

12:00 Noon Council Work Session – Proposed Ordinances – Council met to discuss amending City of Anderson Zoning Ordinance regarding Small Wireless Facilities and an Ordinance amending the City Code for the prohibition of smoking in public places.

Regular Meeting
August 26, 2019

The regular meeting of City Council was held this date in City Hall Council Chambers at 1:15 pm. In attendance were Mayor Terence Roberts, Mayor Pro Tem Stewart, Council Members Thompson, Chapman, Laughridge, Harbin, John Roberts, Newton and Jeff Roberts. Also in attendance were City Manager, David McCuen; Assistant City Manager, Andrew Strickland; Finance Director, Margot Martin; City Attorney, Frankie McClain; Planning Director, Maurice McKenzie; Transit Director, Keith Scott; and Signal and Signs Director, Jim Simes. The invocation was given by Mayor Terence Roberts and respect to the flag was given by Councilman Newton.

APPROVAL OF MINUTES

A motion by Mayor Pro Tem Stewart seconded by Council Member Thompson carried unanimously (9-0) to approve the minutes of August 12, 2019 meeting as presented.

REQUEST CONSIDERATION OF ORDINANCE 19-09 TO AMEND THE CITY OF ANDERSON ZONING ORDINANCE BY ADDING LANGUAGE RELATING TO SMALL WIRELESS FACILITIES

City Manager, David McCuen said new technology, involving “small wireless facilities” is becoming more prevalent in cities across the country and in South Carolina as well. This involves a denser network of antennas located at street level to supplement and communicate with traditional cell towers. These antennas are typically attached to existing utility poles or buildings, but most often, they are visible along public rights-of-way.

Planning Director, Maurice McKenzie said because of the new demand and since cell tower regulations in most cities do not address this type of technology, the Municipal Association of South Carolina (MASC) worked with the telecommunications industry to better understand the issue and the potential impacts regarding zoning, licensing, permitting, etc. A model ordinance was created, which balances the needs of cellular providers with municipal interests. A City Council work session was held last November 26, 2018 to provide information regarding this subject and to share the MASC’s model ordinance.

Resulting from the work session, the Council saw the need to adopt language to address this technology, which will supplement the existing cellular and communications towers regulations in the Zoning Ordinance. Specifically, it addresses the location of such technology in public rights-of-way. Throughout the review process, staff received Council input to enhance the model ordinance.

The proposed guidelines address:

- Application process and permitting
- Location standards, to prevent interference with the use of streets, sidewalks, etc.
- Size and design standards of small wireless facilities, so they do not negatively impact the landscape from a visual perspective
- Encouragement of co-location to minimize the number of small wireless facilities

The amendment will provide enhanced wireless communication technology in rights-of-way, while addressing location, appearance and the overall process for permitting.

The Planning Commission considered this request at their July 9th meeting and recommended approval.

City Council attended a Work Session at 12 noon today to discuss this ordinance and had several changes to the language.

A motion by Mayor Pro Tem Stewart seconded by Councilman Newton carried unanimously (9-0) to approve Ordinance 19-09 to amend the City of Anderson Zoning Ordinance by adding language relating to Small Wireless Facilities on First Reading along with the following proposed changes in language from the Council Work Session today on August 26, 2019:

- Section 4(a)(i) – within ten (10) *business* days
- Section 4(a)(ii) – within *thirty (30)* days
- Section 4(b) – within *thirty (30)* days
- Section 5(h) – at least *two (2)* additional carriers
- Section 7(c) – *add Removal Bond requirement to Section 7*

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO ANNEX AND ZONE TO GC, GENERAL COMMERCIAL, 0.4 ACRES LOCATED AT 3526 CLEMSON BOULEVARD, AND AN ADJACENT 0.01 ACRES LOCATED AT THE CORNER OF CLEMSON BOULEVARD AND FRITZ DRIVE

Planning Director, Maurice McKenzie said the applicant is petitioning to annex 0.4 acres of land in order for it to be combined with surrounding property already located within the City limits. The parcel is currently undeveloped. Commercial development is planned for the site once

combined and re-platted, so all the land needs to be in one jurisdiction. GC, General Commercial zoning is proposed, which is consistent with surrounding land along Clemson Boulevard.

In addition, the City of Anderson owns a small 0.01 acres triangular-shaped piece of property at the corner of Clemson Boulevard and Fritz Drive, and it is an appropriate time to annex this parcel as well. It was deeded to the City to ensure adequate sight distance when Fritz Drive was constructed.

The Planning Commission will consider this request at their September 3rd meeting.

A motion by Councilman Chapman seconded by Councilman Jeff Roberts carried unanimously (9-0) to approve a referral to the Planning Commission a petition to annex and zone to GC, General Commercial, 0.4 acres located at 3526 Clemson Boulevard, and an adjacent 0.01 acres located at the corner of Clemson Boulevard and Fritz Drive.

REQUEST CONSIDERATION TO PURCHASE A BUS FOR THE TRANSIT DEPARTMENT

Transit Director, Keith Scott said the Transit Department requests approval to purchase a new CNG (Compressed Natural Gas), 35 ft. low floor bus for regular service routes.

The City Transit system has eight buses in its fleet. An Invitation for Bid was advertised in June 2015 with Creative Bus Sales/El Dorado National being the only bidder. This purchase is part of the City's bus replacement plan. The 35 ft. CNG bus will replace a 2006 El Dorado National 40 ft. low floor bus that has met its FTA useful life of twelve years and has 388,000 miles.

By replacing one bus that has met its useful life, maintenance cost will be reduced and air quality will be improved in our community. The City of Anderson is the only system in SC to operate CNG transit buses. Fuel costs will also be reduced by using natural gas. Natural gas fuel is available at the Piedmont Natural Gas CNG station on 28 By-Pass.

The total cost of this bus is \$490,457. Federal Transit Administration (FTA) grant funds will pay 85% of \$490,457 or \$416,888 on the Bus. Volkswagen EMT Settlement Funds from SC will pay the local match of 15% or \$73,569 on the Bus. There will be no local cost to the City. All FTA & Volkswagen EMT Settlement Funds from SC have been approved and are available for use.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve the purchase of a CNG (Compressed Natural Gas), 35 ft. low floor bus in the amount of \$490,457. The Federal Transit Administration (FTA) grant funds will pay 85% - \$416,888. The Volkswagen EMT Settlement Funds from SC will pay the local match of 15% - \$73,569. There will be no local cost to the City.

REQUEST CONSIDERATION TO PURCHASE A VEHICLE AND EQUIPMENT TRAILER FOR THE PUBLIC WORKS DIVISION

Signal and Sign Director, Jim Simes said the Public Works Division request approval to purchase a 2016 Ford F650 Dump truck (\$55,000) and a Big Tex equipment trailer (\$5,000) for the Public Works Division.

In the 2019/2020 budget Council approved funding to replace capital equipment in the Public Works Division. The Street Department specifically requested replacing two GMC dump trucks (1991 and 1995). A local construction company, Chermack Construction, Inc, has a used 2016 F650 dump truck with a 2015 Big Tex (8x25) equipment trailer for sale. The F650 is in excellent condition, with approximately 2,800 original miles, and it has 3 years factory warranty remaining on the engine and transmission. Fleet Maintenance staff has driven and inspected this truck. The cost of a comparable 2019 dump truck is approximately \$83,500.

The truck and trailer will be used daily to haul material and equipment to various Public Works projects, and will replace a 1991 GMC dump truck that will be sold on GovDeals.

The vehicle and equipment trailer will be purchased by the Capital Replacement Fund.

A motion by Council Member Thompson seconded by Councilman John Roberts carried unanimously (9-0) to approve the purchase a 2016 Ford F650 and a 2015 Big Tex equipment trailer in the amount of \$60,791 from Chermack Construction, Inc.

REQUEST CONSIDERATION OF ORDINANCE 19-10 AMENDING SECTION 42-263(2) OF THE CITY CODE TO PROVIDE FOR THE PROHIBITION OF SMOKING IN PUBLIC PLACES

Assistant City Manager, Andrew Strickland said the City's Code currently prohibits smoking in all healthcare facilities that have opted to be smoke-free pursuant to South Carolina law, and in City facilities. In addition, the proposed ordinance would prohibit smoking and the use of e-cigarettes within all City parks and facilities, and within 25 feet of the sidewalks and street rights-of-way on Main Street between Greenville Street on the north, and Franklin Street on the south.

The proposed ordinance would not require a business to prohibit smoking; however, outdoor seating areas on or within 25 feet of Main Street sidewalks would be required to be smoke free, regardless of whether the business allows or prohibits smoking.

Businesses outside of the boundaries listed in this ordinance would not be affected.

The ordinance would take effect on November 1, 2019.

A motion by Mayor Pro Tem Stewart seconded by Councilman Newton carried unanimously (9-0) to approve Ordinance 19-10 amending Section 42-263(2) of the City Code to provide for the prohibition of smoking in public places on First Reading.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

City Manager, David McCuen reminded Council of the following upcoming events and meetings in August and September 2019.

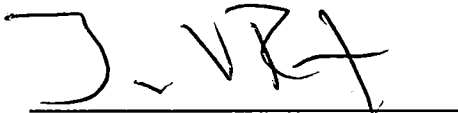
- August 27th – Recreation Volunteer Appreciation/Hall of Fame
- August 29th – Block Party
- September 1st – Celebrate Anderson
- September 2nd – City Offices Closed
- September 9th – Council Meeting
- September 12th – Anderson County Municipal Association Meeting

Mayor Pro Tem Stewart extended his appreciation for all City Staff that participated and helped make the Greeley Park Back to School Bash as success.

ADJOURNMENT

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

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer