

**MAY 2, 2016**

The regular Council meeting was held at the M.S. Bailey Memorial Center at 6:00 PM with Mayor Bob McLean presiding with Councilmembers Byrd, Cook, Jenkins, Kuykendall, Scarborough, and Young. The City Manager and the City Attorney were present. News media present were Larry Franklin from the Clinton Chronicle, Randy Stephens from WLBG, and Judith Brown from GoClinton.com. Notice was mailed and emailed to all local news media on Thursday, April 28, 2016.

**INVOCATION** The invocation was given by Pastor Donna Jacobs from Bethlehem Grace 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 April 4. Motion was made by Councilmember Cook to approve the April 4, 2016 minutes and seconded by Councilmember Jenkins. The vote was unanimous.

**CITIZENS ADDRESS COUNCIL** Mayor McLean recognized Mr. Charles Kinard. Mr. Kinard stated that he lived at 505 Hickory Street and he was before Council concerning a water problem due to water runoff from O'Reilly into his yard. Mr. Kinard gave Council pictures of the issue. Mr. Kinard stated that he has dealt with this problem for four or five years. Mr. Kinard stated that O'Reilly did their landscaping in such a way that the water runs to a certain point to his retaining wall and seeps under the wall. Mr. Kinard stated that he has tried several solutions to keep the water out but has been unsuccessful. Mr. Kinard stated that he spent \$6,000 to remove some trees that were a danger to his house and O'Reilly. Mr. Kinard stated that he already has issues with mosquitos in his yard. Mr. Kinard stated that he has done all he could to keep the water from coming into his yard. Mr. Kinard stated that Mr. Satterfield, Public Works Director, came over and looked at the problem. Mr. Kinard stated that he has lived at this address for fifty-seven years and he has had this water problem in the last four to five years.

**CITY MANAGER'S REPORT** Mayor Mclean recognized Mr. Stovall, City Manager. Mr. Stovall stated that the first item on the agenda is the approval of Proclamations  
**PROCLAMATIONS** proclaiming May as ALS Awareness Month, May as Historic Preservation  
**ALS** Month, May as Mental Health Awareness Month, May as National  
**MENTAL HEALTH** Military Appreciation Month, May, 15, 2016 as Peace Offices Memorial  
**DRINKING WATER** Day, May 2-6 as Drinking Water Week, May 2-6 as Teacher Appreciation

**TEACHER APPRECIATION** Week and May 15-21 as National Public Works Week. Motion was made  
**PUBLIC WORKS WEEK** by Councilmember Young to approve the Proclamations and seconded by Councilmember Byrd. The vote was unanimous.

**RESOLUTION** Mr. Stovall stated that the next item on the agenda is a Resolution  
**MIDDLE SCHOOL** regarding the Science Olympiad teams. Mayor McLean stated that City  
**SCIENCE OLYMPIAD** staff has asked Council to consider a Resolution in honor of the 2016  
**TEAM** South Carolina Science Olympiad Champions, Clinton Middle School Science Olympiad Team. Mayor McLean presented the Science Olympiad Team with a plaque. Motion was made by Councilmember Jenkins to approve the Resolution and seconded by Councilmember Kuykendall. The vote was unanimous. Mayor McLean stated that fourteen years in a row could we say dynasty. I think some of these kids on the Middle School team were not even born when they started to win.  
Mayor Mclean stated that this is pretty impressive. The City of Clinton, your parents and your coaches are proud of you.

**RESOLUTION** Mayor McLean stated that City staff has asked Council to consider a  
**CLINTON HIGH** Resolution in honor of the 2016 South Carolina Science Olympiad  
**SCIENCE OLYMPIAD** Champions, Clinton High School Science Olympiad Team. Mayor McLean  
**TEAM** presented the Science Olympiad Team with a plaque. Motion was made by Councilmember Jenkins to approve the Resolution and seconded by Councilmember Kuykendall. The vote was unanimous.

**RESOLUTION** Mayor McLean stated that City staff has asked Council to consider a  
**MIDDLE SCHOOL** Resolution in honor of the 2016 South Carolina Academic Champions,  
**ACADEMIC TEAM** Clinton Middle School Academic Team. Mayor Mclean presented the Academic Team with a plaque. Motion was made by Councilmember Jenkins to approve the Resolution and seconded by Councilmember Kuykendall. The vote was unanimous.

**REQUEST** Dr. O'Shields, School District 56 Superintendent, stated that the School  
**FUNDING** District is very appreciative of these students and what they have  
**SCHOOL DISTRICT 56** achieved. Dr. O'Shields stated that funding for these teams to go to the National Championship in Wisconsin is expensive. Dr. O'Shields stated that the School District has budgeted \$20,000 for this trip. Dr. O'Shields asked Council to consider funding the trip to Wisconsin. Dr. O'Shields stated that winning these championships for fourteen years is an accomplishment. Dr. O'Shields stated that these students work hard and prepare for these competitions.

**AMEND AGENDA** Motion was made by Councilmember Scarborough to amend the agenda in order to discuss funding for the Clinton High School and Clinton Middle

School Science Olympiad Teams trip to Wisconsin and seconded by Councilmember Young. The vote was unanimous.

**FUNDING  
SCIENCE OLYMPIAD  
TEAMS**

Councilmember Scarborough stated that he would like for Council to give the Science Olympiad Teams funds for their trip. Councilmember Jenkins asked if the City already has the funds set aside for this trip. Mr. Stovall stated that the budget has \$10,000 set aside for Community assistance. Councilmember Kuykendall stated that this funding could be looked at as economic development. Motion was made by Councilmember Scarborough to approve giving \$2,500 to the Clinton Middle School Science Olympiad Team and \$2,500 to the Clinton High School Science Olympiad Team in order to help fund their trip to Wisconsin to compete in the Science Olympiad National Championship and seconded by Councilmember Byrd. The vote was unanimous. Mayor McLean stated that there are a lot of good things happening in our Community and these youth are part of it. Councilmember Jenkins stated that Council is proud of the youth and hope they continue to do well.

**RESOLUTION  
FIREFIGHTERS  
CLINTON HIGH**

Mr. Stovall stated that the next item on the agenda is to recognize the Clinton High School Firefighter class for completing all the requirements of the South Carolina Fire Academy for the Firefighter II level certification. Mr. Stovall stated that this course is offered at Clinton High School and the students learn skills in order to be a firefighter. Mr. Stovall stated that these students have earned a level II certification which means they could work for a Fire Department as a firefighter. Motion was made by Councilmember Cook to approve the Resolution recognizing the Clinton High Firefighter class for their Firefighter level II certification and seconded by Councilmember Jenkins. The vote was unanimous.

Mayor McLean asked each student to come forward and receive their plaque from a Councilmember. The students are Taylor Burns, Anfernee Gary, Rodolfo Orozoo, and Joshua Snow. Mayor McLean stated that he would personally like to congratulate all of the young people here tonight. Mayor McLean stated that it is obvious that the future of Clinton is in good hands. Our students are not only smart but highly motivated. Congratulations to all of you. Mr. Stovall stated that Fire Departments are ranked by an ISO rate. Mr. Stovall stated that a high rate means the Fire Department is not doing a good job. Mr. Stovall stated that the lower the ISO rate the lower is a citizen's home insurance premium and also makes the City more competitive in economic development. Mr. Stovall stated that the Public Safety Department's ISO rate was four. Mr. Stovall stated that recently the Public Safety Department underwent an ISO inspection and received a rate of two. Mr. Stovall stated that the Public Safety Department is among just 2% of Fire

**ISO RATE**

Departments in the nation to have an ISO rating of two. Mr. Stovall thanked the Public Safety Department for their hard work.

**FIRST READING  
ORDINANCE  
BLUE LAWS**

Mr. Stovall stated that the next item on the agenda is the first 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 this Ordinance allows businesses to be open and to operate prior to 1:00 PM on Sunday in the City of Clinton. Mr. Stovall stated that this Ordinance would allow the businesses in Clinton to compete with other businesses in the region. Motion was made by Councilmember Byrd to approve the first reading of an Ordinance to suspend the Blue Laws and seconded by Councilmember Kuykendall. The vote was unanimous.

**AGREEMENT  
WILDLIFE AREA**

Mr. Stovall stated that the next item on the agenda is authorizing the City Manager to enter into an agreement for the establishment and operation of a Wildlife Management Area. Mr. Stovall stated that the wildlife area is at the Duncan Creek Reservoir. Mr. Stovall stated that City staff is asking to renew an agreement that was signed in 2005 and expired in 2015. Mr. Stovall stated that the new agreement would run from 2016 to 2026. Mr. Stovall stated that the agreement allows SCDNR to manage the wildlife area by providing law enforcement, wildlife protection, mark boundaries, develop wildlife habitat, and provide a revenue sharing payment based on permits sold. Mr. Stovall stated that the City of Clinton would allow access by public and State for recreational hunting and allow wildlife management efforts. Mr. Stovall stated that the agreement allows the City to expand the boundaries of the wildlife area or cut timber. Councilmember Kuykendall asked where the area is located and Mr. Stovall stated off Highway 308. Mayor McLean stated that Clinton is the only City to participate in this program. Mayor McLean stated that most of these areas are set on private land. Councilmember Scarborough made a motion to approve the contract renewal between the City of Clinton and SCDNR to manage a Wildlife Area at the Duncan Creek Reservoir and seconded by Councilmember Jenkins. The vote was unanimous.

**CONTRACT  
BB&T  
INSURANCE SERVICES**

Mr. Stovall stated that the next item on the agenda is authorizing the City Manager to enter into a contract with BB&T Insurance Services for providing the City of Clinton with general insurance services. Mr. Stovall stated that the City bids out General Liability Insurance and Workers Compensation every three to five years.

Mr. Stovall stated that the current premiums are \$397,394. Mr. Stovall stated that the City solicited a RFP in February and March with a committee reviewing the proposals in April. Mr. Stovall stated that the City received two bids with BB&T, our current provider, being the lowest bid for \$367,001. Mr. Stovall stated that one bid did not include General Liability and BB&T included General Liability and Workers Compensation. Mayor McLean stated that bidding things out is good the City has saved \$30,000 instead of just going along. Mayor McLean stated that they realized that other people were bidding because we actually got another bid but it came in too late. Mr. Stovall agreed and stated that the third bid came in one hour too late. Councilmember Young asked how long would this contract with BB&T last and Mr. Stovall stated that the contract is on an annual basis but the City would bid the services out every three to five years. Councilmember Kuykendall asked if the new ISO rate would help with the General Liability Insurance and Workers Compensation. Mr. Stovall stated that the ISO rating mainly effects residential and industrial customer's insurance rating. Mr. Stovall stated that BB&T probably looked at the rating but he did not know how much they factor the ISO rating into their premiums. Motion was made by Councilmember Byrd to approve the contract with BB&T for General Liability Insurance and Workers Compensation for a cost of \$367,001 and seconded by Councilmember Kuykendall. The vote was unanimous.

**PURCHASE  
LARGE  
WATER METERS**

Mr. Stovall stated that the next item on the agenda is authorizing the City Manager to make a sole source purchase of 2" – 6" water meters to complete the Large Meter Change Project. Mr. Stovall stated that the City needs to purchase 54 water meters ranging from 2" to 4". Mr. Stovall stated that these water meters are for commercial, multi-family, and industrial use. Mr. Stovall stated that City staff requests to make this a sole source purchase from Consolidated Pipe for a cost of \$98,430.54 from the 2011 Utility Revenue Bond. Mr. Stovall stated that the reason City staff requests sole source purchase is the City wishes to go with a ultra-sonic water meter for a more accurate read and Consolidated Pipe could provide this type of meter. Mr. Stovall stated that the City has tested these meters in the City at five locations. Councilmember Scarborough made a motion to approve the sole source purchase from Consolidated Pipe for 54 water meters ranging in size from 2" to 4" for a cost of \$98,430.54 from the 2011 Utility Revenue Bond and seconded by Councilmember Young. The vote was unanimous.

**COMMUNITY  
ASSISTANCE  
PROGRAM**

Mr. Stovall stated that the next item on the agenda is authorizing the City Manager to establish a Community Assistance Grant Program. Mr. Stovall stated that in the current budget the City included \$10,000 for Community assistance. Mr. Stovall stated that Council was receiving many

requests from the Community and organizations for funding and the Community Assistance Grant Program is a way for Council to manage the requests. Mr. Stovall stated that the purpose of this program is to provide a competitive funding outlet for programs that have a direct positive benefit on the City and the citizens. Mr. Stovall stated that the process would include a twenty-one day application period and the grants would be awarded in June. Mr. Stovall stated that City staff requests Council to form a Committee to review and award the grants. Mayor McLean stated that just like tonight Council does not know when the Science Olympiad teams will win. Are we going to hold money over from the previous year? Is that how we are going to do that? Mr. Stovall stated that if Council moves forward with the program and awards the grant at the June Council meeting then City staff would disburse checks in the current fiscal year.

Mr. Stovall stated that he would not have a reimbursement grant where recipients show their receipts in order to receive the funds. Mr. Stovall stated that this grant program requires the recipients to file a report detailing how they spent the grant funds. Mr. Stovall asked Mayor McLean if that answered his question and Mayor McLean stated no. Mayor McLean stated if they did win and we have allocated that money to someone else and not be in a position to give them \$5,000 because we have already awarded that money to groups. Mr. Stovall stated that the grants could be determined in July and given out in June, which is at the end of the fiscal year. Councilmember Jenkins stated that that Council is giving the Science Olympiad teams first bid at the grant funds. Mr. Stovall stated that the Science Olympiad Teams would apply at the same time the other recipients do. Councilmember Jenkins stated that she did not want Council to set a standard that automatically awards the Science Olympiad Teams the funds. Mayor McLean stated that he was not trying to do that. He just wanted to make sure the money is available and we have already allocated it out at an earlier time. We need to make sure it is available. Mr. Stovall stated that the City could budget the funds for the Science Olympiad Teams. Mayor McLean stated that waiting till this time each year will suffice. Mayor McLean asked if the right number is three for the Committee and Councilmember Scarborough stated that Council does not need to tie up all seven members. Councilmember Cook stated that if United Way or Meals on Wheels requested funding in the fall then Council would put the funding off until June. Councilmember Cook stated that the agency may need the funds then but Council would not be able to award the funds until June. Mr. Stovall stated that the City usually does not have that type of request because many agencies are putting together their own budgets in June. Mr. Stovall stated that agencies are lining up funding for the future. Councilmember Cook stated that not all agencies have the same fiscal

year as the City. Mr. Stovall stated that if an agency request funding in October then the City could amend the budget or reduce a line item to include the funds for the request. Mr. Stovall stated that if the program is successful then Council may wish to split the funding up in several cycles. Councilmember Cook stated that he thinks Council should act when the need is the greatest. Mayor McLean stated that if they apply in June then the funds would be available for the coming winter. Councilmember Cook stated that he did not want Council to be locked in to a specific time frame for awarding these funds. Mayor McLean stated that if we do that then we might as well not do it because this would not be necessary. Mr. Stovall stated that Council could grant funds for an emergency request but most of the requests are not emergencies. Mayor McLean stated that this would make it easier on Council because if someone came to a Councilmember for money then it has already been decided and this is what has been allocated for this year and they can apply next year. You don't get hammered all the time for requests. Councilmember Jenkins asked if this does not include funds for citizens asking for utility bill assistance and Mr. Stovall stated no. Mr. Stovall stated that the City has other programs to handle that type of assistance. Motion was made by Councilmember Byrd to authorize the City Manager to establish a Community Assistance Grant Program and to form a Committee which includes Councilmembers Jenkins, Cook, and Young to review the grants and make recommendations to Council to award the grants in June and seconded by Councilmember Scarborough. The vote was unanimous.

**CONTRACT  
STREETSCAPE  
PHASE IV**

Mr. Stovall stated that the next item on the agenda is authorizing the City Manager to enter into a contract for the construction of Streetscape Phase IV.

Mr. Stovall stated that this is a Capital Project that includes Broad Street and West Main Street. Mr. Stovall stated that the City used a competitive bid process and the project would be managed by AECOM, the Project Engineer for this project. Mr. Stovall stated that the funds for this project are included in the FY 16 and the FY 17 in the Economic Development expense account. Mr. Stovall stated that the cost of this project does exceed the budget but by merging the funding for Phase IV and V there is funding to complete this project. Mr. Stovall stated that the components of the project are to replace curbing and sidewalks along the west side of North Broad Street from Florida Street to Main Street, replace curbing and sidewalks along West Main Street from North Broad Street to Wall Street, install street trees and tree wells on North Broad Street from Florida Street to Main Street, replace Municipal Center signage, and partially replace landscaping at the Municipal Center. Mr. Stovall stated that the City received two bids with the low bid from Sossman Construction for \$429,818.74 which is higher than the projected

cost of \$300,000. Mr. Stovall stated that the City anticipated more bids than City staff received. Mr. Stovall stated that other Cities are also seeing fewer bids and higher costs. Mr. Stovall stated that this trend is attributed to fewer contractors and most contractors are working with the SCDOT to repair the water damage in the Columbia area. Mr. Stovall stated that City staff is requesting Council authorize the City Manager to negotiate a contract with the winning bid for a cost not to exceed the bid amount, allow City staff to work with the contractor to see if there are opportunities for savings by using City labor and equipment, and authorize change orders to the limits of the City Manager's purchasing authority which is \$40,000. Mayor McLean asked if there are any utilities that need to be taken care during the Streetscape. Mr. Stovall stated that the City would be replacing some taps and the City plans to do all of the electrical work in house. Councilmember Kuykendall asked if the City Manager had any idea how much the City would save by doing some of the work and Mr. Stovall stated approximately \$50,000. Mayor McLean stated that two bids are all we got for the project and Mr. Stovall agreed. Councilmember Scarborough made a motion to award the Streetscape Phase IV to Sossman Construction for a cost not to exceed \$429,818.74 and to authorize the City Manager to use City staff when possible during the project and to authorize the City Manager to execute any change orders not to exceed \$40,000 and seconded by Councilmember Young. The vote was unanimous.

**SPECULATIVE  
BUILDING**

Mr. Stovall stated that the next item on the agenda is a request from CEDC for funding to support the construction of a speculative building in the I-26 Commerce Park. Mr. Stovall stated that the CEDC is requesting funding for the purpose of constructing, maintaining, purchasing, or leasing a speculative building of no less than 50,000 Square feet in the I-26 Commerce Park on Highway 72. Mr. Stovall stated that the current project the CEDC is working on is a public/private partnership to construct a 75,000 square feet speculative building on a 150,000 square foot pad. Mr. Stovall stated that the land acquisition, pad construction, and other services would be paid for by using private funds and grant funds. Mr. Stovall stated that the CEDC would lease the building from the builder at a rate below the local average to cover the carrying costs of the private investors borrowing funds to construct the building. Mr. Stovall stated that the requested funds would cover the first 36 months of the lease. Mr. Stovall stated that the CEDC is requesting \$416,250 and these funds would come from the Economic Development account.

Councilmember Scarborough made a motion to approve the request from CEDC for \$416,250 to cover the first 36 months of a lease of a

75,000 square foot speculative building being built at the I-26 Commerce Park and seconded by Councilmember Kuykendall. The vote was unanimous.

**RESOLUTION  
LOCAL OPTION  
SALES TAX**

Mr. Stovall stated that the next item on the agenda is the approval of a Resolution providing for adjustment of the Local Option Sales Tax Property Tax Credit Program. Mr. Stovall stated that the City of Clinton has a Local Option Sales Tax of 1% and the State law requires the City to give 71% of the revenues back to citizens in the form of property tax reduction. Mr. Stovall stated that Council has the discretion of how to spend the 29% of the Local Option Sales Tax Revenues. Mr. Stovall stated that Council restricts these funds to be used to pay for Public Safety equipment, training, and debt on capital equipment. Mr. Stovall stated that the proposed budget uses these funds to make purchases in the Public Safety Department. Mr. Stovall stated that State law requires Council to approve the Resolution each year or the funds go back to the tax payer in the form of a 100% credit on the property tax bill. Councilmember Kuykendall stated that the information in front of him shows the revenue from the Local Option Sales Tax has been increasing over the years and Mr. Stovall agreed. Motion was made by Councilmember Cook to approve the Resolution providing 29% of the Local Option Sales Tax Credit be used to make purchase in the Public Safety Department and seconded by Councilmember Byrd. The vote was unanimous.

**FIRST READING  
ORDINANCE  
BUDGET FY 2016-17**

**OVERVIEW**

Mr. Stovall stated that the next item on the agenda is the first 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, 2017. Mr. Stovall stated that the total budget for 2016-17 is \$28,734,425 and the budget is divided into three budgets which are the General Fund, Sanitation Fund, and the Utility Fund. Mr. Stovall stated that in the Sanitation Fund the City is requesting a .50 cent increase and the General Fund and the Utility Fund do not have any rate increases. Mr. Stovall stated that the proposed budget includes a 2% Cost-of-Living increase for personnel and the addition of a GIS Mapping Technician. Mr. Stovall stated that the proposed budget includes new priorities and an Energy Rebate Program. Mr. Stovall stated that the purpose of the Energy Rebate Program is to provide direct funding to citizens and businesses that choose to make energy efficient investments in their homes or businesses. Mr. Stovall stated that the budget would have future challenges such as the Rate Study and the Sewer System. Mr. Stovall stated that the five priorities Council has directed City staff to use when creating a budget are Exceptional Infrastructure, Grow the Economy, Promote Community Development, Provide a First Class City, and Achieve Fiscal Stability. Mr.

Stovall stated that in the proposed budget the City would improve the Exceptional Infrastructure by focusing on improvements such as replacing the street lights with LED bubs, replace fire hydrants, and cleaning out manholes. Mr. Stovall stated that metering and the DSM Program would continue in the new fiscal year. Mr. Stovall stated that the City would continue to Grow the Economy in 2017 by building a speculative building, completing an economic development pad and improvements to the Corporate Park. Mr. Stovall stated that the City would promote Community Development by investing in the downtown area. Mr. Stovall stated that the City would strive to improve the Community appearance, property conditions, and stabilize property values.

Mr. Stovall stated that the City would continue to move forward with the development of the Martha Dendy Park in 2017. Mr. Stovall stated that the City would also strive to improve the organizational performance through training and comparing the City with of agencies and cities. Mr. Stovall stated that the proposed budget includes measures to achieve fiscal stability. Mr. Stovall stated that the City currently has two million in reserves but need to have at least ten million in reserves. Mr. Stovall stated that the City would also increase service fiscal stability in that each service could support itself. Mr. Stovall stated that the City is moving forward with completing the software conversion. Mr. Stovall stated that the proposed budget anticipates \$6,285,373 in General Fund Revenues.

**GENERAL FUND**

Mr. Stovall stated that the majority of the revenues are from the Utility System transfer. Mr. Stovall stated that the largest expense in the General Fund is the Public Safety Department which is \$3,058,948. Mr. Stovall stated that the anticipated revenues for the Sanitation Fund are \$488,160 with the majority of the revenues coming from the residential sanitation fees of \$325,762. Mr. Stovall stated that the expenditures for the Sanitation Fund are personnel, operations, capital, and debt. Mr. Stovall stated that the largest expense in the Sanitation Fund is personnel of a cost of \$272,241. Mr. Stovall stated that the personnel cost has been reduced since the City went on a four day Sanitation pickup.

**SANITATION FUND**

Mr. Stovall stated that the anticipated total Utility Fund revenue is \$21,960,890 with the majority of the revenue coming from purchase power sales. Mr. Stovall stated that the largest expense in the Utility Fund is the Purchase Power Cost and Sanitary Sewer Treatment Fees. Mr. Stovall stated that the proposed budget presented to Council efficiently and effectively supports the goals outlined by Council. Mr. Stovall stated that he appreciates the support of all the Department heads in preparing the budget and Council for their vision and dedication to the City of Clinton. Mr. Stovall stated that the proposed budget is balanced and a balanced budget is achieved when the City has enough fiscal discipline to be able to equate the revenues with expenditures over the business cycles.

**UTILITY FUND**

Motion was made by Councilmember Byrd to approve the first reading of

an Ordinance to adopt the budget for the fiscal year ending June, 30 2017 and seconded by Councilmember Scarborough. The vote was four to three with Councilmember Kuykendall, Councilmember Young, and Mayor McLean voting no.

**ADMINISTRATIVE  
BRIEFING**

Mr. Stovall stated that the next item on the agenda is the Administrative briefing which includes an update on the Sewer Consent Order, an update on the Electric Rate Response Plan, derelict vehicles, and the Supreme Court ruling on FOIA and executive session in accordance with

**SEWER CONSENT ORDER**

the SC State Code, Freedom of Information Act. Mr. Stovall stated that the City has received verbal approval of the City's CMOM and CAP from the SCDHEC. Mr. Stovall stated that the process the City has made on the Consent Order are 48.21 acres of ROW cleared, manhole inspection training complete, CCTV training scheduled for May 10, GIS Program under development, 32 manhole inspections complete, 4,752 LF of smoke testing, FOG public education materials developed and FOG inspections underway, and eight Pumping Station control systems upgraded. Mr. Stovall stated that 80% of the short term goals for the Electric Rate Response Plan have been completed with 17% of the objectives still in progress. Mr. Stovall stated that some of the short term highlights are increased communication by rate transparency in brochures, online, and customer mailings.

**ELECTRIC RATE  
RESPONSE PLAN**

Mr. Stovall stated that the City has adjusted policies to assist customers in that the City has eliminated and reduced late penalties, increasing assistance options and extensions, and eliminating an Administrative Fee. Mr. Stovall stated that the City attempted an on-site Assistance Program but did not have enough customer participation. Mr. Stovall stated that by creating the PPCA which helps with the Purchase Power Cost the City was able to lift the temporary hiring freeze. Mr. Stovall stated that the City has completed 41% of the mid-term objectives of the Electric Rate Response Plan and 27% of the objectives are still in progress. Mr. Stovall stated that some of the mid-term highlights are the City began a Rate Study with an estimated completion date in the fall. Mr. Stovall stated that the City created new programs which are the DSM Program, the Solar Program, the Distributed Generation Program, and the Clinton Community Cares. Mr. Stovall stated that the City is seeking Federal and State funds to offset the costs of assisting customer by reducing consumption. Mr. Stovall stated that 23% of the long-term objectives of the Electric Rate Response Plan are in progress. Mr. Stovall stated that some long-term highlights are to reach out to consultants on the Federal level and invest in the local economy in order to grow the customer base. Mr. Stovall stated that Code Enforcement has removed 48 cars this

**CODE**

**ENFORCEMENT** year. Mr. Stovall stated that public education materials would be developed and distributed in May. Mr. Stovall stated that Code Enforcement personnel continue to identify derelict cars. Mr. Stovall

**FOIA** stated that the SC Supreme Court rules that taking action on executive session items without listing the possibility of such action on an agenda is a technical violation of the FOIA. Mr. Stovall stated that the Court stated that by included an agenda items indicating that the Council may take action on an executive session item in public session if it chooses to do so meets the requirements of the FOIA. Mayor McLean stated that the City formed a group of Community people to study the rates. I have several of them ask me if we were going to do anything. Mayor McLean stated that we have just formed a Committee and have not met. Mr. Stovall stated that the Committee has not met and the City is trying to find the right time of everyone. Mayor McLean stated that he feels like we have just formed the group just to satisfy them and then we did not do anything.

**ELECTRIC RATE COMMITTEE** Councilmember Jenkins stated that part of the reason for the delay is Council and City staff has been working on the budget. Mayor McLean stated that we did this last summer and it is time to do something. Mayor McLean asked the City Manager on a time frame to start and Mr. Stovall stated that City staff would take care of the matter.

**EXECUTIVE SESSION** Motion was made by Councilmember Young to go into executive session to discuss one legal matter regarding the case of Bundu vs City of Clinton, one contractual mater regarding Project Opportunity, one contractual matter regarding recreation services and return to open session on the call of the chair and seconded by Councilmember Byrd. The vote was unanimous.

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

**MAYOR'S REPORT** Mayor McLean stated that Milling Blalock, former City Attorney, was in critical condition with a head injury. Mayor McLean stated that the PMPA Legislative Breakfast is Wednesday, May 4 at 8:00 AM in Columbia. Mayor McLean stated that Thursday, May 5, 2016 Clinton Dental Care would have a ribbon cutting at 11:30 AM and a reception at 6:30 PM.

Mayor McLean stated that Thursday, May 5, 2016 the City of Clinton would host a Day of National Prayer at 12:00 PM next to the Public Safety Building. Mayor McLean stated that Thursday, May 12, 2016 the Upstate Elected Officials would hold a meeting at the Michelin North America Building in Greenville at 3:00 PM. Mayor McLean stated that Thursday, May 19 2016 the Peace Officers Memorial Ceremony would be held at

Piedmont Technical College. Mayor McLean stated that Friday, May 20 2016 will be the kickoff of the Rhythms on the Rails at 5:00 PM. Mayor McLean stated that Thursday, May 26 2016 is the City's first Town Rhythms is at 6:00 PM featuring the Tams. Mayor McLean stated that the next Council meeting is Monday, June 6 2016 at 6:00 PM.

**COUNCILMEMBER  
REPORT**

Councilmember Jenkins stated that she has a resident at Parker Street complain about how narrow the street is and the ditches need cleaning out and when trying to pull out of Parker Street visibility is impaired because of cars parked in the house on the corner of Parker Street and Gary Street.

Councilmember Byrd stated that a resident has complained about the woods taking over the road on Hills Alley.

Councilmember Kuykendall stated that he has had several complaints about the old Bob Black property at the corner of Adair Street and Calvert Avenue. Councilmember Kuykendall stated that a section is overgrown and visibility is impaired. Councilmember Kuykendall stated that a lot of positive things are starting to happen in Clinton and he wanted to congratulate the Youth for their accomplishments.

Councilmember Scarborough thanked the City Manager and the City staff for putting together a solid budget. Councilmember Scarborough stated that the budget accurately reflects the priorities Council has established. Councilmember Scarborough stated that the City Manager and the City staff have also put together a sound economic development plan. Councilmember Scarborough stated that the industrial pad and the speculative building are major steps forward for economic development.

**ADJOURN**

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

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CITY CLERK

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**MAYOR**

