



**CHAPIN TOWN COUNCIL  
SPECIAL CALLED MEETING**

**Thursday February 20, 2020  
3:00 p.m.**

**Town Hall - Community Room  
157 NW Columbia Ave, Chapin**

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**Members Present:** Mayor David W. Knight, Member Mike Clonts, Member Kay Hollis, Mayor Pro Tem Al Koon

**Members Absent:** Member Leland Teal

**Staff Present:** Finance Director Laura Culler, Utilities Director Andy Metts, Public Affairs Director Nicholle Burroughs, Chief Seth Zeigler, Zoning Administrator Ian Ashford, and Town Clerk Shannon Bowers

**Guests:** Lisa Lee Smith, Jeff Grover, Kim Murphy, Mary Higginbotham

**Call to Order:** Mayor Knight called the meeting to order at 3:02 p.m., determined there was a quorum, and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

**Executive Session**

Mayor Pro Tem Koon made the motion to go into executive session to discuss legal advice regarding the East Chapin Sewer Force Main Easements and legal advice regarding amendments to the Town of Chapin Zoning Ordinance, Articles 10 through 12. Mayor Knight seconded the motion. Motion to go into Executive Session passed unanimously. Council entered executive session at 3:03pm.

**Actions on Matters Discussed in Executive Session**

Member Clonts made a motion to enter back into regular meeting. Mayor Knight seconded the motion. Motion to enter back into regular meeting passed unanimously. Member Clonts made a motion for council to authorize the Mayor or his designated representative to negotiate and finalize easements for the East Chapin Sanitary Sewer Force Main Project along the route as recommended by the Design Engineer, to include obtaining appraisals where necessary. Mayor Pro Tem Koon seconded the motion. Motion passed unanimously.

Mayor Knight:	Yes	Mayor Pro Tem Koon:	Yes
Member Clonts:	Yes	Member Hollis:	Yes
Member Teal:	Absent		

Mayor Pro Tem Koon made a motion to add an agenda item to allow a public comment section. Member Clonts seconded the motion with a clarification to add it at the end of the agenda, before they adjourn. Motion passed unanimously.

Mayor Knight:	Yes	Mayor Pro Tem Koon:	Yes
Member Clonts:	Yes	Member Hollis:	Yes
Member Teal:	Absent		

**ITEMS FOR DISCUSSION**

**Chapin Town Code:** Mayor Knight began the discussion by noting that the American Legion has approached the Town about hosting Bingo at the American Legion Building, which is leased to them by the Town. Current Town Code, Chapter 14 articles 5 and 6, prohibits gambling in town. State code prohibits amusement devices and games of chance, but there is a new Title 12 code that makes an exception to Bingo. There are multiple pages of requirements for an organization to be able to hold a Bingo event.

Town code, 14.611 states where it is unlawful to gamble or participate in games of chance in Town and the exceptions, but it does not state what those exceptions are. Mayor Pro Tem Koon asked specifically was there a state code for Bingo. Mayor Knight noted that yes, there was an exception for Bingo, but it is still a game of chance, therefore illegal. Mayor Knight noted that he felt as long as the Bingo event was being held for a non-profit organization or fundraising event, there was not a problem as long as there was an appropriate place for it to be held. He wanted to bring the discussion to Council for their thoughts. Member Clonts asked if the request for Bingo was for a fundraiser or for profit. Director Burroughs noted that the American Legion wanted to do the event as a fundraiser for their building fund. Member Clonts noted that some research and definition would need to be put into the ordinance to address this issue. Police Chief Ziegler noted that this would be a state law versus local law and something the town attorney should look at and put something together for Council's consideration.

**Mobile Licenses:** Director Burroughs noted that there were three issue involving mobile vender fees and business licenses. Town Code states that mobile vendors must obtain a business license and pay a mobile vendor fee. The intention was to provide a benefit to brick and mortar business and not giving a competitive edge to mobile vendors, making it an equal opportunity for all. The problem presented is there are a lot of local businesses that hold community events that use mobile vendors for those events. The Town requires the mobile vendors get a business license and a mobile vendor permit and it is causing those mobile vendors to back out of those events, hurting the local businesses.

Director Burroughs recommends changing the town code, Article 6, section 607 and 608, to reflect that mobile vendors be given the option of either/or. They could either purchase a business license or a mobile vender fee, instead of requiring both. She noted a secondary issue in section 607 where it references a special event permit that does not currently exist. This form would be used to capture information on the vendors coming in and put it in one location as well as making contract or agreement that mobile vendors sign to hold them liable for using town facilities or equipment. Her recommendation is to add these into the ordinance so it can be found and referenced.

Member Clonts asked about the third issue with this. Director Burroughs noted that we may need to change the business license ordinance to reflect these changes since it references mobile vendors. By creating the special events permit, it would allow the Town to keep track of what business come into town and when.

Director Culler noted that she agrees with the statements that have been made, but would want to make sure we are covered with the business licenses and that we are complying with state law.

**Zoning Ordinance:** Zoning Administrator (ZA) Ashford began the discussion by stating the reason for the changes to these articles of the zoning ordinance was to clean up the authority for

the Architectural Review Board (ARB) and Planning Commission (PC). He did not make any changes to the appeals process, just moved it to a more appropriate section.

Article 10, section 1001, regarding the Certificate of Appropriateness. He re-wrote this to reflect that the PC should be reviewing major developments before the ARB. The ARB would only be reviewing architectural standards and should be the final approval before issuing a certificate of appropriateness.

He changed section 1004 regarding signs and new development to state that the Zoning Administrator or the staff can approve sign changes on an existing building, but any new development would have to go through the ARB for approval. He removed landscaping from this section because that falls under the site plan review, which the PC will do. Mayor Pro Tem Koon asked how that fell into issuing a certificate of appropriateness. Director Burroughs clarified that right now everything is being automatically deferred to the ARB. These changes would allow plans to go through the PC first before being submitted to the ARB for final approval.

ZA Ashford removed the zoning permit from 1005 and added a building permit. This would require them to get the certificate of appropriateness and a zoning permit before being issued a building permit. This changed the order of how things would be obtained to match with county standards. He cleaned up section 1006 for clarity. Section 1008-1 was not clear what was exempt, so he added what those exemptions would be. Section 1008-2 was changed to re-iterate what gets reviewed by the ARB. Section 1008-2 (b) noted to see examples, but there were no examples to be referenced, so it was removed. Section 1008-2 (c) was updated to include but not limited to dumpsters to clarify what disposables are. Section 1008-2 (k) exterior color was changed to state no pre-approval needed, they must meet the requirements stated in the architectural standards.

Article 11 referenced the authority of the Zoning Administrator, Planning Commission, and Architectural Review Board. He added subsections I, J, and K under section 1100, for the Zoning Administrator, to include the review of and issue zone approval of minor land development projects, signage review of all non-new building structure development, and code enforcement.

ZA Ashford removed sections 1101, 1102, and 1103 from section 11 and moved to section 12 as they discuss policies and procedures. He removed the existing article 12 which talked about the board of zone appeals and moved it to section 11 since it was classified it as a board. The new article 12 will be designated for policies and procedures. Section 1104-2 establishes the PC and states the qualifications of PC members. ZA Ashford also added subsections 7 and 8 to state the authority of the PC to include zoning approval of major land development projects and site plans. He cleaned up article 1105 to state what the ARB will do.

Article 12 is now designated as policies and procedures. Everything up to section 1204 was moved here from Article 11. Section 1204 sets up authority tables to lay out who has authority to approve minor versus major developments. Minor developments are stated as single family, signs, communication towers, single store fronts, single use developments, and temporary uses. If it is not any of these things, it will be reviewed by the PC. ZA Ashford noted that the intake sequence lays out what happens next after approval.

ZA Ashford also noted that he is working on a rural designation amendment to the zoning ordinance that is currently under review by the PC and should be available shortly.

**Economic Development:** Mayor Pro Tem Koon noted that Goodwill has come to town with plans to build a new 16,000 square foot facility on Columbia Avenue. He noted that he thought that area was zoned commercial. ZA Ashford confirmed that it was. Mayor Pro Tem Koon has concerns about the effect that this would have on the local non-profits. He stated that he felt the local thrift stores and non-profits that we currently have work very well together as they each have their own niche, but could see the addition of something like Goodwill coming that close to the interstate having adverse effects on our local non-profits. He also posed the question of what would Goodwill bring to Chapin that we don't already have and noted that there were several Goodwill branches and locations in the surrounding areas. He also had concerns about the location they have chosen to build on may not necessarily match up to the vision we have for that area and that it could affect other potential business that would want to locate there.

Mary Higginbotham with Good Works spoke about the impact that Goodwill coming into Chapin would have on their business. She noted that it would water down what they would receive in their donations were as Goodwill has the option of convenience and they would anticipate a loss. She also noted that in her experience in non-profits for the past 20 years, she has not had the best experiences with Goodwill in the past.

The question on the table is what can they do. Mayor Pro Tem Koon noted that as a council, they would be remiss to the citizens of Chapin and the local non-profits if they didn't tell the Goodwill representatives that they didn't think the Chapin area a good fit for them.

**Public Comment:** Kim Murphy noted that she appreciated all the council was doing, but was concerned about having no public comment section on an agenda that did have an action. She appreciated the motion by Mayor Pro Tem Koon and the Mayor taking public comments.

Jeff Grover commented on encouraging the town to get more of a dialog with the community started. It is helpful to get the community involved with the conversation on where the town is going and an opportunity to share thoughts with council.

**Adjournment:** Member Clonts moved to adjourn the Special Called Town Council Meeting. Mayor Pro Tem Koon seconded the motion. The meeting was adjourned at 5:08 p.m.

COUNCIL APPROVED: March 3, 2020