

JANUARY 6, 2020

The regular Council meeting was held at the M.S. Bailey Center at 6:00 PM with Mayor Bob McLean presiding with Councilmembers Cook, Jenkins, Kuykendall, Neal, Roth, and Walsh. The City Manager and the City Attorney were also present. Local news media present were Judith Brown from the Laurens Advertiser, Brian Whitmore from the Clinton Chronicle, and Randy Stevens from WLBG. Notice was emailed to all local news media on January 3, 2020.

- INVOCATION** The invocation was given by Reverend Jimmy Heaton from Lydia Pentecostal Holiness 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 December 2 and 17. Motion was made by Councilmember Cook to approve the City Council Workshop minutes from December 2, 2019, the City Council meeting minutes from December 2, 2019, and the Special Called meeting minutes from December 17, 2019 and seconded by Councilmember Jenkins. The vote was unanimous.
- 2019 CHRISTMAS PARADE WINNERS** Mayor McLean stated that the next item on the agenda is the 2019 Christmas Parade winners. Mayor McLean stated that the parade winners are selected by five categories which are Commercial, Performing Groups, Non-Profit, Education, and Overall. Mayor McLean stated that the winners are Commercial-Deerfield Farms; Performing Groups-JROTC; Non-Profit-Belleview Baptist; Education-CHS Varsity Cheerleaders; Overall-CHS FFA. Mayor McLean presented each winner with a plaque.
- 2019 SPIRIT CHRISTMAS DECORATING AWARD** Mayor McLean stated that the next awards are for the 2019 Spirit of Christmas Decorating. Mayor McLean stated that this award is special to him due to his father-in-law, Cally Gault, receiving this award for many years. Mayor McLean stated that Mr. Gault's Christmas lights lit up the whole neighborhood. Mayor McLean stated that Mr. Gault's children and grandchildren now display a portion of Mr. Gault's Christmas lights at their own homes. Mayor McLean stated that the winners are as follows: Ward 1- Cuong Nguyen at 103 Gum Street; Ward 2- Wayne Hariston at 159 Cypress Street; Ward 3 – Charlotte Coleman at 902 Elizabeth Street; Ward 4- James Hatfield at 202 Shands Street; Ward 5 – Jimmy Heaton at 401 Caldwell Street; Ward 6- Cindy Ivey at 112 E Maple Street. Mayor McLean stated that the business winner is Emily Bailey at 111 North Broad Street. Mayor McLean stated that each Councilmember will present the winner in their Ward with a plaque.

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Mayor McLean stated that each residential winner would receive a \$25 credit on their utility bill and the business winner would receive \$50. Mayor McLean stated that he would like to see the City increase the amount of credit each winner receives next year.

**RECOGNITION
CITY PERSONNEL**

Mayor McLean stated that the next item on the agenda is the recognition of City personnel for their work during the Christmas events. Mayor McLean recognized Tyrone Goggins, Lacresha Dowdy, and Isaac Newton for their work on the Santa Claus Program. Mayor McLean stated that Tyrone Goggins played Santa Claus and Lacresha Dowdy played Ms. Clause while Isaac Newton portrayed Rudolph. Mayor McLean recognized Ashley Rochester for helping to organize all of the Christmas events. Mayor McLean presented each employee with an award.

**PROCLAMATIONS
BIRTH DEFECTS
BLOOD DONOR
ILLEGAL DRUG USE**

Mayor McLean stated that the next item on the agenda is the Proclamations proclaiming January as Birth Defects Prevention Month, January as Blood Donor Month, and January as War on Illegal Drug Use Prevention Month. Motion was made by Councilmember Kuykendall to approve the Proclamations and seconded by Councilmember Jenkins. The vote was unanimous.

AUDIT FY 2018-19

Mayor McLean stated that the next item on the agenda is a report from the independent auditing and accounting firm of McKinley, Cooper regarding their findings and the CAFR for 2019. Mayor McLean recognized Sheryl Medders. Ms. Medders stated that the topics she would address are how the audit went, the CAFR, the auditor's opinion and a few comparisons of 2018 to 2019. Ms. Medders stated that McKinley Cooper had the full corporation from the Finance Department as well as other employees during the audit. Ms. Medders stated that the CAFR is given by the Government of Finance Officers Association. Councilmember Jenkins asked how many years has the City received the CAFR and Ms. Medders stated about thirty years. Ms. Medders stated that an audit is an independent examination of the financial statements. Ms. Medders stated that management is responsible for the Financial Statements and the auditors are responsible for conducting the audit. Ms. Medders stated that it is the opinion of McKinley, Cooper that the Financial Statements are fairly stated which is a Clean Opinion. Ms. Medders stated that she wished to point out the Change in the Governmental Position which is the General Fund. Ms. Medders stated that the General Fund supports the Police and Fire Departments through property taxes and business licensees.

Ms. Medders stated that in 2018 the Change in Governmental Position was \$1,332,783 and the Change in the Governmental Position in 2019 was \$366,364. Ms. Medders stated that the difference in the two fiscal years is the City received grants for economic development in 2018 and received less grants for economic development in 2019. Ms. Medders stated that these grants were also passed on to the Economic Development Corporation. Ms. Medders stated that the Change in the Net Position for the Utility System in 2018 was \$147,416 and the Change in the Net Position in 2019 was \$688,426. Ms. Medders stated that the difference in the two fiscal years was in 2019 the City increased their Water Rates and also experience a decrease in the cost of electricity. Ms. Medders stated that the Balance Sheet contains the City's current assets and liabilities. Ms. Medders stated that the Fund Balance reflects the funds the City has to operate. Ms. Medders stated that the Fund Balance for the General Fund is \$9,414,196 with \$5,284,794 being restricted. Ms. Medders stated that the restricted funds are Hospitality and Accommodation Taxes. Ms. Medders stated that the Assigned Fund Balance of \$1,905,750 is for economic development and the Unassigned Fund Balance of \$2,128,940 is to operate the General Fund. Ms. Medders stated that this amount would operate the City for about three months. Ms. Medders stated that the City should improve this amount and be able to have funds which would allow the City to operate for six months. Ms. Medders stated that each year the City does add to the Unassigned Fund Balance. Ms. Medders stated that to summarize the audit McKinley Cooper had the full corporation of City staff and the City received a Clean Opinion, there is not a large difference between 2018 and 2019 Financial Statements and the General Fund shows approximately three months of operating funds. Mayor McLean stated that the City has positive increases and Ms. Medders stated yes. Councilmember Cook stated that the Audit Committee did meet with McKinley Cooper and went over the audit.

**RESOLUTION
FINANCIAL REPORT
FY 2018-19**

Mayor McLean stated that the next item on the agenda is the approval of a Resolution accepting the City of Clinton Annual Comprehensive Financial Report for the fiscal year ending June 30, 2019. Motion was made by Councilmember Cook to approve the Resolution and seconded by Councilmember Kuykendall. The vote was unanimous.

**CITY MANAGER'S
REPORT**

Mayor McLean stated that the next item on the agenda is the City Manager's report. Mayor McLean recognized Mr. Cannon, City Manager. Mr. Cannon recognized State Representative Doug Gilliam. Mr. Cannon stated that Representative Gilliam was instrumental in the City receiving \$250,000 from the State for infrastructure projects.

DOUG GILLIAM

Mr. Cannon thanked Representative Gilliam for his hard work on the behalf of the City of Clinton. Representative Gilliam stated that it was an honor to serve the citizens of Clinton. Representative Gilliam stated that the City made his work easy in that the City's plan was well laid out for the State to see.

POLICE DEPARTMENT

Mr. Cannon recognized Sonny Ledda, Police Chief. Chief Ledda stated that he wanted the opportunity to highlight some of the activities the Police Department has done in 2019. Chief Ledda stated that the larceny crimes are down by 7%, alcohol crimes are down by 19%, assault crimes are down by 14% and drug related crimes are down by 23%. Chief Ledda stated that the Officers respond to many types of incidents and help citizens in many ways. Chief Ledda stated that the Police Department partnered with the YMCA to hand out toys for needy children in Clinton.

**FIRST READING
ORDINANCE
BUSINESS LICENSE**

Mr. Cannon stated that the next item on the agenda is the first reading of an Ordinance amending the Business License Rate Schedule and Class Schedule to reflect the most recent data relating to the NAICS Codes. Mr. Cannon stated that the City's Business License Ordinance was updated in 2017 and 2018 in order to make the Business License function standard to match other Municipalities across the State. Mr. Cannon stated that the Municipal Association periodically updates the Rate Classes to reflect the most recent Federal statistical data relating to the Rate Codes. Mr. Cannon stated that the current rates would not change but the types of businesses would shift to different classes based on the recent Federal data relating to the NAICS Codes. Motion was made by Councilmember Walsh to approve the first reading of an Ordinance amending the Business License Rate Schedule and seconded by Councilmember Kuykendall. The vote was unanimous.

**CAPITAL
IMPROVEMENT
PROJECTS**

Mr. Cannon stated that the next item on the agenda is to consider the Capital Improvement Projects to be submitted to the Laurens County Sales Tax Commission. Mr. Cannon stated that there has been a lot of misunderstanding relating to the potential library. Mr. Cannon stated that he spoke with the Laurens County Librarian and reassured her that the City staff and Council would support a new library. Mr. Cannon stated that the proposed library is a Laurens County Project. Mr. Cannon stated that Council discussed the needs of the City at a meeting on December 2, 2019 and from this meeting City staff has put together a Capital needs list to be submitted as the City's Capital Improvement Projects to the Laurens County Sales Tax Commission.

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Mr. Cannon stated that the following Capital Improvement Projects are: 1. Roadway paving and drainage for one million; 2. Sidewalk repairs for one million; 3. Water and Sewer infrastructure improvements for one million; 4. Utility infrastructure improvements for one million. Mr. Cannon stated that these improvements would enhance the City of Clinton. Mr. Cannon stated that the County has three primary projects which are the Courthouse improvements, a new AG Center, and the library. Mayor McLean asked if Council should prioritize this list and Mr. Cannon stated yes. Mayor McLean stated that the City budgeted \$150,000 for sidewalk repair but these funds do not go a long way. Councilmember Jenkins asked if the City had a prioritized list of the roads and Mr. Cannon stated no. Mr. Cannon stated that once the roads are identified the City may also have to address drainage problems before the roads could be repaired. Councilmember Kuykendall asked if South Broad Street paving is complete and Mr. Cannon stated yes. Councilmember Kuykendall stated that SCDOT needs to address some problems with the asphalt. Mr. Cannon stated that SCDOT does not have any plans to come back. Councilmember Walsh asked if the road improvements would depend if the street is City owned or State owned and Mr. Cannon stated yes. Councilmember Roth stated the City needs to have a list of road improvements for the State and one for the City and Mr. Cannon agreed. Councilmember Cook stated that he thought the first item on the list should be water and sewer infrastructure improvements. Councilmember Cook stated that this type of improvement would be the first thing the City would need to do before the City made improvements to the road and drainage. Councilmember Cook stated that the water and sewer infrastructure improvements would also help the City complete the Consent Order. After some discussion Councilmember Cook made a motion to approve the Capital Improvement Projects as follows: 1. Water and Sewer infrastructure improvements for one million; 2. Roadway paving and drainage for one million; 3. Sidewalk repairs for one million; 4. Utility infrastructure for one million and seconded by Councilmember Roth. The vote was unanimous. Mayor McLean stated that the City would have to include a cost of each project and Mr. Cannon agreed. Councilmember Roth asked if the library project would be presented to Council. Mr. Cannon stated that he hopes the Laurens County librarian would give a presentation at the February Council meeting. Councilmember Jenkins asked if the water and sewer infrastructure improvements be prioritized since one million would not fix all the problems and Mr. Cannon agreed. Councilmember Walsh asked if Council and City staff could hold a workshop to go over Capital needs for the upcoming budget and Mr. Cannon agreed.

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Mr. Cannon stated that he would have to put together a cost for the projects. Councilmember Cook stated that he would like to see the Capital needs for the City not just for the upcoming year but several years down the road.

**RESOLUTION
CONNECTIVITY
STUDY**

Mr. Cannon stated that the next item on the agenda is a Resolution authorizing the City Manager to conduct a Connectivity Study relating to pedestrians and bicycling traffic. Mr. Cannon recognized Mr. Higgs, Assistant City Manager, to address the project. Mr. Higgs stated that he met with the Mayor from West Pelzer about a Connectivity Plan for all of the City projects. Mr. Higgs stated that this plan would include Presbyterian College, neighborhoods, parks, and any future projects. Mr. Higgs stated that this plan would also include the infrastructure needed for this plan. Mr. Higgs stated that the Connectivity Plan would encompass pedestrian and bicycling traffic. Mr. Higgs stated that the Connectivity Plan would have several phases such as physically looking at the various sites as well as getting the Community involved through discussions about the plan. Mr. Higgs stated that the third phase would implement the plan. Mr. Higgs stated that the fourth phase would be a follow up of the Connectivity Plan to see what is working and what needs improvement. Mr. Higgs stated that he does not have a cost for the Connectivity Plan. Mr. Higgs stated that the Resolution would be approval from Council to move forward with the Connectivity Study. Mr. Higgs stated that the cost for the study would be from \$5,000 to \$25,000. Councilmember Roth asked if Council was giving the City a blank check for the study and Mr. Higgs stated no. Mr. Higgs stated that City staff would get cost estimates for the study and bring this to Council. Mayor McLean stated that Council usually does not vote on something without knowing the cost and Council may wish to table this project until a later date. Mr. Cannon stated that City staff needs to know if Council wishes to move forward with the study. Mayor McLean stated that the Resolution states Council is authorizing the City Manager to conduct a Connectivity Study. Councilmember Walsh asked if the Resolution could be changed in order to proceed with the study. After some discussion Council agreed to change the wording of the Resolution. Motion was made by Councilmember Walsh to authorize the City Manager to investigate the cost associated with and the scope of work associated with a Connectivity Study relating to Citywide pedestrian and bicycling traffic and seconded by Councilmember Cook. The vote was unanimous. Councilmember Jenkins asked if the City had funds for the study.

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Mr. Cannon stated that he hopes to use Hospitality Funds. Councilmember Roth asked what type of influence the SCDOT would have on a Connectivity Study. Mr. Cannon stated that a Connectivity Plan would help the City in asking for assistance from SC DOT. Councilmember Roth asked if the Connectivity Plan would help secure funds from the State and Mr. Cannon stated yes.

**PETITION
BUSINESS LICENSE**

Mayor McLean stated that the next item on the agenda is for Council to consider a petition encouraging the Governor to vote against the Business License Bill H4431. Mayor McLean stated that this Bill would be devastating for the Municipalities in South Carolina. Mayor McLean stated that some Cities receive over half of their revenue to operate from Business License fees. Mayor McLean recognized Ms. Renee Morrow, Finance Director. Ms. Morrow stated that the City's Business License Revenue is \$947,032 which is 15% of the General Fund budget. Ms. Morrow stated that Bill H4431 would have a significant impact on the City of Clinton. Ms. Morrow stated that the 2019 session of the General Assembly saw the introduction of Bill H4431, a Business License Tax Reform Bill which remains active in the 2020 session. Ms. Morrow stated that one of the complaints about Business License fees were the process was too complicated. Ms. Morrow stated that Bill H4431 complicates the Business License process in several ways. Ms. Morrow stated that the Bill changes the basis for calculating the Business License Tax from gross income to net income. Ms. Morrow stated that in order to ensure businesses are reporting their net income accurately Cities would have to require businesses to submit more financial information than they currently do. Ms. Morrow stated that the second change allows businesses to avoid the Business License Tax depending on how the business is structured. Ms. Morrow stated that the difference between a Limited Liability Partnership and a Limited Liability Corporation may mean one business pays the Business License Tax while the other business does not. Ms. Morrow stated that the third change allows businesses located outside the Cities to receive the most benefits from Bill H4431. Ms. Morrow stated that the Out of Town businesses would be allowed to deduct their first \$75,000 of income before paying the Business License Tax and after that the Out of Town business would pay no more than \$100 in tax. Ms. Morrow stated that businesses inside the City would not receive a deduction or a cap. Ms. Morrow stated that Bill H4431 complicates the Business License by adding another layer of government to the process.

Ms. Morrow stated that the Bill would expand State Government by handing many critical functions of the Business License process to the Office of the South Carolina Secretary of State which currently has no role or experience with administering the local Business License Tax.

Ms. Morrow stated that Business License Taxes are common in South Carolina with about 234 of the 271 Municipalities levying them on businesses that do business in the City or Town. Ms. Morrow stated that State Law leaves each Municipality free to set the rates based on the City or Town's needs. Ms. Morrow stated that in order to simplify the business licensing statewide many South Carolina Municipalities that require a Business License have adopted standardized practices that greatly streamline the process. Ms. Morrow stated that the standardized practices include adopting a standard due date of April 30th, adopting a standard definition of gross income and a standard 12-month period for calculating the gross income, adopting a standard Business License Ordinance with a uniform Class designation to categorize businesses by probability and being willing to accept a standard Business License Application Form. Ms. Morrow stated that the City of Clinton has adopted these practices. Motion was made by Councilmember Kuykendall to approve the Petition encouraging the Governor to vote against the Business License Bill H4431 and seconded by Councilmember Roth. The vote was unanimous.

**ADMINISTRATIVE
BRIEFING**

Mayor McLean stated that the next item on the agenda is the administrative briefing. Mayor McLean recognized Mr. Cannon. Mr.

**COUNCIL MEETING
CALENDAR**

Cannon stated that Council has a schedule for the Council meetings in 2020. Councilmember Walsh stated that the calendar list September 7, 2020 as a Council meeting. Councilmember Walsh stated that is Labor Day and Council may wish to change the date. Motion was made by Councilmember Roth to accept the 2020 Council Meeting Calendar along with the change to move the September 2020 Council meeting to September 8, 2020 at 6:00 PM and seconded by Councilmember

CITY PROJECTS

Kuykendall. The vote was unanimous. Mr. Cannon stated that the City will open grading bids for the Recreation Complex on Tuesday, January 7, 2020 at 10:00 AM. Mr. Cannon stated that on Wednesday, January 8, 2020 at 10:00 AM the City would open the roofing bids for the Municipal Building and accept sealed bids for City owned property.

**CITIZENS ADDRESS
COUNCIL**

Mayor McLean stated that the next item on the agenda is Public Comment. Mayor McLean recognized Ms. Susan Galloway. Ms. Galloway stated that she lives at 106 E Maple Street and she had a question about the property being sold to the School District. Ms. Galloway stated that trees were planted on Arbor Day in 2018 in the park behind the property with grant funds. Ms. Galloway asked if that part of the park is included in the property sold to the School District and Mr. Cannon stated no. Ms. Galloway stated that there is activity at Millers Fork Trail.

**SUSAN GALLOWAY
N ADAIR PROPERTY**

**BETSY MCKINNEY
CONNECTIVITY PLAN**

Mayor McLean recognized Ms. Betsy McKinney. Ms. McKinney stated that the title of her float was Jesus is the Reason for the Season. Ms. McKinney asked Mr. Higgs if the four components he mentioned are part of the Connectivity Plan. Mr. Higgs stated that is the reason the City wishes to explore the Connectivity Study in hopes of connecting all of the components. Ms. McKinney stated that the City would have to know what makes up each component in order to move forward with a Connectivity Plan and Mr. Higgs agreed. Mr. Higgs stated that the Connectivity Study would answer these questions.

**COUNCILMEMBER
REPORT**

Councilmember Cook thanked personnel and citizens for their hard work during the Christmas season. Councilmember Cook wished everyone a Happy New Year.

Councilmember Jenkins wished everyone a Happy New Year and she looks forward to working with everyone in the new year.

Councilmember Neal wished everyone a Happy New Year. Councilmember Neal stated that she is looking forward to working with everyone in the upcoming year.

Councilmember Kuykendall thanked everyone for participating in the Christmas decorating contest. Councilmember Kuykendall stated that he would like to see the City increase the award amounts for next year. Councilmember Kuykendall stated that the Utility Billing Department has been at their new location for several weeks. Councilmember Kuykendall stated that he has not heard any negative comments. Mr. Cannon stated that the Utility Billing Department is moving the drop box to a different location in the drive through. Councilmember Kuykendall stated that BI-LO's parking lot looks bad. Councilmember Kuykendall stated that the shrubs surrounding the parking lot are in need of repair. Mr. Meadors, Public Works Director, stated that the Code Enforcement is aware of the issue.

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Councilmember Roth thanked the City employees for their work on the Christmas events. Councilmember Roth stated that a lot of progress has been made by the Utility Department clearing the power lines. Councilmember Roth wished everyone a Happy New Year. Councilmember Roth stated that the light signal at the corner of N Broad and Maple Street was not working properly. Mayor McLean stated that the light signal has been fixed.

Councilmember Walsh stated that she knows Cedar Street is a State road but it is in need of repair. Councilmember Walsh asked for information about the Recycling Center to be presented at the February Council meeting. Mayor McLean asked what happened to the crosswalk from McDonalds to downtown. Mr. Cannon stated that the SCDOT did not put one in. Mr. Meadors stated that the project is waiting on a permit from CSX. Councilmember Cook stated that the City needs to light the crosswalk at the Cotton Loft. Councilmember Cook stated that there was a hit and run at the location. Mayor McLean stated that he almost hit a Presbyterian College student as he crossed the road at Neville Hall at night.

MAYOR'S REPORT

Mayor McLean stated that 2019 was a good year in the City of Clinton. Mayor McLean stated that the audit shows the City is increasing their reserves. Mayor McLean stated that the City has a new Burger King. Mayor McLean stated that the City completed their second Speculative Building. Mayor McLean stated that water and sewer rehab was completed on South Broad Street and South Broad Street was paved. Mayor McLean stated that the City purchased property for the Recreation Complex. Mayor McLean stated that thirty-four abandoned houses were torn down in 2019. Mayor McLean stated that 2020 would be even a better year. Mayor McLean stated that the City would be making improvements to the Municipal Building and the City is taking bids for the grading for the Recreation Complex. Mayor McLean stated that the City and the YMCA would partner on the Splash Pad Project and Sadler's Apothecary would be breaking ground on their new building. Mayor McLean stated that ACE Hardware has purchased the Fred's Building.

ADJOURN

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

CITY CLERK

MAYOR