

September 12, 2022

The City Council Regular Meeting was held at the M.S. Bailey Center with Mayor Pro Tem Roth presiding with Councilmember Cook, Jenkins, Neal, Kuykendall, and Walsh. The City Manager and City Attorney were present. Media present was the Laurens Advertiser. The meeting was an open meeting. Citizens could view the meeting on the City's Facebook.

**INVOCATION**

The invocation was given by Councilmember Jenkins.

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Roth asked Council and the audience to stand and recite the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Mayor Pro Tem Roth stated the first order of business is approval of August 1, 2022 Regular Meeting and August 18, 2022 Work Session Minutes. Councilmember Cook made the motion to accept the minutes as received. The motion was seconded by Councilmember Jenkins. The vote was unanimous.

**CITY COUNCIL RECOGNIZE  
EMPLOYEE SERVICE AWARD**

City Council recognized Greg Williams for five years of service, Evelyn Spreng for ten years of service, and Isaac Newton for twenty years of service. Police Chief Ledda recognized Bryant Scott Cheek for being promoted to Sergeant and Jason Prather for being promoted to Lieutenant. Chief Ledda recognized Catherine Anderson as the only two time Officer of the Year.

**GRANT UPDATE**

Mayor Pro Tem Roth stated next was a grant update by Lacreasha Dowdy. Ms. Dowdy stated the Heal Grant (Healthy Eating Active Living) provided by Wholespire in collaboration with SC Office of Rural Health and the grant offers up \$5000.00 and the City received \$3864.41. Ms. Dowdy stated Wholespire of Laurens County is a nonprofit based in based out of Columbia with twelve Counties having a chapter and the goal for Wholespire is to provide sustainable approaches that leads to increased access to healthy choices for all people. The YMCA Child Development Summer Program graduated 40 kids and got them in touch with Destiny in Greenwood to provide meals during the time the district did not provide meals, therefore saving the parents money and time on having to pack a summer meal stated Ms. Dowdy. Ms. Dowdy said M.S. Bailey and Eastside Elementary are currently in the program. She stated Lush Farm is excited to partner with us in order to sustain the project and share in the abundance of the farm to table food items. Ms., Dowdy stated items to be purchased include Mini Fridge, 3 tiered shelves, storage bags and baskets, sanitation table, outdoor trash can and \$1000.00 for food. Ms. Dowdy stated it was a project she hopes will continue grow and get as many donors as possible to continue the program.

**PUBLIC COMMENTS**

Mayor Pro Tem Roth stated the next item is to recognize citizens regarding agenda items and the first speaker is Ms. Rhudene Anderson of 811 North Broad Street. Ms. Anderson stated she has lived in the City of Clinton for over twenty years and she pays her light bill on time and she has never had her lights cut off. Ms. Anderson stated she found out she had made out the check and drop it off in the drop box on the first because the bill is due on the second and she was charged \$27.87 and she would like the City to consider forgiving the \$27.87 because she has never been late or had her lights turned off. Mayor Pro Tem Roth recognized Ms. Anita Williams of South Livingston Street as the next speaker. Ms. Williams provided the following comments: First I want to thank the City Manager and Council for notable improvement in Ward 2. We are seeing some areas being cleaned off. Partial road paving on South Livingston Street and we will assume the complete road will be paved, but much more is needed. More property owners need to be contacted for cleaning their property and abandoned property need to be addressed in Ward 2. There is still issues with New Age Iron on South Livingston Street. Employees speeding and the issue have been brought to the Police Department and Council with no results. The noise ordinance needs to be addressed. The City need to ensure that there is proper ventilation and that this type of business pass OSHA Regulations to operate such a facility in a residential neighborhood. This should be the City's responsibility to their citizens. The concern for Oak Street Park is there not being a fence or barrier from the railroad track was brought to Council several years ago. This is still a concern and haven't been addressed. Our children should not be in danger of playing in a park area that is open to the railroad tracks. The citizens are still demanding a Forensic Audit for unaccounted money and the explanation that was given, paying out of one account to pay another is not sufficient. The City needs to show us the money!

**PRESENTATION OF RATE  
STABILIZATION ACCOUNT**

Mayor Pro Tem Roth stated the next item is a presentation of the rate stabilization account. City Manager Toom Brooks introduced Mr. Larry Finney to do the presentation on the rate stabilization account. Mr. Finney stated that it was in 2018 when the City of Clinton start receiving the PMPA Credits and it was his understanding that the goal was for 100% of the credits to go into the rate stabilization fund. From the time the City started receiving the credits in 2018 through the 2022 year end the City had received a little over seven million dollars in PMPA credits at that time stated Mr. Finney. He stated the balance as of August 1, 2018 when the City began receiving the credits was a little over Five hundred and twenty five thousand dollars and if 100% of the funds had been put back into the rate stabilization account the City would have a little over 7.5 million dollars in that fund. Mr. Finney stated that the actual balance in the fund on June 30, 2022 is a little over \$3,895,000.00 and the difference is a little over \$3,553,000.00. Mr. Finney stated that

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He looked at a little over four years of activity in the general fund that show if you look at the actual expenditures compared to the actual revenues before you consider the transfer in from the utility fund as you would expect the expenditures are higher than the revenues and it ranges anywhere from about a low of \$400,000 in 2018 up to a little over two million dollars in 2021. He stated that every year the utility fund transfers 5% back to the general fund and it is very similar to a franchise fee that you would have if you had Duke Power or anybody else you are going to have a franchise fee you pay in and it is very common with municipalities that have their own utility to pay a similar franchise fee and the 5% franchise fee has been in the 1.4 million dollar range and as a result of that the City had in 2018 an increase in your fund balance of 971,000 dollars to a low in 2021 of a decrease in the fund balance of \$633,000.00. Mr. Finney stated that the national organization called The Government Finance Officers Associations that recommends a reasonable minimum fund balance for general fund is two months which is basically 16.7%. He stated that he looked back at the City's fund balance for the last several years as a percentage of your annual expenditures were 30% in 2018, 27% in 2019, 36% in 2020, 23% in 2021, and you are over that minimum recommended balance and the City's actual policy, but the City still has a reasonable healthy fund balance in your General Fund but headed a little in the wrong direction the last few years but it is still reasonably healthy. Mr. Finney stated that the amount of unrestricted cash balance in the Utility Fund ranged from about 2.9 million to about 3.7 million and the number of days of unrestricted cash the City has compared to expenditures ranges from 48 as a low in 2020 and a high in 2018 of 62, at the end of 2021 it was 58 days and the minimum days is 100 days. Mr. Finney stated that when they looked at the City's audited financial statements it became clear that it was due to a combination of two things, a cash flow shortage and over spending. Mr. Finney made the following recommendations for Council to consider: (1) Take some of the ARP Funds and put them back into General Fund Account to use for the ongoing general operation. (2) Go back and revisit the budget and see where you can make some cuts and get things headed in the right direction. (3) Making sure it is very clear how we are doing compared to the budget and not waiting until you get audited financial statements and somebody tells you that you have over spent because it is too late at that point and having real good discussions and making sure everybody is on the same page as to where we stand and if we are making decisions to spend money outside what we budgeted. (4) Setting a goal where unrestricted cash is at a minimum of 100 days. After discussion, Councilmember Kuykendall made the motion to conduct a forensic audit. The motion was seconded by Councilmember Neal. After further discussion, Councilmember Kuykendall withdrew the

motion to conduct a forensic audit at this moment. Councilmember Neal seconded the motion. Mayor Pro Tem Roth stated that the motion had been withdrawn to conduct a forensic audit and to give the City Manager and Mr. Finney more time to be more definitive of the scope of what we are looking at.

**CITY MANGER TO  
ENTER INTO  
CONTRACT WITH CLCI  
SERVICES, LLC.**

Mayor Pro Tem Roth stated the next item on the agenda is City Council to authorize the City Manager to enter into a contract with CLCI Services LLC. for power line right of way maintenance. The motion was made by Councilmember Cook to authorize the City Manager to enter into a contract with CLCI Services, LLC. The motion was seconded by Councilmember Walsh. Assistance City Manager Joey Meadors stated that over the past few months, the right of way crew lost one employee to retirement and one transferred to another department. Mr. Meadors stated that we have been unsuccessful in hiring two certified employees to do this work for us and as we approach the fall and winter we need to start now in cutting around our power lines so we do not have issues where you are without power. Mr. Meadors stated he would continue to look for two people to fill those positions because we do have the equipment for this to be done with and we want to keep it in house as much as we can but we are to a point right now that the people who have applied are not qualified to do the work we need. After discussion, the vote was unanimous.

**LAURENS COUNTY  
WATER SALES AGREEMENT**

Mayor Pro Tem Roth stated the item is consideration of Laurens County Water Sales Agreement. Councilmember Cook made the motion to authorize the City Manager to enter into an agreement with Laurens County Water and Sewer Commission regarding a new Water Sales Agreement. Councilmember Cook made the motion to enter into a water sales agreement with Laurens County Water and Sewer Commission. The motion was seconded by Councilmember Walsh. Mr. Meadors stated that the City lost the Laurens County Water and Sewer Commission as a major water customer last January and they still buy water from us through one meter on Highway 56 North. Mr. Meadors stated that Laurens County would pay a base meter charge \$349.00 per month plus \$5.71 per thousand gallon going forward. The agreement is for 10 years. After discussion, the vote was unanimous.

**STATE ACCOMMODATION  
COMMITTEE**

Mayor Pro Tem Roth stated the next item is City Council to discuss the State Accommodation Committee. Mayor Pro Tem Roth stated the Accommodation Committee is an advisory committee Pursuant to Section 6-4-25, Code of Laws of South Carolina, there shall be local advisory committee consisting of seven members. The majority of these members shall be selected from the hospitality industry, of which at least two must be from the lodging industry, one member shall represent the cultural organizations and two at large members. The

2022 committee members are Kay Addison, Pritesh Patel, Dianne Wyatt, Vanessa Stoddard, Robin Wilson, Kay Cleveland, and Casey Register. Mayor Pro Tem Roth stated the City receive a-tax money and a certain amount of the money must be distributed through the community for tourism and the committee is the one who will decides through the application process and make the decision who to accept and the amount. Mayor Pro Tem Roth stated that the City has the forms and will go through the applications and make a presentation to Council and it will be the position of Council and the A-tax committee to accept or not accept it or amend it. Councilmember Jenkins made the motion to accept the 2022 Accommodation Tax Committee. The motion was seconded by Councilmember Cook. The vote was unanimous.

**PRESENTATION OF FLEET ENTERPRISES**

Mayor Pro Tem Roth stated the next item is City Council to discuss a presentation of Enterprise Fleet Services of Spartanburg, SC. Mr. Andrew Crowder of Fleet Enterprises Services made the presentation before Council. Mr. Crowder stated the objective of Fleet Management is to reduce the total cost of ownership, increase resale value, decrease maintenance expense, decrease fuel expense, reduce downtime cost, and improve safety and reliability. After discussion, Councilmember Walsh made the motion to allow the City Manager to enter into a lease agreement contract for further review. The motion was seconded by Councilmember Neal. Councilmember Kuykendall recused himself from voting due to his occupation. The vote was unanimous.

**DESIGN REVIEW BOARD APPOINTMENTS**

Mayor Pro Tem Roth stated the next item is City Council to approve the Design Review Board Appointments. Mayor Pro Tem stated the list is incomplete and would be moved to the next council meeting.

**EXECUTIVE SESSION**

Mayor Pro Tem Roth stated an executive session has been requested to discuss contractual matters regarding Administration. Councilmember Cook made the motion to enter into executive session. Councilmember Jenkins seconded the motion. The vote was unanimous.

**OPEN SESSION**

Mayor Pro Tem Roth stated that in executive session Council discussed a contractual matters regarding Administration and no action was taken.

**REPORTS AND RECOMMENDATIONS**

Mayor Pro Tem Roth stated next is reports and recommendations. City Manager Thomas Brooks stated he along with Assistance City Manager Joey Meadors continues to meet with PMPA to discuss supplemental power sales. Mr. Brooks stated he asked Ashley Rochester and Sonya Lewis to pull together a fee schedule for every fee we charge anybody in the city to review to bring back to council with recommendations if anything comes up. Mr. Brooks stated the city is well on its way with broadband grant application which we may or may not get this time.

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Mr. Brooks stated we have had the groundbreaking for Hampton Woods that was a good event and we are working with the YMCA about future tennis courts projects and meeting with PC later this week. Mr. Brooks stated he met with LCDC and Thomas Hutton Engineers about the development of our Industrial Park Land on Highway 72 and hopefully we will have some numbers on that this week if not next week will be the latest to present that to our local delegation to see if there are funds out there to help us with water and sewer to hopefully bring that up to a Class A Industrial Park which is the ultimate goal of that property. Mr. Brooks said he is continuing to look for funding for the flooding and run off issues for the Shell Creek Property and some of the erosion is pretty close to exposing one of our sewer lines. Mr. Brooks stated he is continuing to see almost weekly interest in commercial and residential development in the community and he hopes to work with Rod Holmes on the redevelopment of the Clinton Mills Property.

#### **ADJOURNMENT**

After no further business was brought before Council, Councilmember Cook made the motion to adjourn. The motion was seconded by Councilmember Jenkins. The vote was unanimous.