

SEPTEMBER 8, 2020

The regular Council meeting was held at 6:00 PM at the M.S. Bailey Center with Mayor Bob McLean presiding with Councilmembers Cook, Jenkins, Kuykendall, Neal, Roth and Walsh. The City Manager and the City Attorney were present. The Council meeting was a closed meeting with press and citizens viewing the meeting on the City's Facebook. The agenda and an invitation to view the Council meeting were sent to the press on August 28, 2020.

- INVOCATION** The invocation was given by Councilmember Kuykendall.
- PLEDGE ALLEGIANCE** Mayor McLean asked Council and City staff to stand and recite the Pledge of Allegiance.
- MINUTES** Mayor McLean asked Council to approve the minutes from August 10. Councilmember Walsh stated that she would like to amend the agenda to read that she recognized in her comments the 100 year anniversary of the Ratification of the Nineteenth Amendment. Motion was made by Councilmember Cook to approve the August 10, 2020 minutes along with the amendment and seconded by Councilmember Kuykendall. The vote was unanimous.
- PROCLAMATION
ALCOHOL/ DRUG
ADDITION RECOVERY** Mayor McLean stated that the next item on the agenda is the approval of a Proclamation proclaiming September as Alcohol and Drug Recovery Month. Motion was made by Councilmember Kuykendall to approve the Proclamation and seconded by Councilmember Walsh. The vote was unanimous.
- YEARS OF SERVICE
AWARDS** Mayor McLean stated that the next item on the agenda is to recognize employees for their years of service. Mayor McLean stated that the following employees are being recognized for five years of service: Michael Bolick, Fire Department; Derric Gandee, Police Department; Donya Langston, Fire Department. Mayor McLean thanked the employees for their dedicated work for the City of Clinton.
- ORDINANCE
FACE MASK** Mayor McLean stated that the next item on the agenda is for Council to consider Emergency Ordinance requiring individuals to wear face mask coverings. Mayor McLean stated that this Ordinance would require patrons to wear face coverings when entering grocery stores, pharmacy and medical offices and would also require employees of restaurants, bars, retail establishments, salons, barber shops, grocery stores, pharmacy and medical offices to wear face coverings when face to face with patrons. Councilmember Walsh stated that she forwarded several documents to Council concerning COVID-19 and how wearing masks has helped stop the spread of the virus.

Councilmember Walsh stated that Bi-Lo has made a statement that the corporation would be in support of an Ordinance requiring patrons to wear face coverings. Councilmember Walsh stated that the Surgeon General stated that it is up to local Municipalities to mandate wearing face coverings. Councilmember Walsh stated that Laurens County is still at high risk of COVID-19 and South Carolina ranks 11th in the number of COVID-19 cases in the United States. Councilmember Walsh stated that every citizen should make an effort to protect each other and she would like for the Community to work together to keep everyone safe. Mayor McLean stated that at the last Council meeting he asked City staff to gather information on COVID-19 for our zip code concerning the number of COVID-19 cases per day. Mr. Higgs, Assistant City Manager, stated that he has information from Joey Avery from Laurens County Emergency Management to present to Council. Mr. Higgs stated that these numbers are directly from DHEC and are specific to our zip code. Mayor McLean stated that this chart shows a decrease since July. Councilmember Jenkins stated that Clinton has maintained a low count since July because citizens are wearing a mask. Councilmember Kuykendall asked if the City has met with businesses and put out a statement supporting the wearing of face coverings. Mr. Higgs stated that the City has partnered with the Laurens County Chamber of Commerce and the Chamber has been the voice for the City. Mr. Higgs stated that it was best to let one organization deliver the message instead of having several messages out there. Mr. Higgs stated that the City of Clinton, Laurens County and the City of Laurens passed a Resolution recommending the use of face coverings. Motion was made by Councilmember Walsh to approve the Emergency Ordinance relating to face mask coverings and seconded by Councilmember Jenkins. The vote was four to three with Councilmembers Roth and Kuykendall and Mayor McLean voting no. Mayor McLean stated that since this is an Emergency Ordinance then Council would need two-thirds (five votes) of the vote to pass the Ordinance. Mayor McLean stated that the Emergency Ordinance did not pass.

**RESOLUTION
FACE MASK**

Mayor McLean stated that the next item on the agenda is the approval of a Resolution recommending that individuals wear face coverings in certain circumstances. Motion was made by Councilmember Kuykendall to approve the Resolution and seconded by Councilmember Roth. The vote was unanimous.

**FIRE CONTRACT
LAURENS COUNTY**

Mayor McLean stated that the next item on the agenda is the Fire Contract and Agreement between Laurens County and the City of Clinton in regards to the Clinton Fire Department's Fire District.

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Mayor McLean recognized Jeremy Marshall, Assistant Fire Chief to discuss the Fire Contract. Mr. Marshall stated that in 2018 the total number of calls was 1104 and in 2019 the total number of calls was 1268 which is a 15% increase. Mr. Marshall stated that motor vehicle, medical and fire calls increased from 2018 to 2019 and 44% of these calls were outside the City. Mr. Marshall stated that due to the City training and increase in personnel the City asked Laurens County for a 5% increase but received a 1.8% increase. Mr. Marshall stated that this amount would add \$5,274 to the Fire Contract amount. Mr. Marshall stated that the 1.8% is the standard CPI increase. Councilmember Roth asked if Mr. Marshall had any statistics on the cost of each call the City responds to. Mr. Marshall stated that he did not have that information before him but he could get the information to Council. Mr. Marshall stated that the cost of a call is going to depend on how many trucks and personnel respond to the scene. Councilmember Kuykendall asked when the City responds to a fire call outside the City limits does other fire trucks from other Municipalities respond as well. Mr. Marshall stated that other agencies would respond upon the request of the City. Councilmember Cook asked what was the increase for the 2019 Fire Contract and Mr. Marshall stated that the City did not receive an increase last year. Councilmember Cook stated that the City did not receive an increase last year but the number of calls has increased and Mr. Marshall agreed. Councilmember Roth asked does not the City have a deadline to get a request for an increase to Laurens County and Mr. Marshall stated yes. Mr. Marshall stated that the deadline for the request is February 2020 and Fire Chief Russell submitted the 5% increase request in January 2020. Mr. Marshall stated that due to the COVID-19 the City may wish to accept the Fire Contract and work on getting an increase for 2021. Councilmember Kuykendall stated that he did not know what options Council has concerning this Fire Contract. Mr. Higgs stated that the City does not have an option for this Fire Contract but next year would be the time to look at options. Mr. Higgs stated that the Fire Department can start accessing the cost of each fire call and determine a true cost for this service. Mayor McLean stated that the contract starts in July so the City is already three months into the contract. Mr. Higgs stated that the City is just receiving the contract from Laurens County for approval. Councilmember Walsh asked if there is a maximum amount the City can request and Mr. Higgs stated no. Mr. Higgs stated that the City needs to look at the cost of the fire service which would include equipment and personnel and compare this cost to the City's call volume. Mr. Higgs stated that the City needs a true cost of this service before having a discussion with Laurens County about the Fire Contract.

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Mayor McLean stated that the wording in the Fire Contract states Public Safety Director which should be changed to Fire Chief or City Manager. Councilmember Cook asked if the CPI number was just a number Laurens County chose because the CPI number is not in the Fire Contract. Mr. Marshall stated that the CPI number is not included in the contract. Councilmember Cook stated that Council should not be approving a contract that is already three months old. Councilmember Cook stated that something is wrong when Council does not receive a contract prior to the start date for review and approval. Councilmember Cook stated that a contract should be reviewed prior to the start date. Mr. Wham, City Attorney, stated that the Fire Contract does not have an auto renewal date but it does have language that suggests auto renewal. Mr. Wham stated that the language in the contract should be addressed. Motion was made by Councilmember Kuykendall to approve the Laurens County Fire Contract and seconded by Councilmember Cook. The vote was unanimous.

**FIRST READING
ORDINANCE
FLOOD PLAN**

Mayor McLean stated that the next item on the agenda is the first reading of an Ordinance to amend the City of Clinton Code of Ordinances for the section relating to the Flood Plan. Mayor McLean recognized Mr. Barnes, Building Official, to discuss the Ordinance. Mr. Barnes stated that the current Flood Management Plan is currently in the City's Code Book but the date of the Flood Plan Study was left out of the Ordinance. Mr. Barnes stated that the amendment includes the date of the study along with the maps supporting the study. Mr. Barnes stated that this Flood Plan makes sure the City does not build anything in a flood area and the amendments are to be included to support the Flood Plan. Motion was made by Councilmember Cook to approve the amendment to the City of Clinton Code of Ordinances as it relates to the Flood Plan and seconded by Councilmember Kuykendall. The vote was unanimous.

**HVAC SYSTEM
M.S. BAILEY CENTER**

Mayor McLean stated that the next item on the agenda is the purchase of the replacement of the HVAC system for the M.S. Bailey Center Building. Mayor McLean stated that the current system was installed in the building in 1969. Mayor McLean stated that City staff recommends Council authorizing the City Manager to enter into a contract with Thomas Mechanical for a cost of \$207,967 to replace the HVAC system. Councilmember Roth stated that the City only received two bids and Mr. Cannon, City Manager, agreed. Councilmember Roth asked if a local company could have made a bid and Mr. Cannon stated yes. Councilmember Walsh asked if the funds would come from Hospitality taxes.

Mayor McLean stated that the staff report states the funds would come from monies used for the Recreation Complex and that is not the case. Mayor McLean stated that the funds would come from the State A-Tax funds and the Hospitality funds because the City plans to house the Welcome Center in this part of the building. Mr. Higgs stated that the City received \$150,000 from the State A-Tax fund for this project and the balance would come from the Hospitality and Accommodation Taxes. Mr. Higgs stated that replacing the HVAC system is the first step in this project for the building. Councilmember Walsh stated that the all of the A-Tax funds would go toward this HVAC system and Mr. Higgs agreed. Councilmember Roth asked if the City was overlapping any monetary requests and Mr. Higgs stated no. Ms. Morrow, Finance Director, stated that the Tourism Board gave agencies that received A-Tax funds an extension to spend the funds because of COVID-19. Motion was made by Councilmember Cook to approve the purchase of a HVAC system for the M.S. Bailey Center from Thomas Mechanical for a cost not to exceed \$207,967 and seconded by Councilmember Kuykendall. The vote was unanimous.

WORSHOP

Mayor McLean stated that the next item on the agenda is for Council to determine a date for a workshop in October. Mr. Cannon stated that Council decided to hold a workshop in October but Council has to decide a date and time for the workshop. Mr. Cannon stated that City staff is looking at several formats to conduct the meeting and City staff will put together an agenda for the meeting. Mayor McLean stated that he would like for City staff to establish the topics before the meeting and to send Council information regarding the topics. After some discussion, Council decided to meet on Saturday, October 17, 2020 from 8:00 AM to 12:00 PM.

**ADMINISTRATIVE
BRIEFING**

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

**LANDSCAPE
M.S. BAILEY CENTER**

Cannon stated that the landscaping project for the M.S. Bailey Center would begin. Mr. Cannon stated that City crews would help remove the landscape based on the architect's Landscape Plan. Mr. Higgs stated that

**HANDICAP
PARK**

City staff has been working on a plan to make some City Parks handicap accessible. Mr. Higgs stated that if Council does not oppose this project then City staff would like to revamp one of the parks to a handicap park. Mr. Higgs stated that the City would replace the current equipment with ADA playground equipment as well as replace the natural grass with synthetic grass. Mr. Higgs stated that the City would pursue grant funds for this project as well as private donations.

HYDRANT TESTING

**CONNECTIVITY
STUDY**

LCWSC

**RECREATION
COMPLEX**

**CODE
ENFORCEMENT**

Mr. Higgs stated that City staff worked with the Laurens County Disabilities and Needs Board (DNB) on which park to convert and the DNB suggest the Ella and Josh Salvage Park because many of their clients live in this area. Mr. Higgs stated that City staff will be able to access the cost of this project while going after the grants. Councilmember Walsh asked if the City could extend the park and Mr. Higgs stated yes. Council agreed to move forward with the project. Mr. Cannon stated that starting on September 23, 2020 City staff would undergo citywide hydrant testing. Mr. Cannon stated that the testing schedule would be on social media. Councilmember Jenkins asked City staff to keep in mind how the water flows from the testing. Councilmember Jenkins stated that the water may flow on citizen's property. Mr. Cannon stated that City staff would be flushing the system as well as testing the pressure on the system. Mr. Cannon stated that City staff would make every effort to control the flow of the water. Mr. Cannon stated that City staff is also moving forward on the Connectivity Study and should receive the report for Phase I. Mr. Cannon recognized Mr. Meadors, Public Works Director. Mr. Meadors stated that Laurens County Water Sewer Commission (LCWSC) has been improving their Distribution System for several years. Mr. Meadors stated that LCWSC has requested to be able to serve customers on Young Road. Mr. Meadors stated that there are fourteen customers on Young Road and the City services four homes. Mr. Meadors stated that the City would continue to service the four customers but LCWSC would service any new customers on Young Road. Mr. Meadors stated that in the event the City decides to provide service to Young Road then LCWSC would give any of their customers on Young Road back to the City. Mayor McLean stated that this matter was not on the agenda and he does not feel comfortable voting on this matter. Mr. Cannon stated that City staff could bring this before Council at the next Council meeting. Councilmember Walsh asked if City staff could provide maps of the area in question. Mr. Cannon stated that the Recreation Complex is moving forward. Mr. Cannon stated that the first phase of the grading would be to complete a road into the complex. Mr. Cannon stated that he has presented Council with a drawing of the concession/restroom building. Mr. Cannon stated that the Recreation Complex would have five fields and this building would be in a central location to the fields. Mr. Cannon stated that the City could place flooring in the upper part of the concession building in order to hold meetings. Councilmember Kuykendall asked City staff to send out information as the Recreation Complex progresses. Mayor McLean requested City staff organize a ground breaking ceremony and Mr. Cannon agreed. Mr. Higgs stated that he wanted to update Council on the City's Code Enforcement.

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Mr. Higgs stated that 56% of the cases have been resolved with most of these cases related to weeds and overgrowth. Mr. Higgs stated that the majority of the outstanding cases involve vehicles, tree issues and rubbish. Mayor McLean stated that the Building Inspection Department has torn down five homes and nine mobile homes which help citizens keep up their property. Councilmember Jenkins stated that she had some complaints that she would forward to City staff. Mr. Higgs stated that the City is making sure the Code Enforcement process is efficient and the City is trying to implement a good processing system. Councilmember Kuykendall asked if the City requires landlords to follow a set of codes and Mr. Higgs stated that he would provide Council with that information. Councilmember Walsh stated that the City could provide the section regarding the landlords to the public. Mayor McLean stated that many homes in Clinton are not owner occupied but belong to a landlord. Mr. Wham stated that the City does not have a specific code for landlords but landlords must abide by the State law for renters and landlords. Mr. Wham stated that the City has adopted the International Property Maintenance Code. Councilmember Kuykendall asked if the City followed these guidelines and Mr. Higgs stated yes. Mayor McLean stated that several years ago the City budgeted \$25,000 to demolish abandoned homes and have since increased the budget to \$50,000 and the City has demolished 300 structures in the last five years. Mayor McLean thanked the Council and City staff for moving forward with this issue.

EXECUTIVE SESSION

Motion was made by Councilmember Kuykendall to go into executive session to discuss one contractual matter relating to the sale and purchase of City owned property, one contractual matter relating to Thornwell and one personnel matter relating to the A-Tax Committee and return to open session on the call of the chair and seconded by Councilmember Walsh. The vote was unanimous.

OPEN SESSION

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

A-TAX COMMITTEE

Motion was made by Councilmember Walsh to nominate the following individuals to the State Accommodation Tax Committee for no less than one year term who are Sabra Woodcock from Hampton Inn, Pritesh Patel from the Quality Inn, Robin Wilson from Wilson's Curb market, Tony Dempsey from Dempsey's Pizza, Charles Massey from Big Boys, Vanessa Stoddard from Stoddard Plastering and Kay Addison from the Laurens County Community Theater and seconded by Councilmember Cook.

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The vote was unanimous. Mayor McLean thanked the individuals who have agreed to serve and also the individuals who have served in the past.

**COUNCILMEMBER
REPORT**

Councilmember Roth stated that the owner of Jeff Thomason's building on South Broad has been making improvements to the building. Councilmember Roth stated that the improvements help make the area look better.

Councilmember Jenkins stated that she was criticized for applauding when the Scots and Brauts Festival was cancelled. Councilmember Jenkins stated that she appreciates what the staff has been and will be doing but I would like to make it clear that my life and the life of our citizens is more important than making an extra dollar for the City.

MAYOR'S REPORT

Mayor McLean stated that children from School District 56 reported to school today. Mayor McLean thanked and commended School District 56 Board Members, School District 56 Superintendent, administrative staff and teachers for the work they have done to make this day happen. Mayor McLean stated that Clinton is fortunate to have leadership in School District 56.

ADJOURN

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

CITY CLERK

MAYOR