

APRIL 6, 2015

The regular Council meeting was held at the M.S. Municipal Bailey Center Building at 6:00 PM with Mayor Bob McLean presiding with Councilmembers Byrd, Cook, Jenkins, Kuykendall, Young, and Scarborough. The City Manager and the City Attorney were present. Local news media present were Randy Stephens from WLBG, Larry Franklin from the Clinton Chronicle, and Judith Brown from GoClinton.com. Notice was mailed and emailed to the local news media on April 1, 2015.

- AMEND AGENDA** Mayor McLean asked Council to accept the amended agenda. Motion was made by Councilmember Byrd to accept the amended agenda and seconded by Councilmember Jenkins. The vote was unanimous.
- INVOCATION** The invocation was given by Reverend Kenny Moore from Davidson Street Baptist Church.
- PLEDGE ALLEGIANCE** Mayor McLean asked Council and the audience to stand and recite the Pledge of Allegiance.
- MINUTES** Mayor McLean asked Council to approve the minutes from March 2. Motion was made by Councilmember Scarborough to approve the March 2, 2015 minutes and seconded by Councilmember Jenkins. The vote was unanimous.
- RESOLUTION
RECOGNIZE
PLANNING
COMMISSION
MEMBERS** Mayor McLean stated that the City would like to recognize Ms. Charlotte Strickland and Mr. Delmar Bailey for their years of service on the Planning Commission. Councilmember Kuykendall presented Ms. Strickland with her plaque and Councilmember Jenkins read Mr. Bailey's recognition plaque since he was unable to attend. Councilmember Young made a motion to approve the Resolutions and seconded by Councilmember Kuykendall. The vote was unanimous.
- CITY MANAGER'S
REPORT
PROCLAMATIONS** Mayor McLean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the first item on the agenda is the approval of Proclamations for April as Alcohol Awareness Month, April as Autism Awareness Month, April as Child Abuse Prevention Month, April as Financial Literacy Month, April as Safe Digging Month, and April 22, 2015 as Earth Day. Motion was made by Councilmember Young to approve the Proclamations and seconded by Councilmember Byrd. The vote was unanimous.
- RESOLUTION
NAT FULLER** Mr. Stovall stated that the next item on the agenda is a Resolution recognizing April 9th as the date of the Nat Fuller Reconciliation Dinner in

DINNER

Clinton. Mr. Stovall stated that Nat Fuller was an African American who was a chef and he invited leading white and African American citizens from the City of Charleston to sit down to dinner to begin work on reconciling the City after the end of the Civil War. Mr. Stovall stated that this occurred 150 years ago and a group of citizens from Clinton, Presbyterian College, representatives from the City of Clinton, and local churches have been working to develop a commemorative dinner to be held in Clinton on April 9, 2015. Mr. Stovall stated that the dinner would be patterned after the original dinner. Councilmember Cook made a motion to approve the Resolution and seconded by Councilmember Jenkins. The vote was unanimous.

RESOLUTION
HOUSE BILL
H3490
BUSINESS LICENSE

Mr. Stovall stated that the next item on the agenda is a Resolution opposing the proposed South Carolina House Resolution H3490, Business License Tax Reform Act. Mr. Stovall stated that the Business License Revenue the City receives helps fund Police and Fire protection. Mr. Stovall stated that the proposed bill caps the Business License fee at \$100 per business. Mr. Stovall stated that the Municipal Association recommends the City approving a Resolution opposing this Bill. Councilmember Cook asked if the Resolution would go to the Delegation or the Municipal Association and Mr. Stovall stated the Resolution would go to the Delegation as well as the Municipal Association. Mayor McLean asked how much would this Bill cost the City in Business License Revenues and Mr. Stovall stated about \$750,000. Councilmember Scarborough made a motion to approve the Resolution opposing House Bill H3490 and seconded by Councilmember Byrd. The vote was unanimous.

COUNCIL DATE

Mr. Stovall stated that the next item on the agenda is changing the date of the July Council meeting. Mr. Stovall stated that the PMPA conference is scheduled for July 5, 2015 through July 8, 2015 and the July Council meeting is scheduled for July 6, 2015. Mr. Stovall stated that the PMPA conference conflicts with the Council meeting. After some discussion Council decided on a new date. Motion was made by Councilmember Jenkins to move the July Council meeting to Tuesday June 30, 2015 at 4:00 PM at the M.S. Municipal Center Building and seconded by Councilmember Young. The vote was unanimous.

PURCHASE
SERVICE TRUCK

Mr. Stovall stated that the next item on the agenda is the consideration of the purchase of a service truck for the Electric Division. Mr. Stovall stated that the City is proposing to replace a 1999 4x4 F-250 Pickup with

a more versatile truck with a new service body and a rear lift. Mr. Stovall stated the service truck would be capable of carrying additional supplies and materials to the site as well as allowing one person to pick up and move transformers from the storage yard to the worksite. Mr. Stovall stated that the City solicited bids locally, online, and in the Statewide Business Opportunities Publication. Mr. Stovall stated that the City received four bids from two companies. Mr. Stovall stated that the City received bids on two service trucks and two bids on service trucks with an extended cab. Mr. Stovall stated that the lowest bid was from Cooper Motor Company for \$49,136 for a service truck. Motion was made by Councilmember Scarborough to approve the bid from Cooper Motor Company for a service truck for a cost not to exceed \$49,136 and seconded by Councilmember Cook. Councilmember Kuykendall asked to be recused from the vote because of his employment with Cooper Motor Company. Mayor McLean stated that the extended cab truck would cost \$52,207 and the City should look at buying the extended cab for just \$3,071 more, which would give the City more capabilities with the extended cab. Councilmember Scarborough asked if the City would need an extended cab and Mr. Stovall stated no. Mr. Stovall stated that the proposed service truck would be used on Right-of-Way clearing. Mr. Stovall stated that the resale value of this truck would be small since the City plans to operate the truck for many years. Councilmember Kuykendall asked if the City would not have the need to transport more than two people to the worksite in this truck. Mr. Stovall stated that City staff does not have a problem with purchasing the extended cab he was just bringing the lowest bid before Council. Councilmember Kuykendall stated that an extended cab would be useful for transporting more personnel as well as equipment to the worksite. Councilmember Kuykendall stated that an extended cab would also have a better resale value than a service truck.

After some discussion Councilmember Scarborough amended his motion to approve the purchase of an extended cab service truck from Cooper Motor Company for a cost not to exceed \$52,207 and seconded by Councilmember Cook. The vote was four to two with Councilmembers Byrd and Jenkins voting no.

**PURCHASE
ELECTRIC LINE
FRONTAGE ROAD**

Mr. Stovall stated that the next item on the agenda is the purchase of electric line extension construction services for the Electric Division. Mr. Stovall stated that bids were solicited for contract services to install an electric distribution line along West Corporate Center Drive from the intersection of Highway 56 to the intersection of Highway 72. Mr. Stovall stated that the City solicited bids locally, online, and in the Statewide Business Opportunities Publications. Mr. Stovall stated that the City

received three bids with the lowest bid from Lee Electrical for \$258,202.94. Mr. Stovall stated that the electrical installation would be underground up to the tunnel and then the services would be above ground because of the expense of running the lines under the tunnel. Mr. Stovall stated that the funding for the project would come from the 2010 Utility Revenue Bond. Mr. Stovall stated that the City has already purchased the materials for the project at a cost of \$242,849.79. Mr. Stovall stated that the total cost of the project would be \$501,052.73 and the City has budgeted \$530,000 for the project. Mr. Stovall stated that the additional funds would be used to address any contingencies during the project. Motion was made by Councilmember Kuykendall to approve the bid for the electric line construction on the frontage road from Lee Electrical for a cost not to exceed \$258,202.94 and seconded by Councilmember Young. The vote was unanimous.

**RESOLUTION
DEBT
REIMBURSEMENT**

Mr. Stovall stated that the next item on the agenda is the approval of a Resolution declaring the intention of the City to reimburse itself for certain expenditures with the proceeds of debt to be incurred by the City. Mr. Stovall stated that a Reimbursement Resolution is a Resolution authorizing a government body to reimburse itself for specific project expenses from GO Bond funds if those expenses were incurred before the GO funding was finalized. Mr. Stovall stated that the M.S. Municipal Building is divided into three zones and the HVAC that operates in the Utility Billing area is failing. Mr. Stovall stated that the City has already spent over \$30,000 in HVAC repairs. Mr. Stovall stated that a HVAC system would cost the City approximately \$150,000 and City staff would have to be able to move quickly on the project. Mr. Stovall stated that the Resolution is a proactive step to prepare for future replacement of the HVAC system utilizing a GO Bond proceeds. Mr. Stovall stated that a Reimbursement Resolution is good for about 36 months from the date of approval. Councilmember Byrd made a motion to approve the Resolution for debt reimbursement and seconded by Councilmember Cook. The vote was unanimous.

**RULES OF
PROCEDURE**

Mr. Stovall stated that the last item on the agenda is information regarding the signing of official documents and the creation of Rules of Procedure. Mr. Stovall stated that last month City staff were asked to look at changing the way Council signs Council approved actions from just being signed by the Mayor to being signed by all Councilmembers. Mr. Stovall stated that City staff looked at the current practice, discussed the issue with other cities, reviewed other options for addressing the issue, and prepared four options for Council's consideration. Mr. Stovall stated that currently the Mayor signs all Proclamations, Resolutions, and Ordinances and the signature is attested by the City Clerk.

Mr. Stovall stated that the Mayor and the City Manager signs all service award certificates. Mr. Stovall stated that the Mayor is signing the documents as a witness to the actions of City Council. Mr. Stovall stated that Mayor and City Council sign the Budget Ordinance and any documents that are in regard to the appointment of those personnel that City Council has the authority to appoint, such as the City Attorney, City Magistrates, and the City Manager. Mr. Stovall stated that the City asked 270 municipalities who signs documents in their City and received thirteen responses. Mr. Stovall stated that two Strong Mayor Cities responded by saying one City uses the Mayor signature only and one Strong Mayor uses the City Council. Mr. Stovall stated that five Council Cities responded with four Cities using the Mayor's signature and one Council City using Council. Mr. Stovall stated that six Manager Council Cities responded with four Cities using the Mayor's signature and two Cities using Council. Mr. Stovall stated that many Cities and Counties have a Rules of Procedure document for Council which addresses meeting protocol, signing of documents, agenda development, interactions between Mayor, Council, and staff, formal processes for appointments to Boards, roles of the Mayor, Mayor Pro Tem, Councilmembers, ethics, and strategic planning processes. Mr. Stovall stated that City staff has four options for Council to consider. Mr. Stovall stated that option 1 is to take no action. Mr. Stovall stated that the Mayor would continue to sign all the documents except for employee matters and the budget. Mr. Stovall stated that option 2 is Proclamation changes. Mr. Stovall stated that the City Council would sign the Proclamations and the Mayor would sign all Ordinances and Resolutions. Mr. Stovall stated that the full Council would sign the Budget Ordinance and personnel actions. Mr. Stovall stated that Option 3 is full signing. Mr. Stovall stated that City Council would sign all Proclamations, Ordinances, and Resolutions. Mr. Stovall stated that option 4 is the Rules of Procedures. Mr. Stovall stated that City Council forms a three member committee to work with the City Manager and the City Attorney to draft Rules of Procedures for the whole Council to approve at a later date. Mr. Stovall stated that City staff recommends option 4. Councilmember Jenkins asked when would Council choose the committee members. Mr. Stovall stated that after executive session the agenda allows for recommendations for the committee. Motion was made by Councilmember Jenkins to approve option 4 and move forward with Rules of Procedure and seconded by Councilmember Scarborough. The vote was unanimous.

**EXECUTIVE
SESSION**

Councilmember Byrd made a motion to go into executive session to discuss one personnel matter relating to Municipal Court, one personnel matter relating to appointments to Boards and Commissions, one legal matter regarding legal representation in contract negotiations, one legal

matter regarding Water Filtration Plant operation, one legal matter regarding Code Enforcement actions on Woodrow Street, one contractual matter regarding architectural services, one economic development matter regarding Project Lobster, and one economic development matter regarding Project opportunity and return to open session on the call of the chair and seconded by Councilmember Jenkins. The vote was unanimous.

OPEN SESSION

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

**COUNCILMEMBER
REPORT**

Councilmember Byrd congratulated the City Manager on his accreditation.

Councilmember Scarborough also congratulated Mr. Stovall on his certification. Councilmember Scarborough recognized Ms. Wyatt, Administrative Assistant, for her hard work with the City for the last 42 years.

Councilmember Jenkins stated that she wanted to officially welcome Ms. Addison as the new Administrative Assistant.

**ATTORNEY'S REPORT
JUDICIAL COMMITTEE**

Mayor McLean recognized Mr. Wham, City Attorney. Mr. Wham stated that Council needed to appoint three Councilmembers to the Judicial Committee for a two-year term. Councilmember Scarborough made a motion to appoint Councilmember Byrd, Councilmember Young, and Councilmember Kuykendall to the Judicial Committee and seconded by Councilmember Jenkins. The vote was unanimous.

AUDIT COMMITTEE

Mr. Wham stated that Council needed to appoint three Councilmembers to the Audit Committee. Mayor McLean made a motion to appoint Councilmember Byrd, Councilmember Cook, and Councilmember Jenkins to the Audit Committee and seconded by Councilmember Young. The vote was unanimous.

**ECONOMIC
DEVELOPMENT**

Mr. Wham stated that Council needed to appoint three Councilmembers to the Economic Development Committee. Councilmember Jenkins made

COMMITTEE	a motion to appoint Councilmember Cook, Councilmember Scarborough, and Mayor McLean to the Economic Development Committee and seconded by Councilmember Byrd. The vote was unanimous.
RULES OF PROCEDURE	Mr. Wham stated that Council needed to appoint three Councilmembers to the Rules of Procedure Committee. Motion was made by Councilmember Cook to appoint Councilmember Jenkins, Councilmember Scarborough, and Mayor McLean to the Rules of Procedure Committee and seconded by Councilmember Byrd. The vote was unanimous
LCWSC BOARD	Mr. Wham stated that Council needed to select a Municipal Representative for the LCWSC Board. Motion was made by Councilmember Kuykendall to appoint Mr. Ted Davenport to the LCWSC Board and seconded by Councilmember Jenkins. The vote was unanimous.
UPPER SAVANNAH BOARD	Mr. Wham stated that Council needed to select a Representative to the Upper Savannah Council of Governments. Councilmember Scarborough made a motion to reappoint Councilmember Jenkins to the Upper Savannah Board and seconded by Councilmember Byrd. The vote was unanimous.
YMCA BOARD	Mr. Wham stated that Council needed to appoint a Representative to the YMCA Board for a two year term. Mayor McLean made a motion to appoint Councilmember Kuykendall to serve on the YMCA Board for a two-year term and seconded by Councilmember Jenkins.
CLINTON ECONOMIC DEVELOPMENT BOARD	Mr. Wham stated that Council needed to appoint a Representative to the Clinton Economic Development Corporation Board. Motion was made by Councilmember Kuykendall to appoint Councilmember Young to serve on the Economic Development Board and seconded by Councilmember Cook. The vote was unanimous.
MAYOR PRO TEM	Mr. Wham stated that Council needed to appoint a Councilmember as Mayor Pro Tem. Motion was made by Councilmember Byrd to appoint Councilmember Cook as Mayor Pro Tem and seconded by Councilmember Jenkins. The vote was unanimous. Mr. Wham made a motion to close the appointment of Boards and Committees and the vote was unanimous. Mr. Wham turned the meeting over to Mayor McLean.
MAYOR'S REPORT	Mayor McLean welcomed Councilmember Kuykendall and Councilmember Young. Mayor McLean stated that he looked forward to working with them on Council. Mayor McLean congratulated Councilmember Jenkins on her re-election. Mayor McLean stated that there would be a grand opening on Saturday April 11, 2015 at 10:00 AM for

Pet's Style Too on 200 Musgrove Street. Mayor McLean stated that the Public Safety Fire Division is holding a Fire Truck Dedication and Open House on Saturday, April 11, 2015 from 10:00 AM to 2:00 PM. Mayor McLean stated that Wednesday, April 15, 2015 the SCAMPS dinner would be held in Columbia at the Marriott at 5:00 PM. Mayor McLean stated that Thursday, April 16, 2015 the City of Clinton would host the Laurens County Chamber of Commerce Business After Hours downtown with a Block Party from 5:30 PM to 7:30 PM. Mayor McLean stated that Friday, April 17, 2015 is Lineman Appreciation Day. Mayor McLean stated that Council would hold a budget workshop on Monday, April 20, 2015 at 4:00 PM at the M.S. Bailey Municipal Center. Mayor McLean stated that the next Council meeting is Monday, May 4, 2015 at 6:00 PM.

**AUDIT COMMITTEE
AUDIT SERVICE
MCKINLEY, COOPER**

Mayor McLean recognized Councilmember Cook. Councilmember Cook stated that the Audit Committee met on Monday, March 30 to hire an audit firm to conduct the City's audit. Councilmember Cook stated that the City would enter into a contract with a firm for one year with the option of extending the contract for four years. Councilmember Cook stated that the firm would conduct an annual audit and develop comprehensive Financial Statements for the General Fund and the Utility Fund. Councilmember Cook stated that City staff and the Audit Committee reviewed nine proposals and recommends the City use McKinley, Cooper & Co as the audit firm for an annual cost of \$21,000 per year. Mayor McLean stated that the Audit Committee recommends the City hiring McKinley, Cooper & Co as the audit firm to conduct the City's audit from 2014 to 2017 for an annual cost of \$21,000. Mayor McLean stated the recommendation comes before Council from the Audit Committee and does not need a second. The vote was unanimous.

ADJOURN

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

CITY CLERK

MAYOR

