



CLINTON
South Carolina

MINUTES

JUNE 3, 2013

The regular Council meeting was held at the M.S. Bailey Memorial Center at 6:00 PM with Mayor Randy Randall presiding with Councilmembers Cook, Dowdle, Byrd, McGee, Jenkins, and McLean. The City Attorney and the City Manager were also present. News media present were Larry Franklin from the Clinton Chronicle, Randy Stephens from WLBG, Daniel Lauer from the Laurens Advertiser, and Rachel Ham from GoClinton .com. Notice was mailed and emailed on May 29, 2013.

- INVOCATION** The invocation was given by Councilmember Dowdle.
- MINUTES** Mayor Randall asked Council to approve the minutes from May 6. Motion was made by Councilmember Jenkins to approve the May 6, 2013 minutes and seconded by Councilmember Byrd. The vote was unanimous.
- CITY MANAGER'S REPORT** Mayor Randall 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 and June 28, 2013 as Carolina Day. Motion was made by Councilmember Byrd to approve the Proclamations and seconded by Councilmember Cook. The vote was unanimous.
- NATIONAL SAFETY CAROLINA DAY**
- NATIONAL HEALTH CARE** Mr. Stovall stated that the next item on the agenda is to recognize National Health Care of Clinton for providing services to the Citizens of Clinton for twenty years. Mayor Randall presented Mr. Holder, National Healthcare Director, with a plaque. Mr. Holder invited Council to National Healthcare's upcoming celebration on Thursday, May 6 starting at 5:00 PM.
- 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 Council addresses this matter every six months and Council approved the first reading at the last Council meeting. Councilmember Dowdle approved the second reading of the Ordinance suspending the Blue Laws and seconded by Councilmember Jenkins. The vote was unanimous.
- PROCUREMENT SOFTWARE MUNIS** Mr. Stovall stated that the next item on the agenda is the procurement of software and installation services for General Ledger, Accounting, Utility Billing, and other associated operations. Mr. Stovall stated that over a year ago the City started the process of buying a new software system. Mr. Stovall stated that the City contracted a company to find a software service and City staff put together a team to oversee the process. Mr. Stovall stated that the team included Joey Meadors, Department of Administrative Services; Phil Hasty, IT Department; Renee Morrow, Finance Department; and Frank Stovall, City Manager. Mr. Stovall stated that the City solicited a RFQ and narrowed the bids down to four finalists. Mr. Stovall stated that City staff held meetings with the four finalists and narrowed the selection to two companies, which were Incode and Munis. Mr. Stovall stated that City staff recommends accepting Munis as the City's software vendor for a price not to exceed \$434,738. Mr. Stovall stated that the funds for this project would come from the 2012 Bond. Mr. Stovall stated that the City looked at the life of the two systems and determined Munis as the best choice.

Motion was made by Councilmember Cook to accept the software bid from Munis for a cost not to exceed \$434,738 and seconded by Councilmember Byrd. The vote was unanimous. Councilmember Dowdle asked if a background check was done and Mr. Stovall stated yes. Mr. Stovall stated that the City researched both companies and also talked with their customers.

**BUDGET
FY 2013-14**

Mr. Stovall stated that the next item on the agenda is a Public Hearing for the proposed budget FY 2013-14. Mr. Stovall stated that the total budget is \$27,676,215, which is a 3.02% increase from last year. Mr. Stovall stated that this increase is the smallest increase in the past three years. Mr. Stovall stated that LCWSC is passing on a 5% sewer treatment rate adjustment and the City will increase the sewer treatment rate by 4.2% and absorb the remaining portion of the increase. Mr. Stovall stated that this rate increase would affect the average customer by increasing their bill by .90 cents per month. Mr. Stovall stated that City staff also reallocated funds in the Public Safety Department due to Council's passing the Local Option Sales Tax adjustment. Councilmember McGee asked how the City knows the sewer rate increase would affect the utility charge by .90 cents when the cost of the sewer treatment depends on how much water a customer uses. Mr. Stovall stated that City staff uses an average bill usage to determine the effect of a rate increase. Mr. Stovall stated that the average customer uses 7500 gallons of water per month. Councilmember McGee asked if LCWSC is giving their employees a 6% Cost of Living increase and Mr. Stovall stated yes.

**PUBLIC HEARING
BUDGET FY 2013-14**

Mayor Randall declared Council in a Public Hearing and opened the floor for comments and questions regarding the budget FY 2013-14. Council did not receive any comments and Mayor Randall closed the Public Hearing.

**SECOND READING
ORDINANCE
BUDGET FY 2013-14**

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, 2014. Motion was made by Councilmember McLean to approve the second reading to adopt the budget for fiscal year ending June 30, 2014 and seconded by Councilmember Cook. The vote was unanimous.

**SECOND READING
ORDINANCE**

Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance to authorize the creation of a Demand Side Management Rebate Program in the City of Clinton. Mr. Stovall stated that the goal of a Demand Side Program is to encourage citizens to use less energy during peak hours or to move the time of energy use to off-peak times such as nighttime or weekends. Mr. Stovall stated that the program would regulate HVAC units and pool pumps. Mr. Stovall stated that the City would create a pilot program to test the DSM device to determine its value and whether the program would reduce the City's peak costs. Mr. Stovall stated that PMPA would provide 100 devices and also cover the installation cost. Mr. Stovall stated that to encourage participation a customer may receive as much as a \$50 credit on their utility bill. Mayor Randall thanked City staff for working with PMPA to litigate the City's energy cost. Councilmember McGee asked if the program would affect citizens with a window unit and Mr. Stovall stated no. Motion was made by Councilmember McLean to approve the second reading of the DSM Program and seconded by Councilmember McGee. The vote was unanimous.

**SECOND READING
ORDINANCE
PURCHASING
ORDINANCE**

Mr. Stovall stated that the next item on the agenda is the second reading of an Ordinance to amend the City of Clinton's Purchasing Ordinance. Mr. Stovall stated that portions of the current Purchasing Ordinance have not been updated since 1977 and the current Ordinance creates purchasing bottlenecks. Mr. Stovall stated that the current Purchasing Ordinance is vague and City personnel cannot follow the rules set forth in the Ordinance in order to conduct business. Mr. Stovall stated that the changes to the current Ordinance are as follows: added language to authorize the Purchasing Agent to develop procedures for purchasing, the purchase order floor increased from \$100 to \$499, replace the formal contract limits of \$5,000 in the General Fund and \$10,000 in the Utility Fund with \$8,000 for all funds, increase the vehicle repair authorization limit from \$5,000 to \$8,000, all warehoused items be purchased by competitive bid, clarify that informal bids are acceptable for purchases between \$499 and \$8,000, extend the minimum advertising time before opening a bid from five days to seven days, insert language regarding sole source purchases, placed negotiating authority with the purchasing agent, replaced Purchasing Agent contract award authority with the City Manager, allow the City to utilize State, Federal, or other agency procurement procedures, and replace current local purchasing provision with one that allows local businesses to match lowest price. Mr. Stovall stated that the new manual is divided into four sections which are general, purchasing, ethics, and purchasing. Mr. Stovall stated that Department Heads are provided with spending limits with more expensive items requiring additional approval. Councilmember Dowdle made a motion to approve the second reading of an Ordinance to amend the current Purchasing Ordinance and seconded by Councilmember Byrd. The vote was unanimous.

**RESOLUTION
DRUG TESTING
CITY EMPLOYEES**

Mr. Stovall stated that the next item on the agenda is a Resolution to authorize changes to the personal manual in regards to random drug testing of City employees. Mr. Stovall stated that during the City's Leadership Class a team reviewed the City's current drug testing policy. Mr. Stovall stated that the team included Robin Entrekin, Risk Department; Joey Meadors, Department of Administrative Services; Crystal Roberts, Department of Public Safety; Eric Robinson, Department of Public Safety; and Tim Rogers, Street & Sanitation Department. Mr. Stovall stated that the City currently has four random drug testing programs which are pre-employment screening, an employee automobile accident, reasonable cause/suspicion, and DOT mandated random drug testing program for CDL personnel. Mr. Stovall stated that the City does not have a Safety Sensitive Drug Testing program. Mr. Stovall stated that a Safety Sensitive Drug Testing program improves safety in the organization and reduces organizational costs and liability associated with the use of illegal drugs. Mr. Stovall stated that the City would have to adhere to the fourth Amendment regarding Search and Seizure in order to implement the Safety Sensitive Drug Testing program. Mr. Stovall stated that Federal Law does allow for the City to use a Safety Sensitive Drug Test on employees classified as safety sensitive personnel. Mr. Stovall stated that a safety sensitive position is defined as a position if under the influence of alcohol or drugs which could cause a momentary lapse in judgment and could create an increase of harm or injury to the employee, fellow employees, or general public. Mr. Stovall stated that the safety sensitive positions include personnel from the Public Safety Department, Filter Plant Operators, Water & Sewer personnel, and Field Technicians.

Mr. Stovall stated that the program would create a list of Safety Sensitive employees and seven employees per quarter would be selected from the list for drug testing. Mr. Stovall stated that the current DOT list selects three employees per quarter. Mr. Stovall stated that the financial impact of the new program would be minimum. Mr. Stovall stated that the City paid \$1300 to make sure the policy would hold up to the law. Mr. Stovall stated that the City would use a third party administrator for the drug testing. Councilmember McLean asked how many employees are in a safety sensitive position. Mr. Stovall stated that the Safety Sensitive Program and the DOT Program would cover 90% of the City employees. Mr. Stovall stated that twenty-eight safety sensitive positions and twelve DOT positions would be tested each year. Mr. Stovall stated that about forty-five positions are safety sensitive and twenty-eight would be tested. Councilmember McLean asked if the City could test all forty-five positions and Mr. Stovall stated yes but for an additional cost. Motion was made by Councilmember McGee to approve the Resolution changing the personnel manual in regards to random drug testing and seconded by Councilmember Byrd. The vote was unanimous.

**RESOLUTION
TAKE HOME
VEHICLE USE**

Mr. Stovall stated that the next item on the agenda is a Resolution to authorize changes to the City of Clinton's policy regarding the use and care of city owned vehicles. Mr. Stovall stated that this Resolution deals with take home vehicles for personnel. Mr. Stovall stated that the City is looking at ways of improving operations in all Departments and create clear policy guidelines for personnel in regards to vehicles. Mr. Stovall stated that City staff would like to authorize additional personnel to take their vehicles home at the discretion of the City Manager. Mr. Stovall stated that all of the Departments are affected by this change but the two Departments the City would focus on are the Public Safety Department and the Public Works Department. Mr. Stovall stated that the City strives to improve the City's response time to outages and after hours service calls. Mr. Stovall stated that the Electric System is designed to run and when there is a power outage then the City loses funds. Mr. Stovall stated that it is important to have a good response time during a power outage in order to secure the area. Mr. Stovall stated that other PMPA cities allow for their Electric, Water and Sewer personnel to take a vehicle home for on call duties. Mr. Stovall stated that the City would also like to authorize additional patrol in the Public Safety Department to take their vehicles home. Mr. Stovall stated that this policy would improve retention, recruitment, crime prevention, and put more police vehicles in the neighborhood. Mr. Stovall stated that a Police Officer must be certified as PSO in order to take the vehicle home. Mr. Stovall stated that the City researched the use of take home vehicles in other agencies and found that many agencies saw savings from this policy. Mr. Stovall stated that when a car is assigned to personnel Cities found that the Officer treated the vehicle like their own car. Mr. Stovall stated that other savings included reduced shift start up time and reduced crime. Mr. Stovall stated that the City has a Public Safety turnover rate that is double the State average and one of the issues the Public Safety Department deals with in retention is the vehicle issue. Mr. Stovall stated that the City would hire an Officer, train the Officer, and then lose the Officer to other agencies. Mr. Stovall stated that two reasons an Officer gives the City for leaving is salary and the fact the City does not allow Officers to take home a vehicle. Mr. Stovall stated that the majority of the Counties in the City of Clinton's region allow an Officer to take a vehicle home. Mr. Stovall stated that the City is losing personnel because the City does not offer this benefit to Officers.

Mr. Stovall stated that the goal of a take home vehicle for Public Safety is to reduce turnover and retain and recruit qualified personnel by offering a competitive benefit package. Mr. Stovall stated that a financial objective to this policy is to extend the life of the vehicle and reduce maintenance cost. Mr. Stovall stated that the operational objectives are to improve response time for off-duty personnel, increase public visibility, and to provide a community police strategy. Mr. Stovall stated that City staff recommends Council authorizing the City to issue two additional vehicles in Public Works for on call personnel and a six month pilot program in Public Safety for eight PSO and if the pilot program is successful then implement the program in the Public Safety Department. Councilmember McLean asked how many surrounding agencies require their personnel to be trained as a PSO and Mr. Stovall stated the City of Union. Mayor Randall stated that he felt this is a good policy and the pilot program would provide Council with the needed information to determine if this policy would work for the City. Councilmember McGee stated that the on call personnel in Public Works have been driving their vehicle home for years. Mr. Stovall stated that the personnel in the Electric Department do not drive the vehicles home but on call personnel in the Water & Sewer Department have been allowed to take a vehicle home mainly for the weekend. Mr. Stovall stated that the Water & Sewer Department Supervisor does take his vehicle home. Councilmember McGee asked if the City had the number of times the Water & Sewer Department Supervisor responded to a call relating to the pumps at the river and Mr. Stovall stated no. Mr. Stovall stated that the new policy would require personnel to keep records on mileage and use on the take home vehicles. Councilmember McGee asked if the City would access a charge to personnel driving the vehicles home and Mr. Stovall stated no but the employee would have to pay any IRS assessment due to being able to take the vehicle home. Mr. Stovall stated that the City currently requires employees to follow the IRS assessment which is presently required of the Water & Sewer Department Supervisor. Councilmember McGee asked if the City would have a 20 mile limit for the Public Safety Officer and Public Works personnel. Mr. Stovall stated that the PSO would have a 20 mile limit but the City would not have a limit for the Public Works personnel. Mr. Stovall stated that the policy gives the City Manager the authority to grant personnel take home vehicles and this does not tie the City into geographic boundaries which may affect the ability the City would have in hiring personnel. Councilmember McGee asked if the City Manager realized that the 20 mile limit may be out of Laurens County and Mr. Stovall stated yes. Councilmember McGee asked if City staff asked agencies that offer this benefit whether this benefit has increased their retention rate. Mr. Stovall stated that the agencies could not give the City a comparison because the surrounding agencies have been offering this benefit for a long time and it has become a standard and not the exception. Councilmember Byrd asked if the fuel cost would increase and Mr. Stovall stated that the additional cost has been included in the cost of the program. Councilmember McLean asked if the City's liability would be greater because of the vehicles been driven home. Mr. Stovall stated that if an employee responds to a call at the City's request in a private vehicle and has an accident then the City is still responsible for that employee. Councilmember McLean asked if the City would use a GPS system on the vehicles. Mr. Stovall stated that the mileage logs would help in tracking the vehicles. Mr. Stovall stated that he would like to have a GPS system on Police vehicles but use the information to show how often a Police car patrols certain areas.

Motion was made by Councilmember Dowdle to approve the Resolution authorizing the City to implement the use of take home vehicles for on call personnel in Public Works and authorize a six month pilot program in Public Safety for take home vehicles and seconded by Councilmember Cook. The vote was six to one with Councilmember McGee voting no.

**SECOND READING
ORDINANCE
SALE LAND
ENTERPRISE ST**

Mr. Stovall stated that the last item on the agenda is the second reading of an Ordinance for the sale of property located at 109 Enterprise Street in the City of Clinton. Mr. Stovall stated that this sale is part of a large development project in which the City advertised to develop land at Enterprise Street and the intersection of Florida Street and Clay Street. Mr. Stovall stated that the developer is proposing a multi-family development. Mr. Stovall stated that it is the recommendation of City staff to sell the property located at 109 Enterprise Street to Dietrich Fehr for \$20,000. Motion was made by Councilmember Dowdle to approve the second reading of an Ordinance for the sale of land located at 109 Enterprise Street to Dietrich Fehr for \$20,000 and seconded by Councilmember Jenkins. The vote was unanimous.

EXECUTIVE SESSION

Motion was made by Councilmember Cook to go into executive session to discuss one contractual matter relating to Project Enterprise, one contractual matter relating to the acquisition of property on Pitts Street, and one contractual matter regarding the contract for water and sewer treatment services between the City and LCWSC and return to open session on the call of the chair and seconded by Councilmember Byrd. The vote was unanimous.

OPEN SESSION

Mayor Randall declared Council back in open session. Mayor Randall stated that three contractual matters were discussed and no action was taken.

SCHEDULED EVENTS

Mayor Randall recognized Ms. Wyatt, Administrative Assistant. Ms. Wyatt stated that the first Town Rhythms was Thursday, May 30 with the Swinging Medallions performing. Ms. Wyatt stated that about 65% of the people in attendance were not from Clinton. Ms. Wyatt stated that the next Town Rhythms would be Thursday, June 20 at 7:00 PM with the Tams performing. Ms. Wyatt stated that on Tuesday, June 11 at 10:00 AM would be the ribbon cutting ceremony for Families Kitchen.

MAYOR'S REPORT

Mayor Randall stated that the City received a Rural Infrastructure Grant to improve Gastley Drive. Mayor Randall stated that Ten at the Top would hold a Vision Seminar on Thursday, June 6 at 6:00 PM. Mayor Randall stated that Beautify Laurens County Litter Pick Up Day would be Saturday, June 8 from 9:00 AM to 11:30 AM. Mayor Randall recognized Dr. Joe Gettys on his 106 birthday and Bertha Bailey on her 105 birthday. Mayor Randall thanked everyone he has worked with and stated that he has been on Council since 1996. Mayor Randall stated that Clinton has great leadership and Council will continue to do well because Council is pro-active. Mayor Randall stated that he would miss everyone but he will continue to live in Clinton and would keep up with events.

**COUNCILMEMBER
REPORT**

Councilmember McLean stated that he enjoyed the Town Rhythms and there was a large crowd.

Councilmember McGee stated that he enjoyed working with the Mayor for the last 15 years. Councilmember McGee stated that he appreciated the Mayor's hard work for the citizens of Clinton and he wished him well in his new job.

Councilmember Byrd thanked the Mayor for his work on Council.

Councilmember Dowdle stated that he enjoyed working with the Mayor and stated he appreciated his hard work.

ADJOURNED

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

CITY CLERK

MAYOR