

Regular Meeting
November 13, 2017

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Terence Roberts, Mayor Pro Tem John Roberts, Council Members Thompson, Buck Roberts, Stewart, Chapman, Laughridge, Harbin and Newton. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Assistant Finance Director, Margot Martin; City Attorney, Frankie McClain; and Parks and Recreation Director, Bobby Beville. The invocation was given by Councilman Newton and respect to the flag were given by Councilman Chapman.

APPROVAL OF MINUTES

A motion by Councilman Buck Roberts seconded by Councilman Chapman carried unanimously (9-0) to approve the minutes of the October 23, 2017 meeting as presented.

REQUEST CONSIDERATION OF RESOLUTION 17-05 AUTHORIZING AN INFRASTRUCTURE
REIMBURSEMENT AGREEMENT WITH TETRA INVESTMENTS, LLC FOR STONEBRIDGE AT
RANKINS LAKE SUBDIVISION

City Manager, Linda McConnell said that the staff would like to introduce this for consideration but request to table it until Executive Session.

In 2004, approximately 44 acres of land located off East Calhoun Street was annexed into the City for the development of a single-family residential subdivision. Stonebridge at Rankin's Lake consists of approximately 125 lots and is being developed in two phases and Phase I is under construction. Phase I consists of 62 lots--37 houses are complete and 6 are currently under construction.

A factor in the developer's interest in annexing into the City was because of the Infrastructure Reimbursement program that was created in 1996. At the time of annexation, authorization to participate in this program was granted by the City Council. This program, which is now suspended, was created as an annexation incentive allowing a developer to recoup up to 100% of the public infrastructure costs over a 10-year period. Public infrastructure typically includes streets, storm sewers, and water and sewer lines that are accepted by the City as public improvements, and these costs are reviewed by the City Engineer for accuracy.

The developer's participation in this program is based upon receiving reimbursements by utilizing a maximum of 45% of the amount of the real property tax revenues collected on the property

annually. Since the reimbursement is based upon the amount of taxes generated from the property, participants typically wait until a significant portion of the property is developed before receiving the first payment. The representative of this development wishes to begin receiving the first of his annual reimbursement payments in 2020. In order to finalize this process, City Council must approve by Resolution the specifics of the Infrastructure Reimbursement Agreement, which includes the maximum amount to be reimbursed, timeframe of the agreement and rate of reimbursement.

A motion by Councilman Laughridge seconded by Council Member Thompson carried (8-0) with Councilman Chapman abstained from vote to table consideration of Resolution 17-05 authorizing an infrastructure agreement with Tetra Investment, LLC for Stonebridge at Rankins Lake Subdivision until Executive Session.

REQUEST SECOND READING OF ORDINANCE 17-10 AMENDING CHAPTER 50 OF THE CODE OF
ORDINANCES FOR ANDERSON, SOUTH CAROLINA, PROVIDING FOR FLOOD DAMAGE
PREVENTION FOR THE CITY OF ANDERSON

City Manager, Linda McConnell said the Flood Mitigation Program of the South Carolina Department of Natural Resources has recommended that the City of Anderson adopt amendments to the South Carolina Model Flood Damage Prevention Ordinance.

The City of Anderson participates in the National Flood Insurance Program. Local governments are assisted by the Flood Mitigation Program of the South Carolina Department of Natural Resources in developing an ordinance that is consistent with current regulations of the National Flood Insurance Program. The City of Anderson adopted the South Carolina Model of the Flood Damage Prevention Ordinance in 2011. Amendments to the ordinance have been edited by staff and reviewed by SCDNR.

This ordinance will assist the City of Anderson in implementing and administering our regulations and further reduce future flood damages in our community. Adoption of the ordinance will insure continued eligibility for participation in the National Flood Insurance Program.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 17-10 amending Chapter 50 of the Code of Ordinances for Anderson, South Carolina, providing for flood damage prevention for the City of Anderson on Second Reading.

REQUEST CONSIDERATION OF ORDINANCE 17-11 TO ANNEX AND ZONE TO GC, GENERAL COMMERCIAL, APPROXIMATELY 1.21 ACRES LOCATED AT 3800 CLEMSON BOULEVARD

City Manager, Linda McConnell said the applicant is in the process of rebuilding a restaurant (Zaxby's) on the subject parcel. Pursuant to the previously recorded Water and/or Sewer Service Agreement and Restrictive Covenant that was signed by the applicant, this property is eligible for annexation.

The annexation of this property will add to the City's tax base.

The Planning Commission considered this request at their November 7th meeting and unanimously recommended approval.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 17-11 to annex and zone to GC, General Commercial, approximately 1.21 acres located at 3800 Clemson Boulevard on First Reading.

REQUEST CONSIDERATION OF ORDINANCE 17-12 TO ANNEX AND ZONE TO R-5, SINGLE-FAMILY RESIDENTIAL, APPROXIMATELY ½ ACRE LOCATED AT 1010 RICH DRIVE

City Manager, Linda McConnell said the applicant wishes to annex the subject property that is adjacent to their house which is located inside the city limits. They wish to have all of their property inside the City for consistency purposes. The proposed zoning of R-5 is consistent with the abutting property.

The Planning Commission considered this request at their November 7th meeting and unanimously recommended approval.

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (9-0) to approve Ordinance 17-12 to annex and zone to R-5, Single-Family Residential, approximately ½ acre located at 1010 Rich Drive on First Reading.

REQUEST CONSIDERATION OF ORDINANCE 17-13 TO REZONE 401 CONCORD ROAD TO R-15, SINGLE FAMILY TO LO, LIMITED OFFICE

City Manager, Linda McConnell said the applicant wishes to rezone the subject property in order to convert the single-family house into a barbershop. LO, Limited Office is the least intensive zoning classification that allows for such uses.

There are a variety of zoning classifications and land uses in this area, including R-10 and R-15, Single-Family Residential, RM-10, Multi-Family Residential, NC Neighborhood Commercial, NP, Neighborhood Professional, LI, Light Industrial, and a non-conforming commercial use.

The Planning Commission considered this request at their November 7th meeting and unanimously recommended approval. Staff received one phone call about the request and there was no opposition at the Planning Commission meeting.

If rezoned, the applicant must abide by the City's building codes when converting the dwelling into a commercial use. In addition, a site plan must be approved which will show the ability to accommodate the required parking and landscaping for such a use.

A motion by Councilman Buck Roberts seconded by Councilman Newton carried unanimously (9-0) to approve Ordinance 17-13 to rezone 401 Concord Road to R-15, Single Family to LO, Limited Office on First Reading.

REQUEST CONSIDERATION OF ACCOMMODATIONS TAX (ATAX) ADVISORY COMMITTEE RECOMMENDATIONS

City Manager, Linda McConnell said this year, the City received 27 applications for projects requesting ATAX Funds. The City's total to allocate this year is \$130,382.32. The total amount requested by these organizations was \$175,500. A spreadsheet of the ATAX Committee's recommendations is attached.

The Committee members fully understand the purpose of these dollars and judiciously studied how the City of Anderson and the applicants can best be served. The Committee analyzed the real tourism impact of each of the events and the recommendations are indicative of such. The Committee recommended continued emphasis on the data collection and reporting that supports tourism impact of projects or events funded through ATAX.

In making these recommendations, the Committee gave great consideration to the applicant's tourism track record, data collection, and substantiation of advertising and promotion expenses, economic benefit, other funding sources, and ability to attract and/or sustain tourism. Another weighted factor was the geographic location where the ATAX dollars originated (within the city limits) and the likelihood of continuing to leverage those dollars within the city.

Based upon these criteria, and especially the ability to generate tourism, the ATAX Committee is recommending the distribution of \$130,382.32 to 24 projects/applicants.

As a reminder, the ATAX formula distributes the first \$25,000 to the city's General Fund plus an additional 5%. This equates to about \$34,000. Then 30% of the balance of the collections is used

for advertising and promotion of tourism (i.e. CVB). Then 65% or \$130,382.32 is allocated for tourism-related expenditures (as recommended by the ATAX Committee and approved by the City Council) to the various requesting organizations.

The staff thanks the Committee for their time, innovation, and genuine interest in allocating these dollars appropriately. Committee members are Rebekah Peurifoy, Cindy Suttles, John Doolittle, Shelton Pace, Vicki Culler, Summer Fredette and Chris Glenn. The staff recommends approval as presented by the Committee with the exception of items 7, 8, and 9 regarding the Anderson Convention & Visitors Bureau and recommends no action on these three requests at this time.

**2017-2018
Accommodations Tax Distribution**

Applicant	Project	Amount Requested	Last Year	Comm. Recommend
24 Hour Musical	Shakespeare In the Park	\$4,000.00	\$4,000.00	\$4,000.00
24 Hour Musical	5th Annual 24 Hour Musical	\$1,500.00	\$0.00	\$1,500.00
Anderson Area YMCA	Midnight Flight Roadraces	\$4,000.00	\$3,000.00	\$4,000.00
Anderson Arts Center	Annual Tourism Projects	\$20,000.00	\$15,000.00	\$18,500.00
Anderson County Museum	Promotion of Events & Exhibits	\$6,000.00	\$1,000.00	\$1,000.00
Anderson County Senior Citizens Prog.	Electric City Sectional Bridge Tour.	\$1,000.00	\$1,000.00	\$1,000.00
Anderson CVB	Annual Advertising	\$20,000.00	\$10,000.00	\$16,500.00
Anderson CVB	Marketing	\$15,000.00	\$1,908.02	\$10,000.00
Anderson CVB	Quarterly Managers Retreat	\$2,500.00	\$0.00	\$0.00
Anderson University	For the Record	\$2,000.00	\$2,000.00	\$2,000.00
Anderson Lights of Hope	Anderson Christmas Lights	\$15,000.00	\$0.00	\$0.00
Anderson Lights of Hope	Upstate Regional Drill Championship	\$3,500.00	\$0.00	\$0.00
City of Anderson	Movie Nights in CWP	\$2,500.00	\$2,500.00	\$2,500.00
City of Anderson	Holiday Ice	\$6,500.00	\$5,000.00	\$6,500.00
City of Anderson	FreshTaste	\$5,000.00	\$2,750.00	\$5,000.00
City of Anderson	Hospitality Program	\$10,000.00	\$10,000.00	\$12,000.00
Electric City Playhouse	Marketing Budget for 34th Season	\$2,000.00	\$1,000.00	\$2,000.00
Foothills Alliance	Pieces of the Season Luncheon	\$500.00	\$500.00	\$500.00
GAMAC	Concert Season	\$3,000.00	\$3,000.00	\$3,000.00
Main Street Program of Anderson	Block Party	\$10,000.00	\$10,000.00	\$8,000.00
Main Street Program of Anderson	Day B-4 Fathers Day Car Show	\$5,000.00	\$5,000.00	\$5,000.00
Main Street Program of Anderson	Holiday Walk & Tree Lighting	\$3,000.00	\$2,000.00	\$3,000.00
Main Street Program of Anderson	Regional Advertising & Social Media	\$19,000.00	\$15,000.00	\$13,382.32
Meals on Wheels - Anderson	Hartwell Lake Poker Run	\$1,000.00	\$1,000.00	\$1,000.00
Oconee Conservatory of Fine Arts	UHQT Promotion Plan	\$1,000.00	\$600.00	\$1,000.00
SC High School Soccer Coaches Association	North South High School Soccer All Star Game	\$3,500.00	\$0.00	\$2,000.00
The Market Theatre Company	2018 Season	\$9,000.00	\$7,000.00	\$7,000.00

Total amount requested (27 applications): \$175,500.00
Amount received in 17/18 for distribution including interest: \$127,861.02
Amount carried forward: \$2,521.30
Total amount available for 17/18 distribution: \$130,382.32

A motion by Councilman Harbin seconded by Mayor Pro Tem Roberts carried unanimously (9-0) to approve the Accommodations Tax (ATAX) Advisory Committee recommendations above in the amount on \$130,382.32.

REQUEST CONSIDERATION OF HOSPITALITY FUNDING FOR VARIOUS RECREATION PROJECTS

Parks and Recreation Director, Bobby Beville said staff request approval of \$114,012.43 from the Hospitality Fund to complete projects related to master plan improvements and capital improvement plan.

The Recreation Committee met on September 28th to review the proposed projects and approved moving forward with the attached list submitted by the staff.

The completion of the projects will provide our members with the most updated equipment, enhance a city park with new playground equipment and provide a construction drawing for a restroom/concession stand for the Rec Complex.

The Hospitality Fund will fund these recreation projects. At the end of September, the balance of the hospitality fund is \$1,615,550.07.

2017-18 Proposed Hospitality Expenditures

St. Francis Playground Upgrade

St. Francis Park is located off Mauldin Ave. beside Friendship Court. Currently on site is an old swing structure and basketball court. Kids age 12 & under have limited opportunities. The plan includes a new play structure, 2 bay swing structure (4 swings), picnic table, trash receptacle, new fencing and an ADA drive access.

City crews will perform the work for the ADA parking area and remove the current swing and fence. The city engineer has projected material cost of \$17,661.67.

Three playground companies submitted bids to provide a play structure, 2 bay swing structure, playground boarders, ADA ramp, certified play surface wood fiber for a 75' x 35' area. Bids listed below:

Churchich Recreation & Design	Hilton Head, SC	\$22,889.78
Barrs Recreation	Morrisville, NC	\$32,137.00
Bliss Products	Lithia Springs, GA	\$36,045.27

Black 10 gauge, 6' x 410' chain link fencing will be installed. Three gates (10ft. double, 4ft. double, 4ft. single) will be included. Advanced Fence submitted a price of \$5,983 for material and installation.

Local businessman Jay Patel has spearheaded donations of \$350 toward the project.

Staff recommends awarding the playground bid to Churchich Recreation & Design for \$22,889.78 and allot \$23,644.67 for material cost for ADA access drive and fence installation.

Hospitality Project Request: **\$46,534.45**

Fitness Equipment Exchange & Upgrade

The City purchased new cardio equipment in 2013 and weight equipment in 2014. A replacement plan was implemented to replace pieces of equipment based on hours/mileage and repair costs. This is part of the recreation department's CIP plan.

Three proposals were submitted to purchase four pieces of cardio equipment, as well as two whole-body vibration machines. In reviewing the proposals, several elements were considered such as availability to procure specific equipment models, warranty, trade-in value of current equipment, set-up and delivery charges and access to equipment maintenance and representatives. The bids submitted were:

Advantage Sports & Fitness	Ithaca, NY	\$20,858.60*
Carolina Specialty Fitness	Columbia, SC	\$27,727.98
Fitness Solutions, Inc.	Greenville, SC	\$31,013.20

*Advantage Sports is unable to secure two Octane Fitness Xride (seated elliptical) machines. The lowest quote for the Octane is from Carolina Specialty \$3,375 each. Adding \$7,222.50 (2 Octane machines & tax) to Advantage Sports puts the quote at \$28,081.10 not including shipping and setup costs.

Quotes in include equipment, tax, shipping and installation.

Staff recommends purchasing equipment from Carolina Specialty Fitness for \$27,727.98.

Hospitality Project Request: **\$27,727.98**

Restrooms/Concession Stand Design & Construction Drawings– Phase II ballfields

Staff requested a proposal from The LandPlan Group South to design and produce construction drawings for restrooms and concession stand structure. This building will be located where the additional ballfields were built during the Phase II project. Youth baseball/softball completed its fourth season on these fields. This year saw the most rentals from outside tournaments and a new building with restrooms/concessions would enhance the facility, bring additional revenue and provide our patrons with the same amenities of our other locations.

The structure would be designed to accommodate the additional fields in Phase III. The proposed building is a component of the master plan, and a continuation of the project done by the LandPlan Group South and Boudreaux Group team.

The proposal is to design a 2,000 square foot Concession/Restroom building, provide overall project management, civil engineering design, landscape architecture design, and architectural interior design, structural, mechanical, plumbing and electrical engineering design services. For the purposes of this proposal, the fee is based on a building and site improvement construction cost of \$400,000 to \$425,000 and will include a concessions area, storage, office area and public restrooms. The LandPlan Group South proposes the following scope of work for a fee of \$39,750.

Scope of Work to include:

- Programming/Schematic Design
- Construction Documents
- Bidding/Contract Negotiations
- Contract Administration

Hospitality Project Request: **\$39,750**

Total Hospitality Fund Request: \$114,012.43

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to approve various recreation projects funded by the Hospitality Fund in the amount of \$114,012.43.

REQUEST CONSIDERATION FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR CITY HALL AND THE MUNICIPAL BUSINESS CENTER

Assistant City Manager, David McCuen said City Hall and Municipal Business Center's roof and/or building envelope systems are in need of rehabilitation. Both City Hall and the MBC have experienced roof and/or building envelope deteriorations that have caused water intrusion issues.

The City Hall building has been expanded and altered many times over the course of its life. With each expansion or alteration, differing construction methods, systems and techniques have been utilized by the many different contractors and designers that have been employed over the many years of the buildings life. Because of this complexity, the city staff and administration have endeavored to employ a well-qualified A/E firm that has the knowledge and experience necessary to tackle this type of project.

In October, a request for qualifications (RFQ) was issued and advertised in both the Anderson Independent Mail and SCBO for an A/E firm to perform preliminary engineering and construction preparation, implementation, and administration.

On October 5th, the City received qualification packages from ten (10) firms. A selection committee consisting of the Assistant City Manager, City Engineer, Public Works Director and the Planning and Development Director, was formed. Their task was to evaluate each firm(s) qualifications and to grade each firm on seven (7) criteria as outlined in our procurement code.

The top ranked three firms were DP3 Architects, LTD, Nova Engineering & Environmental, LLC and WM Building Envelope Consultants, LLC. After selecting the top three firms, city engineer called each to conduct a phone interview to receive additional information. The additional information was distributed to each selection committee member for final ranking. Following procurement procedures, DP3 was notified that it was the highest ranked firm and they were asked to develop a proposal broken down into two (2) phases. The first phase of the A/E contract includes the following tasks:

1. Existing Facility Conditions Investigation and Assessment
2. Development of Recommendations
3. Order of Magnitude Cost Estimating
4. Final Documentation

DP3 has proposed to perform the Phase 1 services for \$40,650 and to complete the services within three (3) months from the date of contract approval.

Phase 2 of DP3's proposal consists of design development drawings (including any modifications of engineering systems required by the scope of the roof and building envelope repairs, construction documents for permitting and implementation, bidding assistance, and construction administration services. The proposal provides for A/E service fees generally ranging from 7-10% of the construction cost. We will negotiate a proposal/contract with DP3 based on the findings in Phase 1, which will be brought back before council for approval at a later date.

The benefit derived from this project will be in the form of a reduction of and/or elimination of damaging water intrusion issues. The water intrusion issues have the long-term effect of hastening the deterioration of parts of the building's critical systems including structural, electrical and HVAC systems.

This will be funded by the General Fund fund balance.

The Staff recommends approval of DP3's proposed Phase 1 scope of work for \$40,650. After the Phase 1 scope of work is completed DP3 will develop an opinion of probable cost. Based on this opinion of cost we will negotiate a contract for the work included in DP3's Phase 2 scope of services. We will come back to council at that time to seek your approval of the Phase 2 work.

A motion by Councilman Chapman seconded by Councilman Laughridge carried unanimously (9-0) to approve a contract with DP3 for architectural and engineering services for City Hall and the Municipal Business Center in the amount of \$40,650.

REQUEST CONSIDERATION OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT WITH WHITNER & COMPANY

City Manager, Linda McConnell said that the staff would like to introduce this for consideration but request to table it until Executive Session.

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.

Whitner & Company co-work space will locate at 109 S. McDuffie Street. The renovations of the 3,100 SF building will accommodate up to 32 start up or expanding businesses. The total investment is \$420,000.

Revenues resulting from the proposed development are estimated to exceed \$31,000 in a five-year period. The development will also serve as an extension of the City's economic development programs offered to local entrepreneurs.

The development satisfies the following eligibility criteria for the Economic Development Incentive Program:

- Research and Development
- High Technology Growth Business
- The development exceeds the \$300,000 investment threshold with 50% towards physical improvements

Discussions will continue in Executive Session.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

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

- November 16th – Southeast Anderson Task Force
- November 19th – Church Street Heritage Park Dedication
- November 21st – Westside Community Coalition
- November 22nd – Holiday Ice Opening
- November 23rd & 24th – City Offices closed for Thanksgiving

EXECUTIVE SESSION

A motion by Councilman Buck Roberts seconded by Mayor Pro Tem John Roberts carried (9-0) to move into Executive Session. Councilman Chapman recused himself from the first item to be discussed in Executive Session in regards to Tetra Investment, LLC.

Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements regarding infrastructure reimbursement agreement with Tetra Investment, LLC for Stonebridge at Rankins Lake Subdivision.

Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements regarding Economic Development Incentive Agreement with Whitner & Company.

A motion by Councilman Buck Roberts seconded by Councilman Laughridge carried unanimously (8-0) with Councilman Chapman not present to come out of Executive Session.


A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (8-0) with Councilman Chapman not present to approve Resolution 17-05 authorizing an infrastructure reimbursement agreement with Tetra Investment, LLC for Stonebridge at Rankins Lake Subdivision.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (8-0) with Councilman Chapman not present to approve an Economic Development Incentive Agreement with Whitner & Company in the amount of \$31,000 for a five-year period.

ADJOURNMENT

A motion by Councilman Newton seconded by Council Member Thompson carried unanimously (9-0) to adjourn.

ATTEST:

Handwritten signature of Terence V. Roberts in black ink, consisting of a stylized 'T', 'V', and 'R'.

Terence V. Roberts
Mayor

Handwritten signature of Peggy G. Maxwell in blue ink, written in a cursive style.

Peggy G. Maxwell
City Clerk Treasurer