

**Council Work Session
November 18, 2019**

The Work Session of City Council was held this date in City Hall Council Chambers at 5:00 pm to discuss Business License Ordinance. In attendance were Mayor Terence Roberts, Council Members Thompson, Harbin, Laughridge, Chapman, John Roberts, Newton and Jeff Roberts. Mayor Pro Tem Stewart was not present at the motion to move into Executive Session.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (8-0) to move into Executive Session:

Discussion of 2018 Model Business License Ordinance to be brought to vote during regular Council Meeting.

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

**Regular Meeting
November 18, 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; and Parks and Recreation Director, Bobby Beville. The invocation was given by Councilman Newton and respect to the flag was given by Councilman Chapman.

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman John Roberts carried unanimously (9-0) to approve the minutes of October 28, 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 Planning Commission considered this request at their November 5th meeting and unanimously recommended approval. There was no opposition to the request.

A motion by Councilman Newton seconded Mayor Pro Tem Stewart 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 First Reading.

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

City Manager, David McCuen 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 City can charge a business. (Appendix B of the ordinance). The City has not changed the rates since 2007. The City also stands behind the businesses and want to see continued growth.

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 proposing amending Appendix A Rate schedule.

Revenue Alternatives were discussed at the work session on November 18th. Alternative 2 reads as follows: Proposed rate change of \$.05 per \$1,000 and \$.25 per \$1,000 rate differential between rate classes will potentially equate to loss of (\$168,098) or decrease of 4.1% in business license revenues.

Current Rates		Class	Proposed Rates	
Base	Rate per \$1,000		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 Chapman seconded by Councilman Jeff 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 First 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 Mayor Pro Tem Stewart seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 19-16 establishing the April 2020 General Election on First Reading.

REQUEST CONSIDERTATION OF A CONTRACT WITH EARTH MATERIALS GRADING FOR D.B. WALKER PARK IMPROVEMENT PROJECT

Parks and Recreation Director, Bobby Beville said this section of D.B. Walker Park is near the playground and has been without a picnic shelter since 2017. The proposed improvements include ADA compliant concrete sidewalks, new covered pavilion, and landscaping and irrigation. This work includes the demolition and removal/disposal of one existing court, re-grading of the site.

For compliance with federal regulations, the project was bid using the City's website, Anderson Independent Mail and South Carolina Business Opportunities (SCBO). A pre-bid meeting was held on October 22, 2019 at the project site located at 308 Jefferson Avenue. Sealed bids were due by November 5, 2019.

Two (2) bids were submitted. The bids were:

Company Name	Location	D.B. Walker Bid
Earth Materials Grading	Anderson, SC	\$97,600
Sterling Structure & Design	Royston, GA	\$147,917

The installation of new picnic pavilion will continue to advance the Recreation master plan. The picnic pavilion will also provide public space within the park for gatherings and events. This pavilion will replace the shelter that was previously damaged by arson.

The project will be funded by the existing funding within the Community Development budget.

Staff reviewed the bids and recommends awarding the D.B. Walker basketball courts and pavilion project to Earth Materials Grading (Anderson, SC) in the amount of \$97,600.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to approve a contract with Earth Materials Grading for D.B. Walker Park Project in the amount of \$97,600 to be funded from Community Development.

Mayor Terence Roberts entertained a motion to move into Executive Session.

EXECUTIVE SESSION

A motion by Councilman John Roberts seconded by Mayor Pro Tem Stewart carried unanimously (9-0) to move into Executive Session:

Section 30-4-70(a)(5) – Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

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

REQUEST CONSIDERATION OF RESOLUTION 19-07 CONSENTING TO THE INCLUSION OF CERTAIN PROPERTY INTO A JOINT COUNTY INDUSTRIAL AND BUSINESS PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT WITH ANDERSON COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO

City Manager, David McCuen said Anderson County is empowered by the S.C. Code of Laws to enter into agreements with other counties for the purpose of creating joint county industrial and business parks ("MCIP"), pursuant to which certain tax credits are made available to investors locating, improving, or expanding projects within such parks, through which economic development of the county and state will be promoted.

Anderson County intends to enter into a Fee-in-Lieu of *Ad Valorem* Taxes Agreement (the FILOT agreement") with Anderson Solar Farms, LLC, to cause the land to be included in the MCIP. Because the land is located within the city limits, the consent of the city is required. At the request of the City, the land to be included has been surveyed and assigned a TMS Number.

The County has agreed to the city's position regarding distribution of the fee in lieu of tax revenues, and desires to include the land in the park in accordance with the understanding. The County and City have reduced their understandings to an Intergovernmental Agreement.

The city will benefit from the economic development of the area, the generation of a fee in lieu of taxes and a business license fee.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to approve Resolution 19-07 consenting to the inclusion of property into a joint county industrial and business park; authorizing the execution and delivery of an intergovernmental agreement with Anderson County, South Carolina; and other matters related thereto.

ADMINISTRATIVE BRIEFING

PARKING GARAGE PROJECT UPDATE

Assistant City Manager, Andrew Strickland presented to Council with updates on the Parking Garage Project. He presented several options to provide guidance in the Preconstruction Services Agreement in the amount of \$15,000 with Van Winkle Construction for the 320 space Parking Deck. The options range from a parking garage only to a parking garage including an event space on top of the parking garage. Council Members requested price for each option presented.

UPCOMING EVENTS

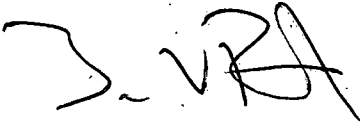
City Manager, David McCuen reminded Council of the following upcoming events and meetings in November and December 2019.

- November 19th – Seat 2 Neighborhood Watch – Fire Station 3
- November 21st – Southeast Anderson Task Force
- November 28th & 29th – City Offices closed for Thanksgiving Holiday
- December 6th – Christmas Tree Lighting – Downtown
- December 8th – Christmas Parade – Downtown
- December 9th – Council Meeting

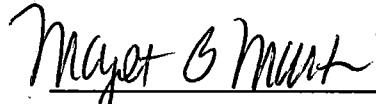
ADJOURNMENT

A motion by Councilman Newton seconded by Councilman John Roberts carried unanimously (8-0) to adjourn, Mayor Pro Tem Stewart was not present at adjournment.

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer