

Council Work Session
Administrative Report and Discussion
November 9, 2020 at 5:00 pm

In attendance to move into Executive Session were Mayor Terence Roberts, Council Members Stewart, Chapman, Thompson, and Harbin.

A motion by Councilman Harbin seconded by Councilman Stewart carried unanimously (5-0) to move into Executive Session – Economic Development:

Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements and extension of services to attract economic development and the receipt of legal advice relating to matters covered by the attorney-client privilege.

Councilman Jeff Roberts was present for next vote.

A motion by Councilman Chapman seconded by Councilman Jeff Roberts carried unanimously (6-0) to move out of Executive Session.

Regular Meeting
November 9, 2020

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, Council Members Thompson, Chapman, Stewart, Harbin and Jeff Roberts. Mayor Pro Tem Laughridge and Councilmen Newton and John Roberts were not present. 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; Economic Development Director, Kimberly Spears; and Economic Development Project and Event Manager, Mary Haley Thompson. The invocation was given by Councilman Matt Harbin and respect to the flag was given by Mayor Terence Roberts.

APPROVAL OF MINUTES

A motion by Councilman Jeff Roberts seconded by Councilman Chapman carried unanimously (6-0) to approve the minutes of the October 26, 2020 meeting as presented.

**REQUEST CONSIDERATION OF ORDINANCE 20-32 EXTENDING THE EMERGENCY TERM OF
ORDINANCE 20-24 EXTENDED BY ORDINANCE 20-26 REGARDING FACE COVERINGS**

City Manager, David McCuen said on July 24, 2020, City Council enacted Ordinance No. 20-24 requiring individuals to wear face coverings in retail, food service establishments and public transportation.

Mr. McCuen requested David Baker from Anderson County to update Council on Anderson County and City of Anderson's current COVID-19 numbers and the continued measures to slow the spread of the virus.

The said ordinance was enacted pursuant to S.C. Code Sec. 5-7-250(d) which provides for the adoption of an emergency ordinance to meet public emergencies affecting life, health, safety or property of the people.

S.C. Code Sec. 5-7-250(d) provides for the automatic expiration of the sixty-first day following the date of the enactment.

Ordinance No. 20-24 provides that Council may extend the Emergency Term for one or more additional terms, each for no more than sixty days, provided that the total duration of the Emergency Term shall not exceed six months without enacting an ordinance in the ordinary course.

Based upon the continued state of emergency created by the COVID-19 virus and based upon the reported success of the use of face coverings in reducing infections, it is recommended that the Emergency Term of Ordinance No. 20-24 extended by Ordinance 20-26 be continued for an additional 60 days.

The benefit of this extension is to prevent the spread of COVID-19 virus.

A motion by Councilman Stewart seconded by Council Member Thompson carried unanimously (6-0) to approve Ordinance 20-32 extending the emergency term of Ordinance 20-24 extended by Ordinance 20-26 regarding face coverings on final reading.

**REQUEST CONSIDERATION OF PAVING RESOLUTIONS 20-06, 20-07, AND 20-08 TO ANDERSON
COUNTY, THE ANDERSON COUNTY TRANSPORTATION COMMITTEE, AND THE SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION**

Planning Director, Maurice McKenzie said on an annual basis, the City Council submits repaving priority resolutions to the Anderson County Council, the Anderson County Transportation Committee (ACTC), and the South Carolina Department of Transportation (SCDOT). The City

anticipates that the resolutions provide direction for these agencies when they develop paving plans/lists. In addition, the ACTC requires paving priority resolutions from local governments to accompany funding requests.

This year, the staff continued its process of maintaining paving lists by grading both state and local streets inside the City to establish a tiered priority system. Evaluations were based on SCDOT's weighted ranking system -- pavement condition (50%), average daily traffic (20%), economic/ community impact (10%), and population affected (20%). Attached in the Resolutions are the top streets listed in a tiered order of need. The staff maintains a database of streets where conditions warrant evaluation, which includes over 200 local streets and approximately 90 state-maintained streets. However, it is only necessary to submit the top ranked streets for funding consideration on an annual basis.

The benefit of these resolutions is to provide Anderson County, the ACTC, and the SCDOT direction regarding the best interest of City residents who pay local and state taxes.

A motion by Councilman Stewart seconded by Councilman Chapman carried unanimously (6-0) to approve Paving Resolutions 20-06, 20-07, and 20-08 to Anderson County, the Anderson County Transportation Committee, and the South Carolina Department of Transportation.

REQUEST CONSIDERATION OF ACCOMMODATIONS TAX (ATAX) ADVISORY COMMITTEE FUNDING RECOMMENDATIONS

Economic Development Director, Kimberly Spears said this year, the City received 26 applications for projects requesting ATAX Funds. The City's total to allocate this year is \$149,641.23. The total amount requested by these organizations was \$186,400.

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 \$149,641.23 to 26 projects/applicants.

As a reminder, the ATAX formula distributes the first \$25,000 to the city's General Fund plus an additional 5%. Then 30% of the balance of the collections is used for advertising and promotion of tourism (i.e. CVB). The remaining 65% is allocated for tourism-related expenditures (as recommended by the ATAX Committee and approved by the City Council) to the various requesting non-profit organizations.

Staff concurs with these recommendations and thanks the Committee for their time, innovation, and genuine interest in allocating these dollars appropriately. Committee members are Dewayne Bowes, Cindy Suttles, John Doolittle, Shelton Pace, Vicki Culler, Summer Fredette and Reggie Hawthorne.

Non-Profit Organization	Project Name	Total Attendance	Tourists	Previous award (19-20)	Requested (20-21)	Funding Recommend
Anderson Arts Center	Annual Tourism Projects	130,000	65,000	\$ 15,000.00	\$ 20,000.00	\$ 15,000.00
Foothills Duplicate Bridge	Duplicate Bridge Tournamar	350	75	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
City of Anderson Recreation	Holiday Ice	3,000	1,000	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
SC Athletic Coaches Associat	North - South Soccer Classic	250	200	\$ 3,500.00	\$ 3,000.00	\$ 3,000.00
Anderson County Museum	Events & Exhibits 2020-21	25,000	3,500	\$ 6,000.00	\$ 8,000.00	\$ 6,000.00
City of Anderson Recreation	Movie Night in Wren Park	1,800	126	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Oconee Conservatory of Fine	UHQT App development	not indicated	not indicated	\$ 1,000.00	\$ 1,500.00	\$ 1,241.23
City of Anderson - Economic	Hospitality Program	13,000	13,000	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
City of Anderson - Economic	FreshTaste	2,500	500	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
City of Anderson - Economic	Shakespeare in the Park	1,500	500	\$ 4,000.00	\$ 5,000.00	\$ 4,000.00
City of Anderson - Economic	Holiday Light Display	5,000	1,500	\$ -	\$ 10,000.00	\$ 10,000.00
Anderson Area YMCA	Midnight Flight	5,000	550	\$ 4,000.00	\$ 4,000.00	\$ 3,000.00
Electric City Playhouse	ECP Marketing Budget 20-21	1,500	600	\$ 3,000.00	\$ 4,000.00	\$ 3,000.00
Meals on Wheels - Anderson	Hartwell Lake Poker Run	500	60	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
CVB (Visit Anderson)	Advertising	not indicated	not indicated	\$ -	\$ 15,000.00	\$ 12,000.00
CVB (Visit Anderson)	Marketing	not indicated	not indicated	\$ -	\$ 15,000.00	\$ 12,000.00
Anderson Area Quilt Show	Anderson Area Quilt Show	1,000	225	\$ -	\$ 1,000.00	\$ 1,000.00
Anderson Senior Follies	Senior Follies Variety Show	5,000	3,000	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
Belton Tennis Association	Palmetto Championship	3,700	3,300	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
GAMAC	2019-2020 Concert Season	750	150	\$ 3,000.00	\$ 1,900.00	\$ 1,900.00
Anderson Lights of Hope	Anderson Christmas Lights	50,000	30,000	\$ 6,287.10	\$ 15,000.00	\$ 6,500.00
Market Theatre Co	Mainstage Season	4,200	900	\$ 14,000.00	\$ 17,000.00	\$ 10,000.00
Main Street Program Anders	Regional Promotion	7,816	5,042	\$ 10,000.00	\$ 15,000.00	\$ 10,000.00
Main Street Program Anders	BLOCK PARTY	35,350	417	\$ 12,500.00	\$ 10,000.00	\$ 10,000.00
Main Street Program Anders	Day B-4 Father's Day Car Shd	13,945	265	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00
Main Street Program Anders	Holiday Walk/Tree lighting	3,800	100	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
	TOTAL				\$ 186,400.00	\$ 149,641.23

Total amount requested:	\$186,400.00
Amount received in 19/20 for distribution in 20/21:	\$125,188.50
Amount of rollover from unused 19/20 funds:	\$24,452.73
Total amount available for 20/21 distribution:	\$149,641.23

A motion by Councilman Harbin seconded by Councilman Jeff Roberts carried unanimously (6-0) to approve the Accommodations Tax (ATAX) Advisory Committee funding recommendations in the amount of \$149,641.23 to 26 projects/applicants.

City Manager, David McCuen requested to move into Executive Session.

EXECUTIVE SESSION

A motion by Councilman Stewart seconded by Councilman Jeff Roberts carried unanimously (6-0) to move into Executive Session:

Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements and extension of services to attract economic development and the receipt of legal advice relating to matters covered by the attorney-client privilege.

A motion by Councilman Jeff Roberts seconded by Councilman Harbin carried unanimously (7-0) to move out of Executive Session.

REQUEST CONSIDERATION OF RESOLUTION 20-05 CONSENTING TO THE ASSIGNMENT OF THE RIGHTS OF THE JB FERGUSON PROPERTIES, LLC AND ESTATE PLANNING CONSULTANTS, INC. IN THE INFRASTRUCTURE CREDIT AGREEMENT OF JANUARY 1, 2018, TO 201 SOUTH MURRAY, LLC.

Economic Development Project and Event Manager, Mary Haley Thompson said staff requests consideration of a resolution consenting to the assignment of the rights of JB Ferguson Properties, LLC and Estate Planning Consultations, Inc. (Collectively "Company") in the Infrastructure Credit Agreement of January 1, 2018, by and among Anderson County, South Carolina, and the City of Anderson, South Carolina and the Company, amended to include provision that project must be completed within 36 months and modified to all residential units.

The parties entered into an Infrastructure Credit Agreement (the "Agreement") effective as of January 1; 2018. Section 4.2 of the Agreement provides that the Company may assign or otherwise transfer any of its rights and interests in the Agreement on prior written consent of the Local Governments, which may be given by resolution. The Company has entered into an agreement to sell the subject property to 201 S Murray, LLC. The Company has agreed to transfer its interests and obligations in the Agreement to 201 S Murray, LLC upon the closing of the sale of the subject property. 201 S Murray, LLC has agreed to accept the rights and responsibilities of the Company provided in the Agreement.

201 S. Murray, LLC intends to develop residential rentals for the property which will help fill the need for rental properties in downtown to help support existing retail, restaurants and businesses.


A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (6-0) to approve Resolution 20-05 consenting to the assignment of the rights of the JB Ferguson Properties, LLC and Estate Planning Consultants, Inc. in the infrastructure credit agreement of January 1, 2018, to 201 South Murray, LLC, amended to include provision that project must be completed within 36 months and modified to all residential units.

ADJOURNMENT

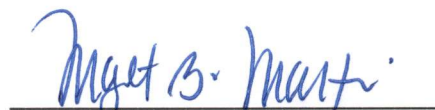
A motion by Council Member Thompson seconded by Councilman Jeff Roberts carried unanimously (6-0) to adjourn at 7:15 p.m.

Notice of this meeting was posted on the City of Anderson's website and the Anderson Independent Mail newspaper was notified of the meeting at least 24 hours in advance of the meeting in accordance with the S.C. Freedom of Information Act.

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer