

**Council Work Session
December 9, 2019**

The Work Session of City Council was held this date in City Hall Council Chambers at 5:00 pm to discuss Court Personnel and Parking Garage Contractor/Developer Agreement. In attendance were Mayor Terence Roberts, Mayor Pro Tem Stewart, Council Members Thompson, Harbin, Laughridge, Chapman, and Jeff Roberts. Councilmen John Roberts and Newton were not present at the motion to move into Executive Session.

A motion by Mayor Pro Tem Stewart seconded by Councilman Jeff Roberts carried unanimously (7-0) to move into Executive Session:

Court Personnel – Section 30-4-70(a)(1) – Discussion of personnel matters relating to employment, appointments, and compensation.

Parking Garage Project – Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements.

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

**Regular Meeting
December 9, 2019**

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 Stewart, Council Members Thompson, Harbin, Laughridge, Chapman, 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; Utilities Director, Jeff Caldwell; Fire Chief, Randy Bratcher; and Community Development Director, Erica Craft. The invocation was given by Councilman Jeff Roberts and respect to the flag was given by Mayor Pro Tem Stewart.

**SPECIAL PRESENTATION
Comprehensive Annual Financial Report for FY 2018-2019
Greene Finney, LLP**

Mr. David Phillips, Audit Partner, stated that the City received an unmodified opinion which is the best opinion that the City can receive. He also stated that the City had received the GFOA

Award for Excellence in Financial Reporting for 24 years in a row. Also, Mr. Phillips shared the following highlights:

- General Fund – Fund balance increased \$1,100,000. The unassigned fund balance is \$8,800,000.
- Hospitality Fund – Fees increased \$161,000.
- Sewer Fund – Net position increased \$899,000.
- Water Fund – Net position increased \$233,000.
- Good financial position at June 30, 2019.

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (9-0) to approve the minutes of November 18, 2019 meeting as presented.

REQUEST CONSIDERATION OF ORDINANCE 19-14 TO AMEND THE PLANNED DEVELOPMENT DISTRICT (PDD) DOCUMENT FOR MYSTIC VINEYARDS SUBDIVISION, LOCATED OFF REED ROAD

Planning Director, Maurice McKenzie said the applicant, who is a property owner in Mystic Vineyards, requests to amend the Planned Development District (PDD) document for Mystic Vineyards subdivision in order to allow accessory buildings in the back yard. A PDD document is considered to be the zoning guidelines for a specific piece of land, so any proposed changes to the document must go through the public process, similar to a rezoning. The PDD document for Mystic Vineyards governs lot sizes, setbacks, house materials, fencing, accessory buildings, etc.

Although the Homeowners Association approved a resident's request to construct an accessory building, the PDD document states that detached/accessory buildings are not permitted. The request is to revise the language to allow accessory buildings. The current and proposed language are as follows:

Current

Detached/Accessory Structures: Detached/Accessory structures shall not be permitted. However, all garages must be attached to the primary structure and shall conform to the Mystic Vineyards Homeowners Association covenants.

Proposed

Detached/Accessory Structures: Detached/Accessory structures shall be permitted with architectural approval of the Homeowners Association. Accessory structures shall meet the

setback requirements as shown in the City of Anderson Zoning Ordinance for accessory structures. All garages must be attached to the primary structure and shall conform to the Mystic Vineyards Homeowners Association covenants.

The City Council approved this on first reading at their November 18th meeting. The Planning Commission considered this request at their November 5th meeting and recommended approval.

A motion by Councilman Newton seconded Councilman John Roberts carried unanimously (9-0) to approve Ordinance 19-14 to amend the Planned Development District (PDD) document for Mystic Vineyards subdivision, located off Reed Road on Second Reading.

**REQUEST CONSIDERATION OF ORDINANCE 19-15 AMENDING THE CITY OF ANDERSON
BUSINESS LICENSE ORDINANCE TO COMPLY WITH THE 2018 MODEL BUSINESS LICENSE
ORDINANCE**

Finance Director, Margot Martin said the model business license ordinance, developed by the Municipal Association of South Carolina (MASC), outlines language that cities can use to ensure their business license ordinance complies with state and federal laws as well as other best practices of business licensing. Standardization of the business license and practices is an important step in helping maintain this important revenue source for the City by reducing the procedural burden on businesses.

Both the City and the Model Ordinance use the North American Industry Classification System (NAICS) to place businesses into proper classification according to their profitability using IRS data. This data was updated in 2019 and the mandated rate class changes affect the rate class that the City can charge a business. (Appendix B of the ordinance).

Based on current rates and due to the IRS rate class changes, the City is projected to lose approximately \$399,000 or 9.7% of its current business license revenue. In order to help reduce this loss, the staff is requesting amending Appendix A Rate schedule to a change of \$.05 per \$1,000 and \$0.25 per \$1,000 rate differential between the rate classes.

Revenue Alternatives were discussed at the Council work session on November 18th.

Current Rates			Proposed Rates	
Base	Rate per \$1,000	Class	Base	Rate per \$1,000
\$25.00	\$1.35	1	\$30.00	\$1.40
\$30.00	\$1.55	2	\$35.00	\$1.65
\$35.00	\$1.75	3	\$40.00	\$1.90
\$40.00	\$1.95	4	\$45.00	\$2.15
\$45.00	\$2.15	5	\$50.00	\$2.40
\$50.00	\$2.35	6	\$55.00	\$2.65
\$55.00	\$2.55	7	\$60.00	\$2.90

The City of Anderson's total business license revenue of \$7,150,000 and it is 27% of the general fund operating revenues. The City is limited in its ability to raise revenue because of Act 388's millage and reassessment caps and restrictions on the use of other revenue sources such as hospitality and accommodation taxes, thereby making the business license tax a critical revenue source.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to approve Ordinance 19-15 amending the City of Anderson Business License Ordinance to comply with the 2018 Model Business License Ordinance on Second Reading.

REQUEST CONSIDERATION OF ORDINANCE 19-16 ESTABLISHING THE APRIL 2020 GENERAL ELECTION

City Attorney, Frankie McClain said the next general election is scheduled for Tuesday, April 7, 2020 for the Municipal Council Seats Two, Four, Six, and At-Large Eight. Candidates for this election shall be elected to serve a four-year term.

The filing period for candidates begins Thursday, January 23, 2020 at 12:00 Noon, and filing ends Thursday, February 6, 2020 at 12:00 Noon. The filing for candidacy shall be initiated at the Anderson County Registration and Elections Office at 301 N. Main Street. Upon completion of the necessary candidacy forms, payment of the \$200 filing fee shall be submitted to the City Clerk and Treasurer at City Hall, 401 S. Main Street.

The last day to register to vote in the April 7, 2020 election is Saturday, March 7, 2020.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 19-16 establishing the April 2020 General Election on Second Reading.

REQUEST CONSIDERTATION OF APPOINTMENT TO THE MUNICIPAL ELECTION COMMISSION

City Attorney, Frankie McClain said the Municipal Election Commission is composed of three people who serve six-year terms. The Commission is charged with the task of conducting the municipal elections. However, in 1994, the City transferred responsibility for the actual conduct of the elections to the Anderson County Registration and Elections Commission. This was done in an effort to provide for the uniformity in the conduct of municipal elections statewide. Thus, the MEC now serves more in an oversight capacity by certifying ballots, election results, etc. Time commitment is minimal due to the election process occurring every two years. However, the MEC members are required to attend local training as well as state wide training thus some travel is required.

The current three-member Commission is composed of David Ford, Clara Humphrey, and Renee Fields York. Mr. Ford's term extends through December 31, 2023, Ms. Humphrey's term extends through December 31, 2021, and Mrs. Renee Fields-York's term extends through December 31, 2019.

Mrs. Fields-York is willing to continue serving in this capacity. The staff recommends her reappointment to the MEC for a term of service through December 31, 2025.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve reappointment of Renee Fields-York through December 31, 2025 to the Municipal Election Commission.

REQUEST CONSIDERTATION OF APPOINTMENTS FOR MUNICIPAL JUDGES

City Manager, David McCuen said City Code Sec. 58-2 specifies that Municipal Judges shall be appointed by Council for a term not less than 2 years nor more than 4 years.

Josh Allen, Richard E. Thompson, Jr., Robert B. King Jr., Goetz Eaton and Stacy Blair were previously appointed to 2-year terms beginning July 1, 2017 and ending June 30, 2019. Josh Allen has been designated Chief Judge for the Municipal Court. These Judges have received training and held their respective terms of court and assigned responsibilities.

Staff recommends that Josh Allen continue as Chief Judge of the Municipal Court.

A standard pay scale will be incorporated for attorneys and a separate pay scale for non-attorneys who are appointed as Municipal Judges.

Once appointed, the Judges will be on a two-calendar year appointment rather than a fiscal year appointment. Appointments will begin January 1, 2020 and run through December 31, 2021.

Note: The City contracts with Anderson County for the judicial services of Matt Lollis and no changes or terms are necessary for him to continue to serve.

A motion by Councilman Laughridge seconded by Councilman John Roberts carried unanimously (9-0) to approve reappointment of Josh Allen, Richard E. Thompson, Jr., Robert B. King Jr., Goetz Eaton and Stacy Blair as Municipal Judges for a 2-year term. Josh Allen will continue to serve as Chief Judge.

REQUEST CONSIDERATION TO PURCHASE EQUIPMENT FOR GENEROSTEE CREEK WASTEWATER TREATMENT PLANT

Utilities Director, Jeff Caldwell said as part of our capital equipment plan, we identified the need to address the following equipment in FY2020. Quotes were requested by the wastewater treatment plant manager in order to set budget and not to exceed cost to complete the capital plan.

Generostee Creek WWTP

- Rebuild 6 Recirculation Pumps for Process Control (\$55,000)
- Replace four (4) Aerators in the Storage Pond (\$60,000)

This equipment is essential to the daily operation of the city's wastewater treatment plants and compliance with state discharge permits.

This purchase will be funded by the Wastewater Treatment Plants capital equipment budget.

Staff recommends the approval not to exceed \$115,000 according to the above equipment plan.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to approve the purchase of equipment for the Generostee Creek Wastewater Treatment Plant not to exceed \$115,000.

REQUEST CONSIDERATION OF ORDINANCE 19-17 AMENDING ARTICLE I OF CHAPTER 46 OF THE CITY CODE TO ADD REQUIREMENTS FOR FIRE PREVENTION AND PROTECTION AND THE ENFORCEMENT THEREOF

Fire Chief, Randy Bratcher said pursuant to Section 22-31 of the Anderson City Code, the City has adopted the International Fire Code. In addition, Chapter 46 of the Code provides for requirements for fire prevention and protection. In order to specify requirements for fire prevention and protection and to improve the enforcement of the requirements, it is the desire of the City of Anderson to amend Chapter 46.

The City will benefit by ensuring its fire insurance rating and by facilitating reimbursement for the cost of inspections.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 19-17 amending Article I of Chapter 46 of the City Code to add requirements for fire prevention and protection and the enforcement thereof on First Reading.

REQUEST CONSIDERATION OF CONTRACT WITH HAN CONSTRUCTION AND MANAGEMENT, LLC FOR ASBESTOS ABATEMENT AT SEVEN HOUSES

Community Development Director, Erica Craft said the City of Anderson receives Community Development Block Grant (CDBG) funds from the US Department of Housing and Urban Development as an entitlement grant. Last fall, City Council confirmed the allocation of CDBG funds toward activities such as demolition and clearance of substandard, blighted housing within the City's redevelopment areas and the Focus Area Neighborhoods (FANs). Over the years, there have been approximately 82 properties removed within the City limits.

The following seven properties are recommended for abatement:

- 312 W. River Street
- 1403 Newell Street
- 214 B Street
- 205 C Street
- 309 E Street
- 304 Benjamin Street
- 805 Beechwood Avenue

Three (3) bids were received as follows:

Chembion Environmental LLCN.	Charleston, SC	\$ 75,000
Brand Construction Services	Lugoff, SC	\$ 69,225
Han Construction and Management	Columbia, SC	\$ 65,800

Approval of the contract with Han Construction and Management, LLC includes asbestos abatement at seven houses under Phase 1.

Asbestos abatement for these dilapidated dwellings which are scheduled for demolition is the next step before the actual demolition and clearance of the houses. Removal of the asbestos is a regulatory and environmental requirement.

Councilman Stewart asked the City Staff to research the demolition of these blighted homes performed in house using City employees to complete the work.

The City of Anderson's Community Development Block Grant award from the US Department of Housing and Urban Development will fund the \$65,800 demolition cost.

Staff recommends approval of this contract for asbestos abatement services to continue to remove slum and blighted properties. The future demolition of these existing blighted structures will compliment other strategies for neighborhood improvement outlined in the City's adopted Neighborhood Revitalization Plan.

A motion by Councilman Chapman seconded by Council Member Thompson carried unanimously (9-0) to approve contract with Han Construction and Management, LLC in the amount of \$65,800 for asbestos abatement at seven houses.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

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

- December 12th – Employee Christmas Luncheon
- December 12th – Anderson County Municipal Association Meeting
- December 24th – 26th – City Offices closed for the Christmas Holiday

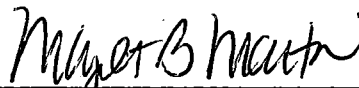
ADJOURNMENT

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

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer