stovall, Assistant City Manager
CC:
Date: 1/25/2010
Re: DRB Ordinance Revision

Background

At your request and the request of City Council, I have prepared a revision to the 2005 Clinton Design Review Ordinance that reflects the expansion of the composition of the Design Review Board from five (5) to seven (7) members. The detailed changes are outlined below.

DRB Ordinance Changes

The proposed changes to the ordinance are as follows:

1. Section 4. A. Composition of the Commission. The number of members on the Design Review Board will be changed from five (5) to seven (7).
2. Section 4.B. Terms of Office. The terms of office shall be changed to reflect the fact that seven (7) members are on the Design Review Board instead of five (5).

Attachments

The following items are attached to this memo:

1. A copy of the ordinance depicting text to be removed in strikethrough and text to be added in italics.
2. A copy of the ordinance with the changes completed.



**CITY OF CLINTON
STATE OF SOUTH CAROLINA**

**AN ORDINANCE TO AMEND THE CLINTON DESIGN REVIEW ORDINANCE TO PROVIDE FOR
A SEVEN MEMBER DESIGN REVIEW BOARD**

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, by action of ordinance the City of Clinton established the Clinton Design Review Board and provided for historic preservation and architectural review within the City of Clinton, and;

WHEREAS, the City Council of the City of Clinton wishes to establish new regulations providing for additional board members to provide design and architectural review in the City of Clinton, and;

WHEREAS, in adopting this ordinance, the City Council has considered the applicable factors set out Title 6, Chapter 29, of the Code of Laws of South Carolina (1976) as amended, and;

WHEREAS, in adopting this ordinance, the City Council has determined that public necessity, convenience, general welfare, and good zoning practice require such action.

NOW THEREFOR BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON ASSEMBLED that the City Council of the City of Clinton hereby amends and reordains the Clinton Design Review Ordinance as set forth below:

Section 1. Title

The title of this Ordinance shall be the Clinton Design Review Ordinance.

Section 2. Authority

City Council expressly adopts this Ordinance as a portion of the City's zoning ordinance, pursuant to S.C. Code Section 6-29-870, to make specific provision for the preservation and protection of historic and architecturally valuable districts and neighborhoods, and to protect the unique and special character of the Clinton Historic Preservation District.

Section 3. Purpose

By establishing the Clinton Review Design Board and charging it with the responsibility to protect the architectural integrity of historic structures and the character of the City of Clinton, the City intends:

- a. To safeguard the heritage of the City, by preserving the Historic District's element of cultural, social, economic, political and architectural history;
- b. To ensure the preservation of significant historic sites and structures, and to prevent undesirable development which would adversely affect them;
- c. To stabilize and improve property values in the Historic District and surrounding properties;
- d. To foster civic beauty and pride;
- e. To strengthen the local economy; and
- f. To promote the use and preservation of the Historic Preservation District for the education, welfare and pleasure of residents of Clinton, Laurens County and the State.

Section 4. Clinton Design Review Board established as a Board of Architectural Review

There is hereby established a Board of Architectural Review for the City of Clinton, to be called the "Clinton Design Review Board", which shall have the powers and duties as provided in S.C. Code Title 6, Chapter 29, Sections 870 et seq.

a. Composition of the Commission

The Clinton Design Review Board shall consist of seven (7) members, who shall be appointed by City Council. None of the members may hold any other public office or position in the City. In appointing members to the Commission, City Council shall consider the nominee's demonstrated interest in local historic preservation and/or professional expertise in preservation related fields such as architecture, history, planning, archaeology, real estate, engineering, construction and law. A member of the Clinton Planning Commission, appointed by a majority of the Planning Commission and approved by the Clinton City Council, may serve as an Ex-Officio member of the Clinton Design Review Board.

b. Terms of Office

Members shall serve a term of two (2) years. Terms shall be staggered, so that the terms of three (3) members shall expire in each odd-numbered year, and terms of four (4) members shall expire in each even-numbered year. Members shall serve until their successors are appointed and qualified. A member who replaces another member in mid-term shall serve out the remainder of the term. Commission members may be appointed to succeed themselves, to a maximum of two (2) successive terms. Newly appointed members shall be installed at the first regular meeting after their appointment.

c. Compensation

Members shall serve without compensation. Reimbursement for actual expenses incurred in the performance of official duties may be reimbursed from budgeted funds pursuant to reimbursement policies and procedures for

employees of the City of Clinton.

d. Removal of Members

Members may be removed at any time by City Council.

e. Organization and Rules of Procedure

As required by S.C. Code Section 6-29-870(D), the Commission shall hold an annual organizational meeting and shall elect a chairman and vice-chairman from among its members, each of whom shall serve for one year or until he/she is re-elected or his/her successor is elected and qualified. The Board shall appoint a secretary, who may be a City employee designated for this purpose by the City Manager. The Board shall adopt rules of procedure in accordance with the provisions of State law. The chairman or, in his/her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which immediately must be filed at City Hall and must be a public record.

f. Meetings

Meetings of the Board shall be held monthly if there is business before the Board. Additional meetings may be held at the call of the chairman and at such other times as the Commission may determine. A quorum, consisting of three (3) members of the Board, must be present for the conduct of business.

Section 5 Clinton Review District Designated

The Clinton Historic Preservation District is hereby designated as a Zoning Overlay District, with boundaries as shown on the Official Clinton Zoning Map, adopted together with this Ordinance and incorporated herein by reference.

a. Additional Designation of Historic Properties

From time to time, City Council may choose to add additional properties to the Historic District. Such additions may be made at the request of a property owner, upon recommendation of the Clinton Design Review Board, or upon City Council's own initiative. All such additional designations shall constitute an amendment to the City's Zoning Ordinance, and the procedures for designation shall comply with the requirements for zoning amendments. In considering additional designations, the City shall consider whether the property:

1. Has significant character, interest or value as part of the heritage of the City;
2. Is the site of an event significant in history;
3. Is associated with a person or persons who contributed significantly to the culture and development of the community, state or nation;
4. Exemplifies the cultural, economic, social, ethnic or historic heritage of the community, state or nation;
5. Embodies distinguishing characteristics of a type, style, period or specimen in architecture or engineering;

6. Is part of or related to a distinctive element of community planning; or
7. Represents an established and familiar visual feature of the neighborhood or community.

Owners of properties proposed for historic designation shall be notified in writing thirty days prior to consideration by City Council. All additional historic designations shall be included within the Zoning Overlay District, and shown on the Official Clinton Zoning Map.

Section 6. Power and Duties

The Clinton Design Review Board shall promote the purposes and objectives of this Ordinance, shall have the following powers, and shall perform the following functions:

1. To review and recommend to City Council the designation of individual historic properties for inclusion in the Historic Preservation District;
2. To review plans and applications as hereinafter provided, for all exterior modifications to structures and all new construction within the Historic Preservation District and other designated areas, including demolition of structures within the Historic Preservation District; and
3. To review and approve, approve with modifications, or deny approval for such plans and applications, in accordance with the prescribed procedures and guidelines.

Section 7. Issuance of Certificate of Appropriateness

- a. Within the Clinton Historic Preservation District

Within the Clinton Historic Preservation District, the Board shall review each plan and application for the demolition, new construction, exterior alteration, modification or addition to any property, for compliance with the requirements and standards established in this Ordinance. The Board shall have the power to approve, approve with modifications or deny approval for such application, in accordance with the procedures set forth below. Approved applications shall be issued a Certificate of Appropriateness. Within the Clinton Historic Preservation District, no building permit shall be issued, and no modification to exterior architectural features may be made, prior to the issuance of a Certificate of Appropriateness.

- b. Maintenance and Repair Excepted

A Certificate of Appropriateness is not required for the ordinary maintenance or repair of any exterior architectural feature in the Historic Preservation District, which does not involve a change in design, material, color or outer appearance.

Section 8. Procedures for Issuance of Certificate of Appropriateness

The property owner or his/her representative shall submit an application to the Design Review Board requesting the issuance of a Certificate of Appropriateness. The application shall be submitted on a form provided by the City, together with such supporting materials as required herein.

- a. Pre-Application Required

At the outset of a project, and prior to significant expenditures of time and financial resources, applicants are required to submit a pre-application, consisting of preliminary scale drawings and outline specifications, including color and material samples. The purpose of this review is to acquaint the applicant with the design standard applicable to his/her property. Preapplication review by the Design Review Board is advisory only, and is not binding on either the applicant or the Board.

b. Submission of Applications

Applications shall be submitted to the City Planning Director or other official as designated by the City Manager. Complete applications submitted seven (7) or more days prior to the regularly scheduled monthly meeting of the Design Review Board shall be placed on the agenda for review. Incomplete applications will be returned.

c. Contents of Application

The application must show in detail all proposed exterior alterations and modifications and/or new construction, and must provide all information requested on the application form. In addition:

1. The application must identify the applicable design standard(s) and show that the proposed action complies with such standards(s).
2. Drawings are required for exterior alterations to existing structures and for all new construction. As used here drawings shall mean plans and exterior elevations drawn to scale, with sufficient detail to show, insofar as they relate to exterior appearance, the architectural design; proposed materials, textures and colors; and plan or site layout, including all improvements such as walls, walks, terraces, plantings, accessory buildings, signs and lights. Drawings shall be signed by the architect or draftsman, and submitted in multiple copies as directed by the Planning Director.

d. Design Review Board Action

The Design Review Board shall review the application, and shall decide whether the proposed action complies with the design guidelines and standards as set forth herein. In acting upon the application, the Board shall either issue a Certificate of Appropriateness, including such conditions as it deems appropriate in conformance with the standards here or deny the application. Actions shall be taken by majority vote of those Board members in attendance.

1. The applicant shall have the right to be heard before the Board, and to make such presentation as he/she deems appropriate to explain the application and answer questions posed by the Board members.
2. The Board may request the submission of additional or clarifying information and materials, and may postpone action on an application to a special meeting or the next regularly scheduled monthly meeting to consider this input.
3. Similarly, the Board may postpone action on an application to a special meeting the next regularly scheduled monthly meeting in order to provide notice to affected property owners, or to call a public meeting or public hearing on the application.
4. The Certificate shall be signed by the Chairman of the Board, and a copy shall be delivered to the City's building official.

5. Denials shall include a statement in the record of the reason(s) therefore and the Planning Director shall so inform the applicant in writing.

e. Time Limits

The Board must take action on an application no later than the second regularly scheduled monthly meeting following the timely submission of the application, unless the applicant agrees to the postponement of action; provided, however, that the time limits for demolition shall be as stated herein below. If the Board fails to act within this time period, the application shall be considered approved.

f. Withdrawal; Revision; Submission of a New Application

An applicant may withdraw and re-submit his/her application at any time during the review process. An applicant may request postponement of review and revise his/her application at any time during the review process; revisions must be submitted within seven (7) days of the Board's regularly scheduled monthly meeting to be placed on the agenda; however, the Board may waive this requirement, or may schedule a special meeting to act on a revised application. If an application is denied by the Board, a new application may be submitted at any time if there is a substantial change in the plans for the proposed work; however, if no substantial change is made, a new application may not be filed for a period of six (6) months following the Board's denial.

Section 9. Guidelines and Standards

In reviewing an application for a Certificate of Appropriateness, the Design Review Board shall take into account the architectural and historical significance of the structure under consideration, and the exterior form and appearance of any proposed additions or modifications to the structure, as well as the effect of such change or additions upon other structures in the vicinity. The Design Review Board shall use the following standards in reviewing and acting upon applications for Certificates of Appropriateness:

a. Generally: Clinton Historic Preservation District

Generally, all modifications to exterior architectural features and all new construction within the Clinton Historic Preservation District shall comply with the guidelines and standards as set forth in the publication "Clinton Main Street Design Guidelines" prepared by the Clinton Main Street Board with the "intent to establish guidelines which will enhance the environment for trade, entertainment, and leisure through basic principles of design such as building texture, color, rhythm, and pattern."

b. Specific Requirements: Clinton Historic Preservation District

In addition to the standards set forth in the manual, the following requirements shall apply:

1. Siding. Any use of non-traditional siding must be approved by the Design Review Board and must meet the characteristics of the original façade of the building.
2. Colors. Exterior colors shall be appropriate to the design and period of the structure, and shall be selected from the palates as set forth in the Manual provided, that on a case-by-case basis, the Board may approve alternate or additional colors that meet the standards set forth in Paragraph (c) below.
3. Signs. Signs shall not be internally lighted. Within the Historic District, permanent signage shall be limited to the identification of commercial, institutional and historic properties. Property owners are encouraged to

use externally lighted ground signs and wall signs where built into the building facade. Sign size and height shall be limited as set forth in the Zoning Ordinance of the City of Clinton.

4. **Building Materials.** The Design Review Board must approve all proposed building or renovation material through the Pre-Application Process, but the following list of building materials and types of buildings are provided as inappropriate for use in the Clinton Historic Preservation District:
 - Metal Buildings
 - Concrete block (with the exception of split-face block)
 - Plywood
 - Tilled-up concrete
5. **New Construction.** The character of the Historic Preservation District derives from the mix of architectural styles and periods. New construction is not required to reproduce historic structures, but it must be consistent with the size, height, design and general appearance of structures on nearby properties. New construction must "blend in" with the character of the neighborhood in which it is situated, and shall not disrupt the character of the Historic District. New construction must also adhere to Items 9.b.1 – 4.

c. Exceptions to Specific Standards

The City recognizes that from time to time, these standards may present difficulties to property owners who wish to repair, use or adaptively reuse structures within the Historic Preservation District. Accordingly, the Design Review Board may, but is not required to, grant an exception to a specific standard set forth in the *Manual* if it expressly finds:

1. The proposed action will maintain the overall appearance of period authenticity; and,
2. New, replacement or repaired features will be consistent with the architectural features of the structure; and,
3. The proposed action will not adversely affect other structures in the vicinity, or diminish the character of the Historic Preservation District.

In reviewing a request for an exception, the Board may require the property owner to provide materials and documents regarding the condition of the structure, available alternatives to the proposed action, costs and financing options. The Board may modify the applicant's request for an exception, and shall have the power to approve the request either in whole or in part. All exceptions must be specified in a written attachment to the Certificate of Appropriateness.

d. Demolition

1. No building or structure in the Historic Preservation District shall be demolished or otherwise removed until the owner thereof has given the Design Review Board ninety (90) days written notice of the proposed action. During this notice period, the Design Review Board may negotiate with the owner and take such advisory actions as it deems appropriate to find a means of preserving the structure. The Board may call a public hearing to inform the public and solicit input concerning any proposed demolition.
2. In passing upon an application to demolish, or demolish in part, or remove the architectural appearance of any existing structure, the Design Review Board shall consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure, and the importance to the City.

3. The Design Review Board shall have the power to deny outright the demolition or removal of a structure if it deems the structure of such architectural or historical significance that the removal will be detrimental to the public interest.
4. If the Design Review Board determines that the structure has no particular historic significance or value toward maintaining the character of the Historic District, it may waive all or part of the 90-day notice period, thereby allowing the demolition or removal to proceed.

Section 10. Enforcement

Violations of this Ordinance are violations of the City's Zoning Ordinance, and may be punished as set forth therein. The City's Codes Enforcement Officer(s) and other City Officials, directly empowered by written notice of the City Manager, are hereby designated as enforcement officers for the purpose of enforcing the terms of this Ordinance, and shall have the power to issue citations for the violation of this Ordinance, in accordance with the provisions of the City's Code.

Section 11. Appeal

In accordance with Sections 6-29-900 et seq., S.C. Code of Laws, any person having a substantial interest in a decision of the Board may appeal to the Circuit Court for Laurens County, by filing with the Clerk of Court a written petition setting forth plainly, fully and distinctly why the decision is contrary to law. The appeal must be filed within thirty (30) days after the affected party receives actual notice of the Board's decision.

Section 12. Definitions

As used in this Ordinance, words and phrases shall have the following meanings:

- a. **Certificate of Appropriateness** is a document issued by the Clinton Design Review Board, following a prescribed review procedures, certifying that the proposed actions are found to be acceptable in terms of design criteria relating to the individual property and the Historic District.
- b. **Board** shall mean the Clinton Design Review Board.
- c. **Demolition** shall mean the removal of a structure, in whole or in part, without accompanying renovation or restoration.
- d. **Exterior architectural features** shall include the exterior portion of any building or other structure, including stone walls, fences, light fixtures, signs, steps, pavement and other appurtenant features.
- e. **Exterior alternations and modifications** shall include any change in the external architectural features of a structure.
- f. **Historic Preservation District** shall mean the Clinton Historic District, as designated by City Council and established as an overlay district on the City's Zoning Map.
- g. **Period authenticity** shall mean an architectural building design, style, appearance and use of materials

consistent with the generally accepted architectural and design standards for a particular historical time frame, and for purposes of this Ordinance shall bear reference to structures built in and around the City of Clinton.

Section 13. Effective Date

This Ordinance shall take effect upon its enactment by City Council.

APPROVED this _____ day of _____, 2010.

Randy Randall, Mayor

ATTEST:

Tammy Templeton, City Clerk

First Reading: January 4, 2010
Second Reading:

CITY OF CLINTON
OFFICE OF PURCHASING MANAGER
P.O. Drawer 507
Clinton, SC 29325

January 14, 2010

Award of Bid

REPORT IN BRIEF

Proposals were accepted December 21, 2009 for the purchase of a spare transformer for the Asten Johnson Manufacturing facility. Five proposals were received from four suppliers.

BACKGROUND

Currently there are two transformers in service at this facility with the need for a spare in the event of a failure of one of the two units in service.

DISCUSSION

The proposals were evaluated by Mike Dougherty of Southeastern Electrical Engineers for compatibility with the existing transformers now in service. Line Equipment Sales, of West Columbia is the low bidder for this purchase at a cost of \$31,743.00. .

RECOMMENDATION

It is my recommendation that the City accept the proposal from Line Equipment Sales for the purchase of this transformer.

BID TABULATION

ATTACHED

bid request asten johnson transformer (2)

City of Clinton
Clinton, South Carolina

1500 kva 3 PHASE TRANS. ASTEN-JOHNSON

Bidders: _____
Location: _____

1500 kva 3 Phase Trans.

Manufacturer

Delivery - ARO

Taxes

BID TABULATION SUMMARY

Bids Received : December 21, 2009
2:00 PM

Line Equipment	Line Equipment	WESCO	Shealy Electrical
W. Cola, SC	W. Cola, SC	W, Cola, SC	Greenville, SC
\$54,785.00	\$31,743.00	\$50,737.00	\$33,652.75
Cooper	Pauwels	ABB	CG Power Systems
10 - 12 wks	7 - 9 wks	14 wks	8 - 10 wks
\$54,785.00	\$31,743.00	\$50,737.00	\$33,652.75

TOTALS



Memo

To: Josh Kay, City Manager
From: Frank Stovall, Assistant City Manager
CC:
Date: 1/25/2010
Re: Purchase of Police Vehicles for the Department of Public Safety

Background

The City of Clinton has received a Highway Safety Grant from the federal government to create, equip, and fund a two man team of public safety officers to improve traffic safety and reduce DUI in the City of Clinton. The grant provides funding for various equipment and personnel, including the acquisition of two police cruisers for the Department of Public Safety.

The grant agreement between the City of Clinton and the grantor requires that bids for equipment be reviewed by the grantor prior to the purchase of any grant funded equipment. In accordance with these regulations, the City conducted a standard bid process for the acquisition of two police vehicles and submitted all bid information and tabulations, as well as our procurement regulations, to the grantor for their required review.

Recommendation

It is my recommendation and the recommendation of the State Department of Public Safety that these vehicles be purchased from the state contract vendor, Vic Bailey Ford of Spartanburg, for a price not to exceed \$45,040.00. This recommendation is based on the following facts:

- Funds used to procure these two vehicles are federal grant funds and as such are subject to state and federal procurement regulations which require that the purchase be made from the lowest bidder.
- The South Carolina Department of Public Safety, the entity which manages these grants on behalf of the federal government, has reviewed our bid information and is recommending that we purchase these vehicles from the lowest vendor. Failure to purchase the vehicles from the lowest vendor will result in the state withholding reimbursement for this purchase.

Financial Impact

There is no financial impact associated with the purchase of these vehicles since all funds used for the purchase of these vehicles are federal grant funds.

BID TABULATION SUMMARY

Bids Received : January 14, 2010
10:00 AM

Bidders:
Location:

Cooper Motor Co.	Vic Bailey Ford		
Clinton, SC	Spartanburg, SC		

Ford Crown Victoria

\$22,282.00	\$22,500.00		
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Admin. Fee/Options

\$149.00	-\$280.00		
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SC Sales Tax

\$300.00	\$300.00		
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TOTALS

\$22,731.00	\$22,520.00		
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Total for 2 Vehicles

\$45,462.00 \$45,040.00

CITY OF CLINTON
OFFICE OF PURCHASING MANAGER
P.O. Drawer 507
Clinton, SC 29325

January 19, 2010

Award of Bid: PEST CONTROL SERVICES

REPORT IN BRIEF

Bid packages were prepared in late December for routine pest and fire ant control in all City owned buildings and parks. Proposals from three vendors were opened and publicly read aloud January 19, 2010 at 10:00 A. M.

BACKGROUND

Currently the City utilizes three different pest control companies for routine pest and fire ant control in all city owned building and parks.

DISCUSSION

Currently all buildings and parks are being serviced by Piedmont Pest Control, Senn Pest Control and Big Red Pest Control. In order to better service the city owned buildings and parks, we would like to get all of the city's pest control services under one umbrella. This would also allow us to better schedule these services with only one company involved. These services would be provided on a quarterly basis in the buildings and a semiannual basis in the parks.

FISCAL INPACT

As mentioned above, proposals were received from three vendors with Big Red Pest Control of Clinton submitting the lowest overall cost of \$3,154.00 per year. Complete bid tabulations are listed on the attached sheet. Costs currently incurred by the city for these services are \$3,332.79 per year.

RECOMMENDATION

It is my recommendation that the City of Clinton enter into a contract with Big Red Pest Control for providing the City with routine pest and fire ant control as described above. This contract will be for a period of two years.

BID TABULATIONS

ATTACHED

bid request pest control services

PEST CONTROL

Bidders:

Location:

	Big Red Pest Control	Piedmont Pest Control	Senn Pest Control	
	Clinton	Laurens	Inman	
Bailey Municipal Complex	\$55.00	\$63.00	\$98.00	
Public Works Building	\$28.00	\$45.00	\$78.00	
Filter Plant	\$18.00	\$40.00	\$68.00	
Public Safety Building	\$40.00	\$63.00	\$110.00	
Clinton Public Library	\$20.00	\$35.00	\$58.00	
Boy Scout Hut	\$15.00	\$10.00	\$45.00	
Girl Scout Hut	\$15.00	\$10.00	\$45.00	
Community Building	\$20.00	\$25.00	\$45.00	
Fire Substation	\$20.00	\$20.00	\$35.00	
American Legion Hut	\$20.00	\$35.00	\$55.00	
Total Pest Control/Treatment (4per year)	\$251.00	\$346.00	\$637.00	
Cost per year - Routine Pest Control	\$1,004.00	\$1,384.00	\$2,548.00	

Fire Ant Control				
Calvert Ave. Park	\$32.00	\$30.00	\$45.00	
Oak St Park	\$10.00	\$98.00	\$140.00	
Lydia Mill Park	\$110.00	\$106.00	\$140.00	
Clinton Mill Park	\$36.00	\$36.00	\$50.00	
Josh Savage Park	\$48.00	\$48.00	\$70.00	
Pine St Park	\$91.00	\$87.00	\$120.00	
Pine Haven Park	\$80.00	\$76.00	\$110.00	
Rosemont Cemetary	\$480.00	\$508.00	\$680.00	
Public Safety Complex	\$115.00	\$113.00	\$75.00	
Bailey Municipal Complex	\$73.00	\$70.00	\$75.00	
Total Fire Ant Control/Treatment (2 per year)	\$1,075.00	\$1,172.00	\$1,505.00	
Cost per Year Fire Ant Control	\$2,150.00	\$2,344.00	\$3,010.00	
Cost for Both Services/year	\$3,154.00	\$3,728.00	\$5,558.00	

(B) Unless one party shall give the other written notice of termination, via certified mail, return receipt requested, to the address specified in Section 1, during the month of April, this agreement shall automatically be renewed for the next fiscal year.

Provided that the amount to be paid The Department in fiscal year 2009/10 has already been established at \$271,596.00.

Section 4. Areas of Responsibility:

The Department shall provide fire suppression to all structural fires and other fires threatening structures, to the best of its abilities, and provide rescue services, to the best of its abilities, in the area known as Clinton Fire District as shown upon a map entitled Clinton Fire District. Said map being incorporated by reference.

Section 5. Compensation:

(A) For fiscal year 09/10 The County shall pay The Department the sum of \$271,596.00.

(B) (1) For future years, The Department shall submit a proposed contract figure to The Council no later than 15 March.

(2) The Council shall accept or reject said figure before 31 August. In the event The Council rejects the proposed budget, The Department and The Council shall appoint negotiators to resolve the matter within seven (7) days. If said negotiators have not reached a mutually

acceptable budget before 1 September, the prior year's budget shall be deemed to have been accepted by the parties as the contract figure for the forthcoming year.

- (3) The Council shall advance funds to The Department as follows:
 - (a) 50% of the budget amount on January 15.
 - (b) 25% of the budget amount on April 15.
 - (c) 25% of the budget amount on June 15.

- (4) The Department acknowledges that these are public funds and that therefore, it shall maintain books and records of all amounts received and expended under this agreement in such manner as may be directed by The Council's Auditor and that such records shall be subject to audit the Council's Auditor.

- (5) The Department is a department of the City of Clinton, as incorporated local government entity under South Carolina law. As such, the City of Clinton has the right to incur any indebtedness or enter into a contractual obligation necessary for the operation of its Fire Department without prior written consent of The Council. Provided, the City of Clinton does agree to inform The Council in writing of any incurrence or indebtedness or contractual obligation for its Fire Department.

Section 6. Non-Discrimination:

The Department agrees that it shall provide its services to all persons within its county fire district service area equally and that it shall not discriminate against any person contrary to the public policy of the United States or the State of South Carolina. Nor shall a person be required to pay any fee, provide any service or the like to receive The Department's services.

Section 7. (A) The parties agree that they shall comply with all laws and regulations regulating The Department and Council. In particular, The Department acknowledges that as a publicly funded agency it is subject to the South Carolina Freedom of Information Act.

(B) The Department agrees that it shall comply with such regulations and performance standards as may be promulgated by The Council, generally applying to all departments operating under the Council's auspices as may be necessary to insure that such departments are capable of providing adequate fire protection services to the public. In the event The Department should fail to comply with such standards, The Council shall have the right to terminate this Contract immediately.

Provided, however, The Department shall be given a reasonable time to comply with any standards after their adoption, and such standards shall be reasonably achievable with the funds provided by the Council.

Section 8. This writing represents the entire agreement of the parties and shall not be modified except by a writing approved by the Governing Board of both parties and signed by their agents. It shall be interpreted under the Laws of the State of South Carolina.

Section 9. Execution:

(A) Duly approved and executed on behalf of The Council by its Administrator and Fire Coordinator.

January 6, 2010
Date

Laurens County Administrator

Fire Coordinator

(B) Duly approved by the City Council of The Department at its meeting of _____ and executed on its behalf by _____ its _____ and _____
DATE (Name) PRINT (Position-Title)
behalf by _____ its _____
(Name) PRINT (City Manager)

Date

SIGNATURE (Authorized Officer)

Date

SIGNATURE (City Manager)