

## OCTOBER 7, 2019

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 present. Local news present was Monty Dutton from GoClinton.com, Judith Brown from the Laurens Advertiser, Randy Stevens from WLBG, and Brian Whitmore from the Clinton Chronicle. Notice was emailed to all local news media on October 4, 2019.

- INVOCATION** The invocation was given by Bishop Troy Price, Sr. from Ain't God Good Christian 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 September 3, 12, and 18. Motion was made by Councilmember Cook to approve the September 3, 2019 Council minutes, the September 12, 2019 Special Called Meeting minutes, and the September 18, 2019 Special Called Meeting minutes and seconded by Councilmember Walsh. The vote was unanimous.
- PROCLAMATIONS** Mayor McLean stated that the next item on the agenda is the approval of the Proclamations proclaiming October as Breast Cancer Awareness month, October as Crime Prevention month, October as Domestic Violence Awareness month, October as Dyslexia Awareness month and the first Friday in November as Arbor Day. Motion was made by Councilmember Jenkins to approve the Proclamations and seconded by Councilmember Kuykendall. The vote was unanimous.
- PRESENTATION  
WHEELER/WHEELER  
CLINTON LIBRARY** Mayor Mclean stated that the next item on the agenda is a presentation from Wheeler & Wheeler concerning the proposed Clinton library. Mr. Wheeler stated that he has been involved with this project for nineteen months. Mr. Wheeler stated that he would like to discuss with Council the project timeline, the design & historic considerations, CSX involvement, and financing. Mr. Wheeler stated that he has met with the City Manager, Economic Development staff and the Mayor to discuss the project. Mr. Wheeler stated that in November he would meet with the Library Board with an architectural design and for a general contractor review. Mr. Wheeler stated that he is also working on the Historic Tax Credits to make this project happen. Mr. Wheeler stated that in order to move forward Council would have to decide if they are willing to endorse this project site.

(Page 2)

Mr. Wheeler stated that he understands that completion of this project depends on Laurens County passing the Sales Tax increase for capital improvements. Mr. Wheeler stated that the project site was registered as a National Park Service Historic District and Wheeler & Wheeler would review final approve in December. Mr. Wheeler stated that the Historic Tax Credit process included expanding the Historic District and then Wheeler & Wheeler applied for a Historic Preservation Certificate Application (HPCA) which verifies the historic buildings do qualify for the Historic Tax Credits and the steps that would be taken to preserve the building. Mr. Wheeler stated that another step in the process is a Bailey Bill Application and when the project is complete then Wheeler & Wheeler applies for the HPCA part 3. Mr. Wheeler stated that in order to maintain the historic integrity of the building Wheeler and Wheeler had to preserve the interior walls while also creating open spaces. Mr. Wheeler stated that the building also has space for three retail sites. Mr. Wheeler stated that the project includes a second floor that could be used as a meeting room or office space for staff. Mr. Wheeler stated that the exterior would also have to be restored to the original exterior. Mr. Wheeler stated that the orientation of the building is toward the railroad tracks and not Main Street. Mr. Wheeler stated that CSX was approached to make this area a quiet zone. Mr. Wheeler stated that CSX has been cordial to work with about this project. Mr. Wheeler stated that Wheeler & Wheeler discussed three needs for the project with CSX which are an easement for a fence, an easement for the Swamp Rabbit Trail, and crossing bars to create a quiet zone. Mr. Wheeler stated that the cost of making this area a quiet zone is approximately \$500,000 and CSX would like a public private partnership in order to pay for the cross bars for the quiet zone. Mr. Wheeler stated that CSX has not made a commitment but CSX has been positive about the project. Mr. Wheeler stated that the cost of this project would be \$3,875,000. Mr. Wheeler stated that the equity would come from Wheeler & Wheeler and Wells Fargo would provide construction and financing. Mr. Wheeler stated that the funding for the library lease is for a minimum of five years and a subsequent acquisition by Laurens County using the Sales Tax Capital Improvement Tax. Mr. Wheeler stated that after five years Laurens County would have an option to buy the building. Mr. Wheeler stated that the library's budget remains funded by Laurens County and future maintenance would be provided by the City with Wheeler & Wheeler providing \$100,000 for future improvements and maintenance. Mr. Wheeler stated that careful rehabilitation uses the Historic Tax Credits to preserve an entire block of Clinton's historic resources downtown. Mr. Wheeler stated that this project is a new structure that is modern and enhances accessibility.

Mr. Wheeler stated that the design meets the library specifications which meet future objectives and priorities of the library. Mr. Wheeler stated that this project combines a municipal need, a civic need, and retail opportunities to attract and keep more people downtown. Councilmember Wash asked about the parameters of the quiet zone and Mr Wheeler showed the area on the map of the project site. Mayor McLean stated that a quiet zone means the train does not have to blow a whistle. Councilmember Cook stated he appreciated the work that has gone into this project. Councilmember Walsh stated that a Public Library serves many needs for the Community. Councilmember Jenkins stated that this site is a perfect place for a library.

**CITY MANAGER'S  
REPORT  
FIRST READING  
ORDINANCE  
BLUE LAWS**

Mayor McLean recognized Mr. Bill Cannon, City Manager. Mr. Cannon stated that the next item on the agenda is the first reading of an Ordinance to temporarily suspend the application of Sunday sales prohibitions (Blue Laws) within the corporate limits of the City of Clinton and other matters. Mr. Cannon stated that the Blue Laws allow businesses to be open and to operate prior to 1 PM in the City of Clinton. Mr. Cannon stated that this Ordinance allows businesses to compete regionally. Motion was made by Councilmember Walsh to approve the first reading of Ordinance suspending the Blue Laws and seconded by Councilmember Kuykendall. The vote was unanimous.

**FIRST READING  
ORDINANCE  
CITY CODE**

Mr. Cannon stated that the next item on the agenda is the first reading of an Ordinance adopting and enacting a new code for the City of Clinton providing for the repeal of certain Ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this Ordinance shall become effective. Mr. Cannon stated that the City has gone through the process of upgrading the City Codes. Councilmember Roth asked if the code is available to the public and Mr. Cannon stated not yet but would be available on the City's website. Mr. Cannon stated that moving forward any Ordinance passed by Council will be sent to Municode and the City would receive an upgraded Code Book on an annual basis. Mayor McLean stated that this upgrade was overdue and our Codes needed to be updated. Mayor McLean stated that Municode will codify the City Codes so the City would stay current. Councilmember Walsh asked Mr. Wham, City Attorney, if it is common for the codes to reflect the male gender only. Councilmember Walsh asked if the Codes could be non-gender specific. Mr. Wham stated that the languages in the City Codes are common but he would look into the matter with Municode.

Motion was made by Councilmember Kuykendall to approve the first reading of an Ordinance approving the City Codes and seconded by Councilmember Jenkins. The vote was unanimous.

**RECOMMENDATIONS  
ACCOMMODATIONS  
TAX ADVISORY**

Mayor McLean stated that the next item on the agenda is the recommendations from the Clinton Accommodations Tax Advisory Committee. Mayor McLean recognized Ms. Kay Addison, Chairman. Ms. Addison stated that she wanted to give the public an overview of what the State Accommodations Tax is. Ms. Addison stated that when someone comes to Clinton and stays in a hotel they are charged a 2% Accommodation Tax and this tax is State wide. Ms. Addison stated that the State sends these funds to the City and the City creates a Committee to disburse the funds. Ms. Addison stated that the first \$25,000 plus 5% go to the City's General Fund. Ms. Addison stated that 30% go to entities for advertising and the promotion of tourism. Ms. Addison stated that the Tax Advisory Committee disburses 65% of the State Accommodation Tax funds. Ms. Addison stated that the Committee takes applications from non-profits for tourism related events. Ms. Addison stated that the Committee members are Kay Addison, Heather Tiller, Janice Long, Sharon Shipp, Jamie Adair, and Dianne Wyatt. Ms. Addison stated that this year the Committee had \$341,148 to disburse. Ms. Addison stated that the fund is large because the Committee disbursed funds for a previous project which fell through and the funds stayed in the account. Ms. Addison stated that the Committee received requests totaling \$441,380. Ms. Addison stated that the first request comes from Clinton Canopy which was awarded \$1,000 to produce a map to direct visitors to local parks and green spaces and to promote placement of education QR code identification signage for plants around town. Ms. Addison stated that the second request was \$15,000 from Main Street Clinton to help fund the Scots and Brats Festival to be held in Clinton in October. Ms. Addison stated that the next request was from Hospice of Laurens County requesting \$25,000 to help fund the Flight of the Dove Event. Ms. Addison stated that the Committee awarded Flight of the Dove \$10,000. Ms. Addison stated that the next request was from Presbyterian College requesting \$130,000 to help with the installation of lights at PC Baseball field. Ms. Addison stated that the Committee awarded Presbyterian college \$50,000. Ms. Addison stated that the City of Clinton requested \$225,000 for the creation of a Welcome Center/Information Center in the M.S. Bailey Municipal Center. Ms. Addison stated that the Committee awarded the City of Clinton \$150,000 to begin the project.

(Page 5)

Ms. Addison stated that the Committee would like to see the City call the area a Visitor's Center instead of a Welcome Center. Ms. Addison stated that as this project moves forward the City may request additional funding. Ms. Addison stated that the Committee received a request from Main Street Clinton for \$45,380 to purchase a set of a Holiday Light Show during the Christmas holidays for the downtown. Ms. Addison stated that the Committee did not take any action on this request. Ms. Addison stated that the Committee would like to keep \$115,000 in the account and the Committee disbursed \$226,000. Councilmember Roth stated that the Committee is able to distribute these funds throughout the year and not just at one time and Ms. Addison stated yes. Ms. Addison stated that the Committee would have to start the process over and receive applications for the funds. Councilmember Walsh asked if the \$341,148 was an accumulation over several years and Ms. Addison stated yes. Ms. Addison stated that the Committee had not met for several years and the money accumulated in the fund. Ms. Addison stated that a request was not completed within the time frame and the funds stayed in the account. Councilmember Roth asked if the City has been penalized in the last several years and Ms. Addison stated no. Councilmember Walsh asked how much revenue is generated from the 2% Accommodations tax and Ms. Morrow, Finance Director, stated about \$80,000 annually. Councilmember Jenkins asked if these funds could be used for the Martha Dendy Project and Ms. Addison stated no. Ms. Addison stated that the Committee has strict State guidelines that must be met and the funds could only go toward projects or events that bring people into the City of Clinton and stay in a hotel. Ms. Addison stated that Presbyterian College brings in the most visitors that stay in a hotel. Ms. Addison stated that the funds given to Scotts & Brats and the Flight of the Dove goes toward advertising and promotion of the events. Councilmember Neal asked if the \$50,000 going to Presbyterian College could be generated for another event in the City. Councilmember Roth stated that the information pertaining to the Accommodation Tax was only given to Council tonight before the meeting and he needed time to look over the recommendations. Councilmember Roth requested Ms. Morrow ask for an extension from the State Tourism Board. Councilmember Roth made a motion to table this discussion until the next Council meeting and seconded by Councilmember Jenkins. The vote was unanimous.

**SECOND READING  
ORDINANCE  
SURPLUS PROPERTY**

Mayor McLean stated that the next item on the agenda is the second reading of an Ordinance for the disposition of City owned real property located within the corporate limits of the City of Clinton, being shown as Laurens County Tax Map numbers 901-06-07-020, 901-06-07-044, 901-12-04-014, and a portion of Tax Map numbers 901-09-01-006 and 901-31-01-033. Motion was made by Councilmember Cook to approve the second reading of the Ordinance for the disposition of City owned real property and seconded by Councilmember Neal. The vote was unanimous.

**ADMINISTRATIVE  
BRIEFING**

Mayor Mclean stated that the next item on the agenda is the City Manager's administrative briefing. Mayor McLean recognized Mr. Cannon. Mr. Cannon stated that the City would be receiving the Geo Technical Report regarding the Recreation Complex. Mr. Cannon stated that within the next few weeks the City would hold another public meeting to discuss the plans for the Recreation Complex.

**RECREATION  
COMPLEX**

**PUBLIC COMMENT  
SUSAN GALLOWAY  
MILLERS FORK**

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 East Maple Street and she is before Council concerning Millers Fork Trail. Ms. Galloway stated that she spoke with City staff in April concerning the Millers Fork Trail Project because the grant deadline was coming up. Ms. Galloway stated that the supporters of the project met with City staff to discuss the project and it was determined at this meeting to ask for an extension for the grant. Ms. Galloway stated that the City did receive an extension until January 31, 2020. Ms. Galloway stated that the project was submitted for bids and the City did receive a viable bid. Ms. Galloway stated that she was surprised that the Millers Fork Project was not included on tonight's agenda. Ms. Galloway stated that she encourages Council to support the project. Ms. Galloway stated that the City's reputation is at risk with the Parks, Recreation, and Tourism because of the delays. Ms. Galloway stated that by refusing the grant the City and the Trails Association would be in danger of not receiving future PART Grants.

**EXECUTIVE SESSION**

Motion was made by Councilmember Neal to go into executive session to discuss one contractual matter relating to the sale and purchase of real property and return to open session on the call of the chair and seconded by Councilmember Jenkins. The vote was unanimous.

**OPEN SESSION**

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

**MILLERS FORK**

Mr. Cannon stated that City staff did discuss the Millers Fork Trail Project in April. Mr. Cannon stated that he is a professional engineer and public safety is part of the engineer's creed. Mr. Cannon stated that the Millers Fork property is not in the City limits and the City does not have any authority to police the area. Mr. Cannon stated that the property is not owned by the City and the property could not be annexed because it is contained on an easement. Mr. Cannon stated that the City already has many projects and the City does not need a project outside the City limits. Mr. Cannon stated that Public Works would have to maintain the property. Mr. Cannon stated that he had a letter from Mr. Meadors, Public Works Director, on March 18, 2019 stating the same thing.

**COMMUNITY GRANT ASSISTANCE**

Mayor McLean stated that the next item on the agenda is a report from the Community Grant Assistance Committee. Councilmember Cook stated that the Committee would bring the report before Council in November.

**COUNCILMEMBER REPORT**

Councilmember Walsh stated that she wanted Council to be sure on how to move forward with the library as for as endorsing the site.

Councilmember Neal invited everyone to attend the Scots & Brats event this weekend.

**ADJOURN**

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

---

CITY CLERK

---

**MAYOR**