

City of Anderson  
Regular Meeting  
February 8, 2016

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Roberts, Mayor Pro Tem Chapman, Council Members Kirven, Thompson, Laughridge, Buck Roberts, Stewart, Harbin and John Roberts. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Finance Director, Peggy Maxwell; City Attorney, Frankie McClain; and Police Chief, Jim Stewart. The invocation was given by Councilman Buck Roberts with respects to the flag by Councilman Stewart.

SPECIAL RECOGNITIONS

POLICE DEPARTMENT PROMOTIONS

Corporal Craig Gardner  
Corporal Berry Kelley  
Corporal Daniel Stipe

Police Chief, Jim Stewart said Corporal Craig Gardner is a 25 year law enforcement veteran, including 21 years with the Greenville Police Department. Corporal Gardner served 13 years as an investigator, and later as a Sergeant in the Street Crimes Unit. Corporal Gardner is currently assigned with the Community Action Team responsible for patrol of high crime areas, investigation of narcotics complaints and suspected gang activity.

Corporal Berry Kelley has been a patrol officer with the Anderson Police Department for three years. During Corporal Kelley's career in Anderson he has been trained as a First Line Supervisor and Field Training Officer.

Corporal Daniel Stipe started his law enforcement career with the Williamston City Police Department in March of 2010, before joining the City of Anderson Police Department in November 2012. Corporal worked as a patrol officer on Alpha Shift until August of 2014 when he transferred to the Warrants team within the Special Operations Division.

Corporal Gardner, Corporal Kelley and Corporal Stipe were pinned with new badges.

## DETENTION PROMOTIONS

Corporal Clayton Bethea  
Corporal Mike Najjar  
Corporal Cheryl Peduzzi  
Corporal Robiet Vazquez

Chief Stewart said Corporal Clayton Bethea has been a detention officer for the City of Anderson since December of 2013. Corporal Bethea is currently a member of the first Special Operations Group, and serves as a Field Training Officer for detention recruits and newly hired employees.

Corporal Mike Najjar retired from the South Carolina Department of Corrections, where he served for 27 years. Corporal Najjar joined the City of Anderson's Detention Center staff in July of 2011, and in 2015 was named the Inmate Work Supervisor.

Corporal Cheryl Peduzzi has been an officer in the Anderson City Detention Center since January 17, 2011. Prior to her employment with the City of Anderson, Corporal Peduzzi served for seven years with the South Carolina Department of Correction as supervisor of the SC Braille Production Center. She currently serves as a Front Booking Officer.

Corporal Robiet Vazquez was born in Cuba and joined the City of Anderson Detention Division 5 years ago. Corporal Vazquez has served 3 years as a member of Team 5, where his duties include primary operations for Federal Jail and transportation for the US Marshals Service. Corporal Vazquez's other accolades include being Bravo Team Leader for the Special Operations Group, 2014 Detention Officer of the Year, FTO and First Line Supervision Certified Officer.

Corporal Bethea, Corporal Najjar, Corporal Peduzzi and Corporal Vazquez were pinned with new badges.

The above Corporals for the Police Department and Detention Center were sworn-in by Chief Stewart.

**SWEARING-IN CEREMONY**  
*Police Officer Justin Brooks*  
*Police Officer Haden Jones*  
*Police Officer Gleynda Miller*  
*Police Officer Josh Taylor*  
*Police Officer Julian Wright*

Chief Stewart said Officer Justin Brooks served in the US army for 10 years before being hired by the Anderson Police Department in 2015. He completed the South Carolina Criminal Justice Academy January 1, 2016 and currently serves as a patrol officer.

Officer Haden Jones is a 2009 graduate of Crescent High School, and worked for Michelin North America for the two years prior to being hired by the Anderson Police Department. Officer Jones is a 10 year volunteer for the Iva Fire Department, and has worked in Emergency Medical Services since 2010.

Officer Gleynda Miller is a 2010 graduate of Anderson University, where she served as the Administrative Coordinator for Campus Safety. In addition to her patrol duties she also volunteers with at-risk youth and at the Anderson Youth Boxing and Fitness Center.

Officer Josh Taylor is a former marine, and has served as a law enforcement officer for 8 years. Prior to the City of Anderson, Officer Taylor served the communities of Fountain Inn, Easley and Williamston. Taylor will be serving as an officer with Patrol's Bravo Shift.

Officer Julian Wright was born in Pontiac, Michigan. He moved to Anderson, South Carolina in 2004. Officer Wright is a 2012 graduate of Westside High School, and is currently enrolled at Forrest College, where he is pursuing a degree in Criminal Justice.

Officer Brooks, Officer Haden, Officer Miller, Officer Taylor and Officer Wright were sworn-in by Chief Stewart.

**APPROVAL OF MINUTES**

A motion by Mayor Pro Tem Chapman seconded by Councilman Buck Roberts carried unanimously (9-0) to approve the minutes of the January 25, 2016 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 16-01 AMENDING THE 2015-2016  
BUDGET

City Manager, Linda McConnell said the City Council adopted the 2015-2016 Annual Budget by Ordinance 15-07 on June 22, 2015. During the first half of the fiscal year, council approved a *public defender contract (\$30,380)*, and *reviewed in committee meetings, housing demolition (\$100,000)* and economic development incentives, (\$100,000). City Council approved this ordinance on first reading at their January 25, 2016 meeting.

The amendments allow the budget and audit to more accurately reflect revenue received and expenditures made that were unknown when the budget was originally adopted. Therefore, comparisons between budget and actual are more meaningful.

A motion by Councilman Stewart seconded by Councilman John Roberts carried (8-1) with Councilman Kirven opposed to approve Ordinance 16-01 amending the 2015-2016 Budget by increasing the General Fund by \$230,380 and the Economic Development Fund by \$100,000 on Second Reading.

A motion by Councilman Stewart seconded by Council Member Thompson carried (8-1) with Councilman Kirven opposed to approve Ordinance 16-01 on Third Reading as stated above.

REQUEST SECOND AND THIRD READING OF ORDINANCE 16-02 TO REVISE THE PLANNED  
DEVELOPMENT DISTRICT (PDD) DOCUMENT FOR TRACT B OF THE MAYFIELD, LOCATED OFF  
HARRIETT CIRCLE

Mayor Roberts said the Developer, Mr. Brewer, asked the City's Administration team to *postpone this request for Second and Third Reading of Ordinance 16-02 to revise the Planned Development District (PDD) Document for Tract B of They Mayfield, located off Harriett Circle until another meeting.*

Council agreed to continue to a future meeting.

REQUEST SECOND AND THIRD READING OF ORDINANCE 16-03 ESTABLISHING AN ECONOMIC  
DEVELOPMENT BUSINESS ASSISTANCE PROGRAM

City Manager, McConnell said the Economic Development Division was established to encourage the economic development of the City and to provide for the increased benefit and prosperity of its citizens. The City has proven success with their Infrastructure Reimbursement Program, Façade Grant Program and the Economic Development Incentive Program (EDI

Program). Presently only one of these programs are available; the EDI Program. As of August 2015, those developments assisted through the EDI Program have generated approximately \$373,828 in new city revenue.

#### Façade Program

This program provides financial assistance for improvement projects on building facades. Grants up to \$5,000 may be provided to property owners or tenants; a 50% match is required.

#### Sign Program

This program provides businesses signage on the exterior of buildings. Grants up to \$500 may be provided to property owners or tenants; no match is required.

#### Design Assistance

This program provides for architectural design services and/or preparation of scope of work for exterior facades. Grants up to \$500 may be provided to property owners or tenants; no match is required.

#### Infrastructure Reimbursement

This program will reimburse any person, firm or corporation developing property for commercial, retail, cultural, tourism or residential purposes up to 50% of the infrastructure costs associated with such development. Eligible infrastructure costs include but are not limited to sewer, water, storm water, fire safety, sidewalks and related infrastructure costs.

#### Historic Building Maintenance

This program provides for repairs that will stop the intrusion of water into a historic building up to 50% of the total costs. All buildings within the Downtown Historic District are eligible; however priority is given to those buildings listed on the National Register of Historic Places or as a contributing member. Eligible items are roof repair, or the replacement/repair of other exterior elements (non-architectural) that are allowing water to enter the building and damage the interior structure of the building. The grant shall not be used as a match for the City's façade grant program.

#### Interior Up fit and Maintenance

This program provides for repairs or up fits to the interior of a building that will either repair or restore architectural or structural elements of the building or up fits that cause the building to be retail ready up to 50% of the total costs. Generally all up fits must be permanent improvements to the building and may include but not be limited to display windows, new construction such as bathrooms or changing areas, certain electrical, mechanical and plumbing work, interior repairs to walls, windows and flooring. In determining priority among applicants emphasis shall be given to the degree the project preserves or establishes historic or other like architectural features in the interior of the building.

### Grant Match

Program funds may be used for needed match dollars for economic development grant requests.

All programs are offered to properties zoned for commercial or industrial use located within the City limits with the exception of the Historic Building Maintenance and the Interior Up Fit and Maintenance Programs which are offered to properties located in the Downtown District only.

Staff will accept applications on a monthly basis and evaluate them utilizing the Economic Development Incentive Program's selection criteria. Any individual program request of \$10,000 or more will require City Council's approval.

### Selection Criteria

- The degree to which the development may potentially stimulate other desirable economic development and/or redevelopment activity (catalytic effect).
- The contribution that the development will make toward increased employment and earnings within the city, including the number and quality of jobs created.
- The increase in property tax revenues that may result from the development.
- The increase in sales tax/fee revenues that may result from the development.
- The potential of the development for further business activity expansion and additional job creation.
- The preservation of key historical or architecturally significant buildings or sites.
- The extent to which additional direct or indirect public costs to the city and to other local governmental units would be necessary, such as the cost of extending public infrastructure facilities and/or municipal services.
- The extent to which the proposed development satisfies a desired or unique niche in the marketplace and helps diversify the economy of the city.
- The beneficial economic impacts the development may have on a particular area of the city identified by the municipality as needing special assistance, including areas needing revitalization or redevelopment.
- The compatibility of the location of the development with land use and development plans as described by city goals and/or the comprehensive plan, including considering availability of existing infrastructure facilities and essential public services.

The Division recognizes the benefits and economic impact of new investment will contribute to the health and stability of the City and in furtherance of the various adopted goals and plans of the City. The primary purpose is to benefit the citizens of the City by encouraging revitalization and redevelopment. The City will realize direct and indirect economic benefit by attracting additional businesses, investment, patronage through enhancing the quality of life and enjoyment of our citizens.

These programs will be funded by the Economic Development Fund.

The Economic Development Committee and staff recommend approval of the Business Assistance Program and the annually assignment of 10% of revenue growth to the Business Development Assistance Program. The amount shall be calculated based upon the year the growth was generated.

Several Council Members had questions about allocation of funds. Downtown Manager, Arlene Young assured Council that funds would be allocated appropriately and brought back to Council when needed.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to approve Ordinance 16-03 establishing an Economic Development Business Assistance Program on Second Reading.

A motion by Council Member Thompson seconded by Councilman Buck Roberts carried unanimously (9-0) to approve Ordinance 16-03 on Third Reading as stated above.

Mayor Roberts stated that due to the next three agenda items Council would move into Executive Session prior to considering the requests.

#### EXECUTIVE SESSION

A motion by Councilman Stewart seconded by Councilman Laughridge carried unanimously (9-0) to move into Executive Session to discuss Personnel – Municipal Court

A motion by Councilman Kirven seconded by Councilman Laughridge carried unanimously (9-0) to move out of Executive Session.

#### REQUEST CONSIDERATION OF ORDINANCE 16-04 AMENDING CHAPTER 58, SECTION 58-2 OF THE ANDERSON CITY CODE PROVIDING FOR THE QUALIFICATIONS OF MUNICIPAL JUDGE

City Manager, McConnell said Section 58-2-8 of the City Code was previously amended to allow council to suspend the requirement that the judge be an attorney in order to provide temporary additional judicial support. Council has appointed two judges that are non-lawyers and it appears that the Court will benefit by making permanent the provision allowing for the appointment of non-attorneys. In addition to conducting bond hearings and issuing warrants, the non-lawyer judges are also able to handle bench warrants. This prevents persons from being unnecessarily incarcerated.

This amendment will allow the appointment of non-lawyers as judges which gives the Council greater flexibility in providing the citizens with an efficiently operated Municipal Court.

A motion by Councilman Stewart seconded by Mayor Pro Tem Chapman carried unanimously (9-0) to approve Ordinance 16-04 amending Chapter 58, Section 58-2 of the Anderson City Code providing for the qualifications of Municipal Judge on First Reading.

#### REQUEST CONSIDERATION OF APPOINTMENT OF MINISTERIAL RECORDER FOR MUNICIPAL COURT

City Manager, McConnell said Josh Allen, Richard Thompson and Robert King have been appointed Assistant Municipal Judges. Each Judge holds court one week per month usually in the morning. Goetz Eaton and Stacy Blair have been appointed Assistant Municipal Judges. Their duties are limited to issuing warrants, conducting bond hearings and handling bench warrants. Judge Eaton covers bond court in the morning and Judge Blair covers it in the evening. Matt Lollis, Anderson County Magistrate, was appointed to serve as Municipal Judge by order of the Chief Justice and began serving in January, 2015. Judge Lollis conducts bond hearings on alternate weekends.

Charles Huggins is employed as the Court Administrator and he handles the administrative duties involved in managing the Municipal Court. Sec. 58-13 provides that council may employ a Ministerial Recorder who serves at council's pleasure. Ministerial Recorders are authorized to issue warrants and conduct bond hearings. It is anticipated that bond hearings and issuance of warrants will usually be covered by the assistant judges. Mr. Huggins is employed full time and would be available to handle these matters on an emergency basis.

The City would benefit by insuring the availability of personnel to issue warrants and conduct bond hearings.

City staff and Public Safety Committee recommend City Council appoint Charles Huggins as Ministerial Recorder.

A motion by Mayor Pro Tem Chapman seconded by Councilman Buck Roberts carried unanimously (9-0) to appoint Charles Huggins as Ministerial Recorder for Municipal Court.



## REQUEST CONSIDERATION OF DESIGNATION OF CHIEF JUDGE FOR MUNICIPAL COURT

City Manager, McConnell said Judge Ken Mattison retired effective December 31, 2015. The Council has previously appointed Josh Allen, Richard Thompson, Robert King, Goetz Eaton, and Stacy Blair as Assistant Judges.

In addition, Matt Lollis, Anderson County Magistrate, serves as a Municipal Judge pursuant to an order of the Chief Justice and an agreement with Anderson County.

It is the recommendation of the staff that a Chief Judge be designated and be considered a full time employee. His duties will be as follows:

- Responsible for the supervision of Assistant Judges.
- Hold court every fourth week
- Preside over jury trials, preliminary hearings and code enforcement cases
- Handle pretrial hearings and motions
- Handle cases involving Pretrial Intervention failures
- Issue warrants when bond judges are not available (usually 9:00A.M.-5:00 P. M. weekdays)
- On-call for all judicial duties when the assigned judge is unavailable
- Attend quarterly meeting of the County Summary Court Judges.
- As Chief Judge, he will have the primary responsibility to Court Administration and the Chief Justice.

The City would benefit by having a judge designated to deal with Court Administration and to provide on-call judicial services.

This full time position will be funded by the General Fund.

City staff and Public Safety Committee recommend City Council designate a Chief Judge.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to appoint Josh Allen as Chief Judge for Municipal Court.

## ADMINISTRATIVE BRIEFING

### UPCOMING EVENTS

City Manager, McConnell reminded Council of the following upcoming events and all meetings in February 2016.

February 11<sup>th</sup> – Anderson County Municipal Association Meeting

February 16<sup>th</sup> – Westside Community Coalition

February 18<sup>th</sup> – Southeast Anderson Task Force

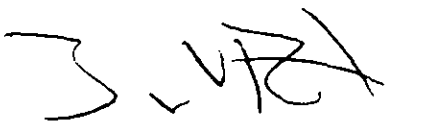
February 19<sup>th</sup> – Council Retreat – Madren Center

February 25<sup>th</sup> – Concerned Citizens of Eastside

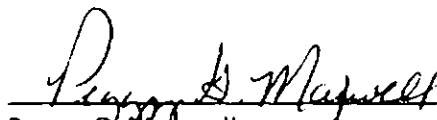
### ADJOURNMENT

A motion by Councilman Stewart seconded by Councilman Laughridge carried unanimously (9-0) to adjourn.

ATTEST:



Terence V. Roberts  
Mayor



Peggy G. Maxwell  
City Clerk Treasurer