

**Chapin Town Council
Public Hearing
on Rezoning of 415 Lexington Avenue from (RS1) to NC, Rental Registration
Ordinance, and Unified Development Fee Schedule Minutes
June 21, 2016**

Location: Chapin Town Hall

Attending: Mayor Skip Wilson; Council Members Mike Clonts, Robbie Frick, and Gregg White; staff members Chris Clauson, Karen Owens, Andy Metts, Inga Whelchel, and Chief Zeigler.

Absent: Kay Hollis

Call to Order: Mayor Wilson called the hearing to order at 5:35 pm, and determined there was a quorum. Mayor Wilson acknowledged that the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Presentation on the proposed Rezoning of Parcel (TMS 000700-07-027) Chapin United Methodist Church from RS1 (Single Family Residential) to NC (Neighborhood Commercial): Chris Clauson presented that this rezoning is required to bring the parcel in compliance, because the main sanctuary exceeds the zoning height as well as a lot purchased by the church that was zoned as Family Residential .

Public Comments: JJ Casey expressed her support for this proposal. Liesha Huffstetler stated the need for this in order to provide a sanctuary for the children.

Town Council Comments: None.

Presentation on proposed Rental Registration Ordinance: Chris Clauson presented this ordinance would require property owners to register their current contact information each year with the Town for the means to contact the owner in the case of an emergency or ordinance violation.

Public Comments: Dan Douglas had reviewed the ordinance and several issues, mainly the restriction of renting and being within a 75 mile radius of the property or hiring a property management company. He believed a lot of what this ordinance stated was already included in standing ordinances. He understood the ordinance might be needed at a later time with the growth of the town, but it is not needed now. He felt this ordinance would just produce a lot of unnecessary red tape. Liesha Huffstetler stated she knew a lot of renters who would view this as a lot of paperwork, red tape, and hinder people from renting. She felt this ordinance was not necessary for this small town. Pam Mitchell stated that lawyer's and real estate agents came up with the rental agreements used today by most agencies and it is unnecessary to add more in the ordinance to those agreements.

Town Council Comments: Mr. White stated in the case of some out of town owners, there is only a P.O. Box, which does not give the Town a way to contact an individual. He acknowledged Mr. Douglas' comments and that the points he brought up were well taken. As the Town grows,

there will be more rentals and some Home Owner Associations are not enforcing the covenants, which force the Municipality to get involved. Mayor Wilson stated the issue at hand is the protection of the tenants and property owners, as well as preserving property values through code enforcement. He expressed the importance of this ordinance and was hoping this will have a positive impact on the Town. He emphasized this is only a registration of rental property owners ordinance. Mr. Clauson explained this ordinance used Cayce Municipal's ordinance as an example. Mr. Clonts asked if we need to look at Mr. Douglas' comments and clarify the ordinance. Liesha Huffstetler noted the problem with Cayce's ordinance that required property owners to have a business license. Mr. Clauson stated that the Cayce ordinance was only used as a model and that was not included in this ordinance. He reiterated this ordinance is only asking for property owner information.

Presentation on Proposed Unified Development Fee Schedule: Mr. Clauson presented the Fee Schedule, stating this consolidated the fees. There was some modification to the structuring and a slight increase in some of the permit fees.

Public Comments: Dan Douglas asked how many fees are in place at this time as opposed to future fees. Mr. Clauson stated the vast majority are already in place. New construction review processes are much more laborious and the new fees will help cover those costs. New fees include the Zoning Verification Letter, Zoning Letter with Plan Verification, Landscape/Forestry Permit, Minor Subdivision Plat Review, and the increase for additional square footage on the sign permit from \$1 to \$2.

A motion was made to adjourn the hearing by Mr. Clonts; 2nd by Mr. White. The hearing adjourned at 6:22 pm by unanimous vote.

**Regular Town Council Meeting Minutes
June 21, 2016**

Location: Chapin Town Hall

Attending: Mayor Skip Wilson; Council Members Mike Clonts, Robbie Frick, and Gregg White; staff members Chris Clauson, Karen Owens, Andy Metts, Carl Stevens, Inga Whelchel, and Chief Zeigler.

Absent: Kay Hollis.

Call to Order: Mayor Wilson called the meeting to order at 6:40 pm, and determined there was a quorum. Mr. Clonts offered the prayer and Pledge of Allegiance. Mayor Wilson acknowledged that the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Minutes: A motion was made to accept the minutes from May 17th and May 25th Council Meeting by Mr. Clonts, who commended Karen Owens for having the minutes ready and delivered quite early for the Council members to review; 2nd was made by Mr. White. Mr. Frick stated he would like to abstain from voting as he did not attend the 17th meeting. Mayor Wilson stated that by law all Council members are required to vote, regardless if they were in attendance of that meeting or not. The motion passes by unanimous vote.

Recognitions: Mayor Wilson stated he has been able to attend many events, including speaking with the Chapin Boys All-Stars Machine Pitch, which consisted of 7-8 year olds. He thoroughly enjoyed spending time with these children. He also acknowledged the activity and progress made with citizen committees and appreciated the positive and proactive position these committees dedicate to promote our town. He announced the Town has posted a survey online and encouraged everyone to complete the survey. There are only about 10 questions that will give feedback on various subjects to improve our Town. The deadline to complete the survey is July 22nd. The information collected will be presented at the August Council Meeting. Mayor Wilson noted the Town Hall offices will be closed Monday, July 4th, in observance of the July 4th holiday. He also would like to remind everyone to attend the Beaufort Street Summer concert series the first Saturday of each month during the summer.

Reports: Staff gave general reviews of monthly reports provided in Council packets and answered questions.

- 1. Financial report** –Mr. Stevens presented the monthly report for May. He highlighted that the General Fund was up \$79,000 in revenue from last year at this time, mainly due to collection of Business License fees. There was good growth in the business licenses of about 5% increase over 2015. So far, there have been 116 new licenses from January to May with the average license being \$404.00. The expenses of the General Fund are higher, mainly due to the new positions filled, but everything in the expenses is going as planned according to the 2016 budget.

Council Comments: Mr. Clonts inquired if funds in the general business insurance line item are being used for legal fees. Mr. Stevens stated that yes and a component of

those funds are being used for legal fees. We have used all of the funds with 100% reimbursement, but there is an additional \$35,000 where the Town receives 80% reimbursement. There is approximately \$31,900 left to utilize in that fund. Mr. Clonts asked why the worker's compensation insurance is higher. Mr. Stevens stated that the worker's compensation amount is based on salaries and we are audited every year. Our salary base has increased over the years, and when the 2016 budget was prepared, we did not have the worker's compensation numbers available at that time. Mr. Clonts noted the public notices were 222% over budget. Mr. Stevens stated that was missed when the budget was prepared, but fortunately it is a small amount of only \$200. The Utilities Fund is \$340,000 above 2015, due to the increase in billings and sewer tap fees collected. The overall expenses are \$35,000 higher than last year due to the additional employees, but it is offset by not using outside vendors. Other than that, everything is running as budgeted.

Town Council Comments: As noted above. Mayor Wilson expressed that if you go online to the Town website, chapinsc.com, you will see the full transparency with all reports and financials available to view.

- 2. Police report** – Chief Zeigler stated that from a law enforcement aspect, there were no anomalies for the month of May. There were zero narcotic arrests. He expressed that any suggestions or concerns regarding the Emergency Operation Plan, which was provided in last month's Council packet, would be greatly appreciated.

Town Council Comments: Mayor Wilson asked if he anticipated an increase in activity due to the 4th of July holiday weekend. Chief Zeigler stated that activity ebbs and flows during holidays, but hopefully everyone will be on their best behavior. He gave an update on Capt. Craig who had ankle surgery on June 11th. He stated Capt. Craig has a lot of discomfort, but is improving day by day and should be back to work in a few weeks.

- 3. Utility report** – Mr. Metts reported continued progress on repair of the Timberlake sewer pump station gate and fence repairs. He foresees the repairs to be completed in the next two months. In searching for an alternate water supply, he contacted the Newberry County Water & Sewer. This is all preliminary work and no commitments have been made. We are just looking into an alternative to water supply from the City of Columbia. Mr. White asked for the time frame on completion of this inquiry. Mr. Metts anticipated he would have more information in the next month in regard to whether the systems will work together. Also, the Water and Sewer Manual should be completed in the next two months. Mr. Clonts wondered if a manual existed now. Mr. Metts stated that a manual exists, but it is outdated. A waste load study will cost \$20,000, but the Town's portion of that cost will not exceed \$2,000. Mr. Metts reported that the City of Columbia Council rejected the 4% increase in water rates, which is good news for Chapin residents. There will be no increase in water rates from the City of Columbia this year.

Town Council Comments: As stated above.

- 4. Zoning report** – Mr. Clauson reported there have been a couple of applications for units attached to Publix, but we are still awaiting review with a number of them. Also, the

sign permits for the units in attached buildings to Publix have applied, but we are waiting for a consolidated picture of all the signs and how they will relate to each other. The Zoning Board of Appeals will hold a variance hearing on Thursday at 6:00 pm for Chapin Crossing regarding the screening requirement for rooftop mounted equipment. Regarding the Transportation Alternatives Program (Lexington County Sidewalk Extension), apparently they want 15% contingency funds and soft costs to equal 35% of the project. We had to rework the scope of the project. We will receive the full \$180,000 Federal funds and the grant (if received), and then the Town would match the cost of \$47,000. The sidewalk would now only extend to the Fairhaven Subdivision. For the Turkey Pointe and Fairhaven lawsuits, there are supplemental proceedings that are going to be scheduled. The judge ruled in our favor and Mr. Frye has until July 23rd to pay. If unpaid, then further legal proceedings will need to take place. Mr. Clauson also noted that there is a dead tree that needs to be addressed. In order for it not to fall and damage one of three homes near it, we need to move forward, but that will be discussed later in the meeting.

Town Council Comments: Mayor Wilson asked what the Fairhaven judgement was. Mr. Clauson stated it was the cost plus 17% was awarded, which came to \$90,000 that we can collect.

Old Business:

- 1. Second Reading of rezoning of parcel (TMS 000700-07-027) Chapin United Methodist Church from RS1 (Single Family Residential) to NC (Neighborhood Commercial).** A motion was made to accept as presented by Mr. White; 2nd by Mr. Frick. The motion passes by unanimous vote.
- 2. Second Reading of Annexation Petition (TMS 00700-01-022) by Palmetto Bone and Joint.** A motion was made to accept as presented by Mr. Frick; 2nd by Mr. Clonts. The motion passes by unanimous vote.
- 3. Second Reading of Rental Registration Ordinance.** A motion was made to accept as presented by Mr. White; 2nd by Mr. Clonts. Mr. Clonts asked to spend time with Mr. Douglas to review his comments made in the Public Hearing and asked to table the ordinance in order to form a committee. Mayor Wilson asked we establish this ordinance for the sake of the Town and the safety of the residents. The Mayor voted in favor of this motion as presented, but Mr. Clonts, Mr. Frick, and Mr. White opposed. The motion did not pass.
- 4. Second Reading of Unified Development Fee Schedule.** A motion was made to accept as presented by Mr. White; 2nd by Mr. Frick. The motion passes by unanimous vote.

New Business:

- 1. Request for Action – Architectural Review Board and Zoning Board of Appeals Membership recommendations.** Mr. Clauson stated there were two vacancies in the ARB. There were two engineering applicants, Mr. Bryson Tucker and Mr. Alex Ciani. Both are highly qualified, but we believe Mr. Tucker brings more experience. Mr. Harmon Reed is the architect currently on the board and he seeks reappointment to the board. There were no architects who applied. Also, there was one vacancy in the Zoning Board

of Appeals with two applicants, Mr. Frank Mock and Mr. Steve Wall, and we believe Mr. Mock was more qualified. The recommendations are that Mr. Reed be reappointed to his position on the ARB, Mr. Tucker fill the vacancy on the ARB, and Mr. Mock to fill the vacancy on the ZBA. Mr. White made the motion to accept these recommendations by Mr. White; 2nd by Mr. Frick. Mr. White was pleased to see such highly qualified applicants for these committees. The motion passes by unanimous vote.

Town Council Comments: As noted above.

2. **Request for Action – Approve the Abatement of TMS 000700-05-029.** Mr. Clauson stated there is a 70-foot dead pine tree located on a vacant lot where the potential for one of three homes could be damaged if it were to fall. We have received three estimates to fell the tree of \$300, \$360, and \$400. This will just cover the cost of felling the tree and not removal. A motion was made to proceed to take the tree down by Mr. White; 2nd by Mr. Clonts. The motion passes by unanimous vote.

Public Comments: Mayor Wilson asked the comments to be focused on items on the agenda. Kim Murphy asked what she was signing when she walked in. She was told it was the sign up sheet to make public comments. Ms. Murphy stated State law cannot dictate what is said during public comments. She stated it was clear he did not change his position on what is said during public comments at the preface to the public comments. She stated any of the Council members can seek the opinion of the Attorney General and recommends they do so for the sake of community relations. She reiterated that the Mayor said we cannot talk about anything not listed on the agenda; however the Mayor's comments spoke of things that were not listed on the agenda, and does the rule not apply to the Mayor or does it just apply to the public? Mayor Wilson stated he will listen to her comments and take them under advisement, but he would not respond to that question. She asked the Mayor if he was seeking the Attorney General's opinion on this matter. Mayor Wilson stated he would not because he has given Ms. Murphy sufficient information from the state statute.

A motion to adjourn the meeting was made by Mr. White; 2nd by Mr. Clonts. The motion passes by unanimous vote. The meeting was adjourned at 7:27 pm.