

## JUNE 30, 2015

The regular Council meeting was held at the M.S. Bailey Center Building at 4:00 PM with Mayor Bob McLean presiding with Councilmembers Cook, Byrd, Jenkins, Kuykendall, Scarborough, and Young. The City Attorney and the City Manager were present. Local news media present was Larry Franklin from the Clinton Chronicle. Notice was mailed and emailed to all local news media on June 23, 2015.

<b>INVOCATION</b>	The invocation was given by Reverend James Anderson from Elzee AME Church.
<b>PLEDGE ALLEGIANCE</b>	Mayor McLean asked Council and the audience to stand and recite the Pledge of Allegiance.
<b>MINUTES</b>	Mayor McLean asked Council to approve the minutes from June 1. Motion was made by Councilmember Cook to approve the June 1, 2015 minutes and seconded by Councilmember Jenkins. The vote was unanimous.
<b>CITIZEN ADDRESS COUNCIL  LUMUS BYRD CONFEDERATE FLAG</b>	Mayor McLean recognized Mr. Lumus Byrd. Mr. Byrd stated that he is before Council to address his concerns about the Confederate Flag. Mr. Byrd stated that he stands before Council as a citizen and request Council approve a Resolution that would take down the Confederate Flag from the State Capital. Mr. Byrd stated that the Governor has called for the removal of the flag. Mr. Byrd stated that the Mayors of Greenville, Columbia, and Charleston are also calling for the removal of the Confederate Flag. Mr. Byrd stated that it took a violent crime in a church to start the conversation about the removal of the Confederate Flag and Mr. Byrd urged Council to act and approve the Resolution.
<b>JAMES ANDERSON LAW ENFORCEMENT ROAD CONDITION</b>	Mayor McLean recognized Reverend Anderson. Reverend Anderson stated that a concern of his congregation is the lack of African-Americans in law enforcement in Clinton. Reverend Anderson asked Council and City staff to look into the matter so that unfair treatment would not occur. Reverend Anderson stated that he would like to bring to Council's attention the poor condition of Alexander Street.
<b>HAROLD GOGGINS CONFEDERATE FLAG</b>	Mayor McLean recognized Mr. Harold Goggins. Mr. Goggins stated that he was before Council because he is against taking the Confederate Flag down. Mr. Goggins stated that the Confederate Flag represents the past and the past should be honored. Mr. Goggins stated that several citizens of Clinton served in the Confederate War and went on to do great things in Clinton.
<b>MASC ENDORSEMENT CONFEDERATE FLAG</b>	Mayor McLean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the first item on the agenda is the endorsement of the Municipal Association of South Carolina stance on the removal of the Confederate Flag. Councilmember Byrd made a motion to endorse the removal of the Confederate Flag from the State Capital and seconded by Councilmembers Jenkins. The vote was unanimous.
<b>PROCLAMATION NATIONAL NIGHT OUT</b>	Mr. Stovall stated that the next item on the agenda is the approval of a Proclamation proclaiming Tuesday, August 4, 2015 as National Night Out in the City of Clinton. Motion was made by Councilmember Byrd to approve the Proclamation and seconded by Councilmember Kuykendall. The vote was unanimous.

**PUBLIC HEARING  
PUBLIC WORKS FEE**

Mr. Stovall stated that the next item on the agenda is a Public Hearing regarding the proposed Public Works Fee. Mr. Stovall stated that the Public Works Fee is a \$20 fee to be used for the purchase of capital equipment in the Sanitation Department. Mr. Stovall stated that State law requires the City to have a separate Ordinance and a Public Hearing. Mr. Stovall stated that the Ordinance contains a three-year Sunset Clause. Mayor McLean declared Council in a Public Hearing regarding the Public Works Fee. Council did not receive any comments concerning the Public Works Fee and Councilmember Cook made a motion to close the Public Hearing and seconded by Councilmember Jenkins. The vote was unanimous.

**SECOND READING  
ORDINANCE  
PUBLIC WORKS FEE**

Motion was made by Councilmember Kuykendall to approve the second reading of an Ordinance authorizing the charge and collection of a Public Works Fee related to the provision of certain Public Works services; setting forth the uniform manner in which fees shall be imposed on all payers; setting initial amounts of the fees for all payers; creating the Public Works Fee Revenue Fund into which the revenues generated by the charge and the collection of the fees shall be deposited and in which such Public Works Revenue Fund may be expended and having a Sunset Clause that would end the fee in 2018 and seconded by Councilmember Jenkins. The vote was five to two with Mayor McLean and Councilmember Young voting no.

**PUBLIC HEARING  
PROPERTY  
656-00-00-014**

Mr. Stovall stated that the next item is a recommendation from the Planning Commission in regards to zoning of property # 656-00-00-014. Mr. Stovall stated that the Planning Commission has recommended annexation and zoning of the property located near the Hampton Inn as Commercial (C-3). Mayor McLean declared Council in a Public Hearing regarding the annexation and zoning of property # 656-00-00-014. Council did not receive any comments about the matter and Councilmember Byrd made a motion to close the Public Hearing and seconded by Councilmember Young. The vote was unanimous.

**FIRST READING  
ORDINANCE  
ANNEX PROPERTY  
656-00-00-014**

Motion was made by Councilmember Scarborough to approve the first reading of an Ordinance to annex property # 656-00-00-014 into the City of Clinton and seconded by Councilmember Jenkins. The vote was unanimous.

**FIRST READING  
ORDINANCE  
ZONE PROPERTY  
656-00-00-014**

Motion was made by Councilmember Kuykendall to approve the first reading of an Ordinance to zone property located at 19002 SC Hwy 72 to Commercial (C-3) and seconded by Councilmember Byrd. The vote was unanimous.

**PUBLIC HEARING  
PROPERTY  
637-00-00-004**

Mr. Stovall stated that the next item on the agenda is a Public Hearing of property # 637-00-00-004 located on North Adair Street. Mr. Stovall stated that the Planning Commission has reviewed the request and recommends the property be annexed and zoned Residential (R-1). Mayor McLean declared Council in a Public Hearing regarding property # 637-00-00-004 located on North Adair Street. Council did not receive any comments and Councilmember Young made a motion to close the Public Hearing and seconded by Councilmember Scarborough. The vote was unanimous.

**FIRST READING  
ORDINANCE  
ANNEX PROPERTY  
637-00-00-004**

Motion was made by Councilmember Kuykendall to approve the first reading of an Ordinance to annex property # 637-00-00-004 located on North Adair Street and seconded by Councilmember Cook. Councilmember Jenkins asked what the City planned to do with this property and Mr. Stovall stated that the land was purchased with Hospitality Taxes for a recreation park. The vote was unanimous.

**FIRST READING  
ORDINANCE  
ZONE PROPERTY  
637-00-00-004**

Motion was made by Councilmember Young to approve the first reading of an Ordinance to zone property # 637-00-00-004 located on North Adair Street to Residential (R-1) and seconded by Councilmember Scarborough. The vote was unanimous.

**PURCHASE  
STREET SWEEPER**

Mr. Stovall stated that the next item on the agenda is the purchase of a Street Sweeper for the Street and Sanitation Department. Mr. Stovall stated that the current Street Sweeper was purchased in 1999 and the estimated repairs this year is \$70,000. Mr. Stovall stated that the City solicited bids and received seven. Mr. Stovall stated that City staff based their decision for the two finalists on price, delivery time, and service center distance. Mr. Stovall stated that the two finalists, Schwarze Tornado and a Tymco 600, demonstrated their equipment for the City staff. Mr. Stovall stated that City staff considered the performance and the design of the Street Sweeper as well as the daily maintenance of the equipment. Mr. Stovall stated that since the City would purchase a demo unit the City wanted to make sure the equipment was in good shape. Mr. Stovall stated that after consideration of both machines City staff recommends purchasing the 2015 Tymco 600 from Amick Equipment at a cost of \$210,580. Councilmember Kuykendall asked if the Sweeper came with a warranty and Mr. Stovall stated that the warranty would start when the City purchased the equipment. Councilmember Byrd asked if the City researched the Schwarze with the sixty day delivery and Mr. Stovall stated no. Mr. Stovall stated that the City needs to purchase and have the Sweeper on the streets as soon as possible. Councilmember Young asked where was the nearest maintenance facility and Mr. Stovall stated Lexington, SC. Councilmember Kuykendall asked if the City had a history with Amick Equipment. Mr. Stovall stated that the City has not purchased any equipment from Tymco, the manufacturer, but the City has purchased equipment from Amick Equipment. Mr. Stovall stated that other Cities have purchase a Tymco with good results. Councilmember Kuykendall asked if the equipment could handle weed control and Mr. Stovall stated yes. Mayor McLean asked if the proceeds from selling the current Street Sweeper could be used to pay down the debt on the new Street Sweeper. Mr. Stovall stated that the funds from selling the old Street Sweeper goes into the Depreciation Account and is used to purchase future equipment without a lease payment. Motion was made by Councilmember Scarborough to approve the purchase of a 2015 Tymco 600 from Amick Equipment for a cost not to exceed \$210,580 and enter into a five year financing of the equipment with an interest rate not to exceed 2.5% and seconded by Councilmember Kuykendall. The vote was unanimous.

**FIRST READING  
ORDINANCE  
DSM RATE PROGRAM**

Mr. Stovall stated that the last item on the agenda is the first reading of an Ordinance for a Demand Side Management Rate for electric customers. Mr. Stovall stated that a Demand Side Device is mounted on the side of residential homes and helps reduce the City's power bill through peak shaving. Mr. Stovall stated that the customer who participates in the program would receive a reduced electric rate as well as help the City reduce the wholesale power cost.

Mr. Stovall stated that City staff recommends approving the first reading and go over the program in detail before the second reading of the Ordinance. Councilmember Jenkins asked if the City conducted a pilot program last year and Mr. Stovall stated yes. Mr. Stovall stated that the pilot program was managed by PMPA with the City of Clinton and the City of Laurens participating. Mr. Stovall stated that customers were offered \$25 to participate and the program ended in October 2014. Councilmember Jenkins asked how many customers participated in the pilot program and Mr. Stovall stated one hundred. Councilmember Kuykendall asked if the City received any feedback from the customers participating in the pilot program and Mr. Stovall stated no. Mayor McLean asked if peak shaving was done during the day and Mr. Stovall stated yes. Motion was made by Councilmember Kuykendall to approve the first reading of an Ordinance for a Demand Side Management Rate Program and seconded by Councilmember Young. The vote was unanimous.

**ELLA SAVGE**

Councilmember Jenkins asked for a word of prayer for Ms. Ella Savage who passed away this week. Councilmember Jenkins stated that Ms. Savage was an active member of the Community and served on several boards for the City. Mayor McLean stated that Ms. Savage was a pillar of the Community.

**EXECUTIVE SESSION**

Motion was made by Councilmember Byrd to go into executive session to discuss one contractual matter regarding the sale of property on Shands Street, one contractual matter regarding the partnership between the City of Clinton and potential partners for the provision of recreation services and facilities, and one personnel matter relating to the Municipal Court and return to open session on the call of the chair and seconded by Councilmember Kuykendall. The vote was unanimous.

**OPEN SESSION**

Mayor McLean declared Council back in open session. Mayor McLean stated that two contractual matters and one personnel matter were discussed and no action was taken.

**MUNICIPAL JUDGE**

Mayor McLean stated that the next item on the agenda is a report from the Judicial Committee for the appointment of a Municipal Judge. Mayor McLean recognized Councilmember Byrd. Councilmember Byrd stated that the Judicial Committee met on June 23, 2015 and recommends Mr. Bob Link be reappointed as Chief Municipal Judge to a four year term ending June 30, 2019 with a base salary of \$16,000 per year. Councilmember Byrd stated that Mr. Link would be given the same cost of living increase that the City gives employees each year. Councilmember Byrd stated that the Judicial Committee recommends the City appoint Mr. Josh Lindsay as a Municipal Judge to a two year term ending on June 30, 2017 with a base pay of \$10,000 per year. Councilmember Byrd stated that the Judicial Committee recommends the City reappoint Ms. Sheila Putnam as a Municipal Judge to a two year term ending on June 30, 2017 with a base pay of \$6,000 per year. Councilmember Byrd stated that the Judicial Committee recommends the Judicial Chairman sign the contract between the City and each judge. Mayor McLean stated that since this recommendation comes from the Judicial Committee then no second is required. The vote was unanimous.

**MAYOR'S REPORT**

Mayor McLean stated that the next Town Rhythms would be Thursday, July 2 at 7:00 PM with the 246 Army Band. Mayor McLean stated that the PMPA conference would be July 5<sup>th</sup> to 8<sup>th</sup> at Myrtle Beach. Mayor McLean stated that the next Council meeting would be August 3, 2015 at 6:00 PM

Mayor McLean congratulated City staff on the previous Town Rhythms. Mayor McLean stated that many people attended the event. Mayor McLean congratulated Ms. Dianne Wyatt for receiving the Silver Crescent which is presented by the Governor. Mayor McLean stated that it is the State highest civilian award given for significant contributions, leadership, and lifelong influence within a Community. Mayor McLean thanked the City staff for putting up the American flags on the poles downtown.

**COUNCILMEMBER  
REPORT**

Councilmember Kuykendall stated that he enjoyed the Town Rhythms.

Councilmember Jenkins congratulated Mr. Stovall on becoming the Chairman for the Laurens County Chamber of Commerce Board. Councilmember Jenkins requested the City have a Police Officer on both sides of the stage during the Town Rhythms.

Councilmember Young stated that he enjoyed the Town Rhythms and thanked City staff for their work in putting the Town Rhythms together.

**ADJOURN**

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

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CITY CLERK

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MAYOR