

Regular Meeting
June 12, 2017

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Pro Tem Harbin, Council Members Chapman, Thompson, Buck Roberts, Laughridge, and Stewart. Mayor Roberts and Councilmen John Roberts and Newton were not present. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Finance Director, Peggy Maxwell; City Attorney, Frankie McClain; Planning Director, Maurice McKenzie; IT Director, Mark Cunningham; Police Chief, Jim Stewart; Fire Chief, Randy Bratcher and Public Works Director, Kerry Stalnaker. The invocation was given by Councilman Stewart with respects to the flag by Councilman Buck Roberts.

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (6-0) to approve the minutes of the May 22, 2017 meeting as presented.

REQUEST CONSIDERATION OF ORDINANCE 17-04 ADOPTING THE BUDGET FOR FISCAL YEAR
2017-2018

City Manager, Linda McConnell said each year City Council adopts a budget for the City of Anderson. Budget adoption is required by state law.

The City's budget is a policy and planning document that tells what the City's priorities are and where the City is going. The purpose of a budget is to control the money, directing it at projects identified by Council and providing basic municipal services.

The total budget for all funds is \$59,899,623. In addition, the budget ordinance does include a tax millage cap of 118 mills, a franchise fee increase for Duke Energy from 4% to 5%, and a sanitation fee of \$2.75 per garbage cart serviced by the City. The budget ordinance also includes approval and appropriation of the 2017 Compensation Plan and appropriation not to exceed \$2,000,000 for the capital facilities improvements. A public hearing was held on June 12, 2017 prior to the Council meeting.

A motion by Councilman Chapman seconded by Councilman Buck Roberts carried unanimously (6-0) to approve Ordinance 17-04 adopting the budget for fiscal year ending June 30, 2018. The budget for all funds is \$59,899,623, with additional appropriation not to exceed \$2,000,000 for the 2017 Compensation Plan and appropriation of \$2,000,000 from the General Fund unassigned fund balance for capital facilities improvements on First Reading.

REQUEST CONSIDERATION OF ORDINANCE 17-05 AMENDING THE DUKE ENERGY FRANCHISE AGREEMENT

City Manager, Linda McConnell said the staff request first reading of ordinance 17-05 providing for an increase in the franchise fee paid by Duke Energy Carolinas, Inc. to 5% of the gross electrical receipts derived by the company from within the corporate limits of the City of Anderson.

Duke Energy Carolinas, LLC, has been providing electrical service to the City of Anderson through a Municipal Service Agreement dated July 13, 2009. Pursuant to the terms of the agreement, the city has the right to adjust the franchise fee upon a vote by City Council. The Finance Committee has recommended the increase as part of the budget recommendation for the 2017-2018 City budget.

The City of Anderson will benefit in that the increase in the franchise fee will assist in enabling the city to continue providing quality services for its citizens.

A motion by Councilman Stewart seconded by Councilman Laughridge carried unanimously (6-0) to approve Ordinance 17-05 to increase the franchise fee paid by Duke Energy Carolinas, Inc. to 5% of the gross electrical receipts derived by the company from within the corporate limits of the City of Anderson on First Reading.

REQUEST CONSIDERATION OF A GRASS AND WEED CUTTING CONTRACT FOR CODE COMPLIANCE

Planning Director, Maurice McKenzie said although most property owners are responsive after being cited for grass and weed compliance, some property owners cannot be located. This results in a lien being placed against their property and the City maintaining the lots. Annually, the City utilizes a contractor for these services, and this year's list consists of 75 lots. Of these, 51 are in possession of the Anderson County Forfeited Land Commission, meaning that taxes were not paid on these lots and not reclaimed. There is no budgeted funding from other sources to maintain the Forfeited Land Commission lots, but the City works with Anderson County to recoup some of the costs which will put monies back into the weed compliance budget. The City has been successful in recouping some of the costs from the County over the years.

The City's requirements for the bids include a price for initial lot clean-up and subsequent mowing on a 2 to 3-week basis through the end of October. Each lot will be cut approximately 8 times under the terms of the City's requirements (not including the initial clean-up). If it is determined that the lots do not need cutting as often, the expenditure will be less.

After following the advertising procedures for soliciting bids, 2 were received (prices based on an initial cut and 8 subsequent cuts):

- | | |
|-------------------|----------|
| 1. A Cut and Care | \$16,500 |
| 2. D-S and Sons | \$17,625 |

This contract will eliminate nuisances and improve the aesthetics in the City's neighborhoods.

Funding is allotted in the Building Department's budget.

The staff recommends the approval of low bidder, A Cut and Care. This company has been awarded the contract for the last two cutting seasons and performs the job in an efficient manner with quality results. Staff will monitor their quality of work and timeliness to ensure that they meet the required guidelines.

A motion by Councilman Chapman seconded by Council Member Thompson carried unanimously (6-0) to award a grass and weed cutting contract to A Cut and Care in the amount of \$16,500.

REQUEST CONSIDERATION OF AN APPOINTMENT TO THE ANDERSON AREA TRANSPORTATION STUDY (ANATS) POLICY COMMITTEE

City Manager, Linda McConnell said the ANATS Policy Committee is the local body that grants final approval to all plans, projects and funding relating to federal and state transportation projects in the Anderson urban area. Representation on this committee as per the by-laws is as follows:

- Anderson City Council (3)
 - Mayor and 2 Council members
- Anderson County Council (2)
 - District 1 and District 2 representatives
- Belton City Council Appointee (1)
- Legislative Delegation (3)
 - Senator and 2 House members who represent the citizens of the City of Anderson
- SC Department of Transportation (1)
 - District Commissioner
- Anderson County Planning Commission (1)
 - Chairman or Vice Chairman
- At-Large Members (4)

Residents from ANATS area elected by the Policy Committee.

The three City Council members representing ANATS include Terence Roberts, Don Chapman and formerly Steve Kirven. Mr. Kirven's resignation from City Council and appointment as Master-in-Equity created a vacancy on the ANATS Policy Committee. Council member John Roberts has agreed to serve in this capacity.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (6-0) to appoint Councilman John Roberts to the Anderson Area Transportation Study (ANATS) Policy Committee.

REQUEST CONSIDERATION TO PURCHASE NETWORKING EQUIPMENT FOR CITY NETWORKS

IT Director, Mark Cunningham said currently we have a Cisco core router that is approximately 8 years old and is nearing "end of life". This router was installed when we used T-1 connections to our remote sites and contained modules for connecting these circuits. We have since moved away from T-1's and now use Metro E and these features are no longer needed. In recent years switching technology has advanced to the point that layer 3 switches can do everything previously done by a core router. We are proposing replacing the old core router with two layer 3 switches. We placed an ad in the Independent Mail and on our website requesting quotes for two (2) each of the following equipment:

- WS-C3850-48P-E – Cisco Catalyst Ethernet Switch – Manageable – Twisted Pair – 2 Layer Supported – 1 U High – Rack Mountable – 90 Day Limited Warranty
- CON-SNT-WSC388PE – Cisco SMARTnet Extended Service – Service – 8x5 Next Business Day – Exchange – Physical Service
- Stack -T1_1M – Cisco Stackwise – 480 1 m Stacking Cable Spare – for Network Device – 3.28 ft.
- C3850-NM-4-1G – Network Module – 4 x SFP (mini-GBIC) 4 x Expansion Slots

List price for the switch is \$21,000 each (\$42,000 for two) and the state contract price is a 37% discount for a total of \$13,230 each (\$26,460 for two). We received the following bids:

DataQ – (King of Prussia, PA) - \$15,014– did not meet bid requirements
SpareIT – (Rochester, NY) - \$10,442 – did not meet bid requirements
Holzberg – (Totowa, NJ) - \$13,408 – low bid
Integral – (Spartanburg, SC) - \$20,175 – our local support group
CDW-G – (Vernon Hills, IL) - \$27,550.36
4Cube Solutions (Bradenton, FL) - \$26,319.10
Power&Tel (Memphis, TN) - \$29,849.16

The purchase of this networking equipment will allow us to replace an outdated piece of equipment that is the central networking hardware on our network. It also provides the ability to merge the City and PD networks so PD users can have a single sign on and can change their email password as necessary. Currently IT must update email passwords for each PD employee every 90 days as CJIS requires.

This equipment will be funded by the IT Budget

The IT Division recommends purchasing this equipment from the low qualified quote – Holzberg for a total of \$13,408

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (6-0) to approve purchase of networking equipment from Holzberg in the amount of \$13,408.

REQUEST CONSIDERATION OF ORDINANCE 17-06 ADOPTING AN ECONOMIC DEVELOPMENT AGREEMENT REGARDING CLEMSON ENGINEERING HYDRAULICS

Assistant City Manager, David McCuen said one of the primary missions of the City of Anderson is to encourage development, improve the tax base and enhance the livability of the Anderson Area.

Clemson Engineering Hydraulics has acquired property in the City and is in the process of moving operations there.

Revenues resulting from the proposed development are estimated to exceed \$140,000.00 in a five-year period.

In return for the development by Clemson Engineering Hydraulics, the City will pay a grant in the total amount of \$25,000 payable over five years.

Anticipated revenues indicate that the grant will be a budgeted general fund item.

A motion by Councilman Laughridge seconded by Councilman Chapman carried unanimously (6-0) to approve Ordinance 17-06 adopting an economic development agreement with Clemson Engineering Hydraulics on First Reading. The City will pay a grant in the total amount of \$25,000 payable over five years.

REQUEST CONSIDERATION OF AN AGREEMENT TO SETTLE CIVIL LITIGATION BETWEEN THE CITY OF ANDERSON AND LS3P ASSOCIATES, LTD., SUCCESSOR IN INTEREST TO NEAL PRINCE + PARTNERS ARCHITECTS, INC.

City Attorney, Frankie McClain said due to the failure of the gym floors and water problems at the Recreation Center, the City filed litigation against LS3P (the architect), Triangle Construction Company (the builder) and Seamon-Whiteside (site-engineer). The City was not successful in having all cases tried together and had to proceed against each defendant individually.

The case against Triangle was settled for a case payment of \$175,000 and approximately \$25,000 in work done to repair the roof. The case against Seamon-Whiteside was also settled for \$200,000

LS3P took the position that Triangle and Seamon-Whiteside were responsible for any defects. LS3P offered to pay \$25,000 and up to an additional \$25,000 if the recovery from Seamon-Whiteside was less than \$100,000. After the case with Seamon-Whiteside was settled for \$200,000, LS3P's offer was reduced to \$10,000.

The experts for the City advised that the cost involved in the litigation could likely equal or exceed the amount of recovery. Based upon that advice, LS3P was asked to at least pay for the sanding and restriping of the two gym floors. LS3P has offered the sum of \$23,750 which will cover that cost.

The City will benefit by resolving this case without additional litigation cost. The gym floors will be substantially improved with the sanding.

LS3P will pay the sum of \$23,750 in return for a release of all claims by the City and dismissal of the arbitration.

A motion by Councilman Laughridge seconded by Councilman Buck Roberts carried unanimously (6-0) to approve an agreement to settle civil litigation between the City of Anderson and LS3P Associates Ltd. LS3P will pay the sum of \$23,750 in return for a release of all claims by the City and dismissal of the arbitration.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

City Manager, Linda McConnell, reminded Council of the following upcoming events and all meetings in June 2017.

- June 15th – Southeast Anderson Task Force
- June 16th – Movie Night in Carolina Wren Park
- June 17th – Father's Day Car Show – Downtown
- June 19th – Celebration of D.B. Walker's 100th Birthday
- June 20th – Seat 2 Neighborhood Watch
- June 23rd – 25th – Shakespeare in the Park - CWP

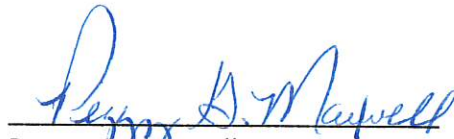
ADJOURNMENT

A motion by Councilman Stewart seconded by Councilman Buck Roberts carried unanimously (6-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer