

**PENDLETON TOWN COUNCIL
REGULAR SESSION
DECEMBER 5, 2016**

MINUTES:

After due notice to the press, Mayor and Town Council met in the Council Chambers of Town Hall. Mayor and all Council were present with the exception of Denise Jackson who was absent by prior notice.

1) PLEDGE OF ALLEGIANCE

Mayor Crenshaw led everyone in the Pledge of Allegiance.

2) COUNCIL UPDATES

Mayor Crenshaw stated Councilwoman Jackson would be absent tonight because she is sick. Other updates are on the bottom of the Agenda.

3) APPROVAL OF MINUTES – November 7, 2016, Regular Session Meeting.

Bruce Kalley made a motion to accept the minutes as presented. Sandra Gantt seconded. Unanimous.

4) PUBLIC COMMENTS – Comments only - no questions will be taken at this time – questions will be taken at the end of the meeting. 3 minute limit. No action will be taken on these items.

Powell Hickman, stated he represents a group of concerned citizens who are looking for a positive solution with the health and safety threats the Pendleton Oil Mill presents. He stated he appreciates Council's efforts and understands the difficult challenge the Town is up against. He stated with that being said, he stood before Council two years ago and then again a year ago about the condition of the site. The property holds many risks for the public. Fertilizer is still on the property and there are health risks associated with mosquitoes. In addition to that there are a lot of hazardous chemicals and many surrounding historical properties that would easily burn if the Mill were to catch on fire. He has spoken to representatives at SCDHEC and they have not had access to the property for environmental samples. He has also spoken to representatives with the County and they cannot take action until the Town request they take action. He strongly urges the Council to not wait another day and to begin condemnation proceedings immediately.

Elisa Sparks commented on the condition of the Pendleton Oil Mill. She is upset at what it says about our Town and we basically have a dump site on the Town's Main Street. It makes it look like our Town is dying and does not care. She wonders when the buildings are going to collapse in the middle of the night and cause a train to derail. It's like a big dead spot in our Town and anything that Council can do to begin proceedings to clean-up the site should be done.

Christine Tedesco stated she was going to talk about the Pendleton Oil Mill in a different perspective. She stated she was going to talk about why Building Codes were established in our Country. She continued to share deadly encounters from dilapidated properties and cite International Building Codes regulations. One in particular regarding the definition of "People Incapable of self-preservation" and stated that exists across the street of the Oil Mill.

Beverly Reese stated she was here about her water. She called today about dirty water again. She took a sample of water and then Town Crews flushed and she took another sample of water and it wasn't as dirty. She stated if it were her pipes, it wouldn't have come out that way. She further stated that at a previous meeting, it was said the lines along her street had all been redone. She said there were houses on her street that had been pushed down and removed and if that was done there could be a problem coming from those properties. She said maybe charts and deeds could be looked at to see if that is where some of the dirty water is coming from.

Joshua Shafer stated he moved here in 1997 and he has seen the Pendleton Oil Mill fall apart over the years. He wants to add his support for something to be done to clean-up the site.

Ben Morton stated he hadn't planned to talk about the Pendleton Oil Mill tonight but from his experience and knowledge, if a fire happens there, citizens will have to evacuate the Town.

Sue Watts stated she has lived here over 20 years and has watched the deterioration of the Oil Mill site. It has always surprised her that this situation has been allowed to continue. She further stated that she is not the tidiest person and has received citations from the Town about her yard being overgrown and she would take action to correct the violation and can't understand how the Oil Mill owners have not had to take responsibility for their property to the extent that they are seriously endangering the health of the Town. She fears that the Oil Mill will explode and chemicals will be in the air. She has heard that the owners are trying to get an exception to be able to burn the structures on the site and believes this should not be considered. Further stating we have no idea what all is on the property and what unregulated chemicals may be stored there.

Rhonda Gray, representing Lake Hartwell Country, stated with the upcoming Capital Project for Mechanic Street, please consider the Spring Jubilee and notify them with any construction news. This will be their 40th Anniversary and the Village Green and the area around the Village Green is very valuable to their event.

5) REPORTS:

a. PENDLETON POLICE DEPARTMENT REPORT

Chief Doyle Burdette was present to give the update for the month of November.

Scott Ward asked what the backlog is of open cases. Chief Burdette stated he would get that information. Bruce Kalley commented about the CAD log and stated it didn't tell him much and he couldn't read the titles. Chief Burdette stated he can make the adjustments on the titles and the new system that will be up and running in January should take care of the report issues.

b. ADMINISTRATORS UPDATE & BUDGET REPORT

Steve Miller, Administrator, updated Mayor, Council and citizens for the month of November.

6) DISCUSSION ITEMS:

a. DISCUSSION OF CREDIT CARD PAYMENTS ONLINE AND IN-HOUSE WITH THE EXCEPTION OF POLICE FINES

All were in agreement to move forward with charging \$1 to everyone who pays using a credit card.

b. ENFORCEMENT DIRECTION PENDLETON OIL MILL PROPERTY

Mayor Crenshaw stated he agrees with everyone's comments tonight and it is time something is done. All were in agreement to schedule a meeting with the Town Attorney. Information will be gathered and given to the attorney to allow him to research and then a meeting will be scheduled with the Attorney and Town Council.

7) ACTION ITEMS:

a. CONSIDERATION OF SECOND AND FINAL READING OF "A CAPITAL PROJECT ORDINANCE FOR THE TOWN OF PENDLETON PAVEMENT REHABILITATION IMPROVEMENTS OF ROADS THROUGHOUT TOWN PROJECT"

Scott Ward made a motion to accept the above Ordinance for second and final reading. Sandra Gantt seconded. Unanimous.

b. CONSIDERATION OF APPROVAL OF ROADWAY ASSISTANCE AND TOWING POLICY FOR THE PENDLETON POLICE DEPARTMENT

Bruce Kalley made a motion to accept the Roadway Assistance and Towing Policy. Sandra Gantt seconded. Unanimous.

- c. CONSIDERATION OF A RESOLUTION TO ACCEPT THE RECOMMENDATION FROM THE TOWN OF PENDLETON PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF PENDLETON REGARDING THE ZONING OF .280 ACRES AT THE CORNER OF JONATHAN STREET AND U.S. 76 HWY TO BE ZONED (AB) AREA WIDE BUSINESS FOR THE APPLICANT LARRY M. ROWLAND JR. LOCATED AT 103 JONATHAN STREET

Sandra Gantt made a motion to accept the above recommendation. Scott Ward seconded. Unanimous.

- d. CONSIDERATION OF A RESOLUTION TO ACCEPT THE RECOMMENDATION FROM THE TOWN OF PENDLETON PLANNING COMMISSION TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF PENDLETON REGARDING THE ZONING OF 1.75 ACRES ON CHERRY STREET EXTENSION FROM THE UNINCORPORATED AREA OF ANDERSON COUNTY TO WITHIN THE TOWN LIMITS OF PENDLETON TO BE ZONED (R-3) MEDIUM-DENSITY RESIDENTIAL FOR THE APPLICANT CATHY JEAN MARQUIS LOCATED AT 1012 CHERRY STREET EXTENSION.

Scott Ward made a motion to accept the above recommendation. Sandra Gantt seconded. Unanimous.

- e. CONSIDERATION OF A RESOLUTION AUTHORIZING AND APPROVING THE ACCEPTANCE OF CERTAIN LOAN ASSISTANCE MONIES FROM THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AUTHORIZING THE MAYOR OF THE TOWN OF PENDLETON TO EXECUTE THAT CERTAIN LOAN ASSISTANCE AGREEMENT BETWEEN THE TOWN OF PENDLETON AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.

Bruce Kalley made a motion to accept the above Resolution. Scott Ward seconded. Unanimous

- f. CONSIDERATION OF APPOINTMENTS TO THE FOLLOWING BOARDS:
 - i. PLANNING COMMISSION
 - ii. BOARD OF ZONING APPEALS
 - iii. DESIGN REVIEW BOARD

Scott Ward made a motion to re-appoint the current Board Members to another term. Bruce Kalley seconded. Unanimous.

Council agreed to postpone filling the vacancy until past applicants can be contacted to determine their interest in serving.

Sandra Gantt would like a representative from Ward 2 to step up to the plate.

8) PUBLIC COMMENTS & QUESTIONS.

Powell Hickman stated he commends the Council for discussing the Pendleton Oil Mil and he likes Councilman's Ward suggestion that there is a plan prior to going to the Town's consultant. He said he would like to take it a step further and there should be objectives set before the meeting.

Sue Watts asked if there were any consequences and are there no penalties for Mr. Sitton. Steve Miller, Administrator, stated once enforcement actions are started the Town has to be prepared to follow through. The Town is not ready to accept the entire burden of removing the structures on the property. Mayor Crenshaw stated the maximum fine would only be up to \$500 and the Judge has the final decision on the amount. Scott Ward stated that Mr. Sitton had been jailed in the past for violations on the property.

Elisa Sparks asked why the Town hasn't asked SCDHEC what is on the land. She doesn't understand why the Town can't ask SCDHEC to go on the site. She stated to get the ball rolling we have to know what is all there. Mayor Crenshaw stated he was aware that SCDHEC has tested the site but he believes that was for fuel.

Christine Tedesco quoted from Building Codes and stated that hazardous materials range in five different levels. If the Oil Mill ever catches on fire, there will be explosions and the radius of the explosion is unknown.

Lou Koppel stated that everyone is exhausted about working nicely with the owner it is now time to do something to clean up the Pendleton Oil Mill. Mayor Crenshaw stated to the owner's credit, they have made little progress. Not much, but some.

Amy Albright echoes concerns with the Pendleton Oil Mill. She further stated she is concerned for gunshots at night. Over Thanksgiving weekend she heard more gunshots. Chief Burdette addressed her concern regarding gunshots.

Hilda Anderson stated she finds it fascinating that the area is not blocked off around the Pendleton Oil Mill. She would think the owner would have to build a wall to protect the community from the site.

Scott Ward stated he called in three street lights and *Powell Hickman* stated they were repaired and thanked him.

9) ADJOURNMENT.

There being no further business, at 8:05 pm *Sandra Gantt* made a motion to adjourn. *Scott Ward* seconded. Unanimous.

Respectfully Submitted: _____

MAYOR: _____

COUNCIL:

WARD 1: _____

WARD 2: _____

WARD 3: _____

WARD 4: _____