

Regular Meeting
September 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, 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; and Economic Development Director, Kimberly Spears. The invocation was given by Councilman Chapman and respect to the flag was given by Councilman Jeff Roberts.

APPROVAL OF MINUTES

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to approve the minutes of August 26, 2019 meeting as presented.

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

Planning Director, Maurice McKenzie 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.

Because regulations are necessary to address this technology, the City Council saw the need to adopt new guidelines. Using the Municipal Association of South Carolina's (MASC) model ordinance as a guide, the Council provided valuable insight during work sessions and with input from staff, the Planning Commission and the telecommunications industry, guidelines that meet local needs have been developed.

A few revisions were made during the most recent work session and Council meeting on August 26th, and those changes were added in the attached guidelines. Most of the changes were made to keep timeframes for the approval process practical and consistent, along with co-location clarification and details regarding performance bonds.

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

The City Council approved this request on first reading (with revisions) at the August 26th meeting.

A motion by Councilman Harbin seconded by Councilman Chapman 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 Second Reading along with the following proposed changes:

- Section 4(a)(iv) – within *fifteen (15)* business days
- Section 4(b) – within *fifteen (15)* business days
- Section 5(h) – to add wording “*if technically feasible*” after “at least *two (2)* additional carriers”
- Section 7(c) – within *one hundred twenty (120)* business days. Also change “City may” to “*City shall*”

REQUEST SECOND READING 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. The City will promote education of this amendment before the effective date of November 1, 2019.

A motion by Councilman Laughridge seconded by Councilman John Roberts 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 Second Reading along with the amendment to include all tobacco products to this Ordinance.

REQUEST CONSIDERATION OF ORDINANCE 19-11 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 considered this request at their September 3rd meeting and recommended approval.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to approve Ordinance 19-11 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 on First Reading.

REQUEST CONSIDERATION OF ORDINANCE 19-12 TO REZONE 16.82 ACRES AT THE NORTHERN CORNER OF GLENWOOD AVENUE AND BLECKLEY STREET FROM LI, LIGHT INDUSTRIAL TO R-5, SINGLE-FAMILY RESIDENTIAL

Planning Director, Maurice McKenzie said the applicant proposes to rezone the vacant parcel of land in order to develop a single-family residential subdivision. R-5 allows lots to be a minimum of 5,000 square feet. The property is currently zoned LI, Light Industrial, which allows light manufacturing, warehousing, retail, etc. A single-family zoning classification is considered to be a downzoning from a land use perspective. Surrounding zoning includes R-10, Single-Family Residential, PDD, Planned Development District, NC, Neighborhood Commercial and HI, Heavy Industrial.

The rezoning was first considered by the City Council at the August 12th meeting. After review of the proposal, there were some questions regarding housing density, perimeter landscaping/screening, ingress/egress for the development and accommodations for off-street parking. Because of these questions, the Council voted to continue discussions at a future meeting, in order for the applicant to explore these concerns.

Initially, a 62-lot subdivision was proposed, with lots averaging just over 5,900 square feet. Since the last meeting, the applicant reduced the number of lots to 53, which reduces the density and brings the average lot size up by approximately 1,000 square feet to just over 6,900 square feet.

A landscaping plan was submitted with the initial request, but there were Council concerns relating to the need for more landscaping/screening along the Bleckley Street and Glenwood Avenue frontages. The current proposal includes a berm, 4 feet in height, with staggered plantings that will create an opaque screen. Specifics regarding the types and sizes of landscape material at planting are noted on the plan. A 6-foot privacy fence and plantings are still proposed along the eastern property line and landscaping in the rear of the development. The applicant plans to install the landscaping prior to commencing with house construction, in order to allow more time for the landscaping to mature.

At the August 12th meeting, there were inquiries by the Council regarding the possibility of a subdivision street connecting to Bleckley Street, in order to alleviate potential traffic issues. The applicant's engineer investigated this further and received word from the SCDOT that no entrance would be allowed onto Bleckley Street that requires access through/across the existing median. It would have to be a right-in/right-out street, which they determined would not be practical for a subdivision of this size.

Regarding parking, the Zoning Ordinance requires a minimum of two off-street parking spaces per single-family dwelling. This includes garage parking spaces. Because garages are sometimes used for other purposes such as storage, the smaller lots in the R-5 zoning districts have, at times, resulted in excessive on-street parking. The applicant proposes to address this through stricter Homeowners Association guidelines and other measures.

The Planning Commission considered the original request at their August 6th meeting and recommended approval. Since that time, changes have been made to improve the plan, in terms of less density and improvements in landscaping/screening.

If the rezoning is approved, the revised subdivision plat must go back to the Planning Commission for Preliminary Plat approval.

While the Council Members were pleased with the development changes, the Council was concerned with the 20 feet setback and would like to see that setback increased to 25 feet. Because of traffic concerns, Council also would like a left and right exit from the subdivision if SCDOT approved. They were also concerned with the current speed limit of 35 mile per hour, would like that reduced to 25 mile per hour with the appropriate approvals.

The Developer, Wesley White from Ridgewater Engineering spoke to Council about the concerns discussed above. Only one person in the audience spoke, Mr. Mike Hall of 901 Glenwood Avenue, expressed the same concerns already viewed by Council.

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (9-0) to approve Ordinance 19-12 to rezone 16.82 acres at the northern corner of Glenwood Avenue and Bleckley Street from LI, Light Industrial to R-5, Single-Family Residential on First Reading with the intention of the developer to consider increasing the setback to 25 feet and seek approval from SCDOT to create left and right exit lanes from subdivision.

REQUEST CONSIDERATION OF AN APPOINTMENT TO THE ACCOMMODATIONS TAX (ATAX)
ADVISORY COMMITTEE

Economic Development Director, Kimberly Spears said the ATAX Advisory Committee has one unexpired term to fill:

Vacant (hospitality/lodging) – unexpired term of Rebekah Peurifoy. Staff recommends Dewayne Bowes for this position and he has agreed to serve the remainder of the term through December 31, 2021.

The other six members that serve on this committee are Vickie Culler (cultural), Shelton Pace (hospitality/restaurant), John Doolittle (hospitality/restaurant), Summer Fredette (at-large), Reggie Hawthorne (at-large), and Cindy Suttles (hospitality/lodging).

Staff recommends this appointment of Dewayne Bowes to fill this unexpired term through December 31, 2021.

A motion by Councilman Chapman seconded by Councilman Laughridge carried unanimously (9-0) to appoint Dewayne Bowes to the Accommodations Tax Advisory Committee through December 31, 2021.

REQUEST CONSIDERATION OF APPOINTMENTS TO THE BOARD OF ARCHITECTURAL REVIEW,
PLANNING COMMISSION AND BOARD OF ZONING APPEALS

Planning Director, Maurice McKenzie said it is time to make reappointments/appointments to the Planning Commission, Board of Architectural Review, and Board of Zoning Appeals. The following members have served the City well, and wish to be reappointed for another 4-year term:

Planning Commission

Herbert Ervin (Seat 4)

Kari Strathern (Seat 6)

David Segars (At-Large 8)

Board of Architectural Review

Amanda Knobel (Anderson Heritage)
Mary Lou Gambrell (Anderson County Historical Society)
John Stathakis (Boulevard Historic District)
Andy Hall (North Anderson Historic District)

Board of Zoning Appeals

Ellen Martin (Architectural Field)
Peter Perdomo (At-Large)
Kent Anderson (At-Large)

In addition, there is a vacancy for the Architecture/Design position on the Board of Architectural Review, and the City received interest from Billy Zion to fill that role. Mr. Zion meets the criteria for this specialized position on the Board.

These appointments allow citizens an opportunity to be a part of the City's governing process and for the City to benefit from citizen representation.

Staff recommends reappointment of the existing members listed above and appointment of Billy Zion to the Board of Architectural Review.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to reappoint Herbert Ervin, Kari Strathern and David Segars to the Planning Commission. To reappoint Amanda Knobel, Mary Lou Gambrell, John Stathakis, Andy Hall and to newly appoint Billy Zion to the Board of Architectural Review. Also, to reappoint Ellen Martin and Peter Perdomo to the Board of Zoning Appeals.

REQUEST CONSIDERATION OF ORDINANCE 19-13 FOR EQUIPMENT LEASE PURCHASE AGREEMENT IN THE AMOUNT NOT EXCEEDING \$855,000

Finance Director, Margot Martin said this is consideration of an Ordinance authorizing an Equipment Lease Purchase Agreement not exceeding \$855,000 for various equipment needs in Public Works.

The staff presented capital equipment needs to City Council during the budget process in May and June. Public works identified several items of aging equipment that needed to be replaced.

The Public Works division will be able to provide more efficient service to the citizens with the updated equipment. Stormwater equipment is needed to be able to perform required drainage upgrades in house as opposed to contracting services.

The staff recommends using an Equipment Lease Purchase Agreement to finance the equipment replacement. The estimated annual debt service payment is \$187,000. The debt service payments are included in the Capital Replacement Fund budget.

A motion by Council Member Thompson seconded by Councilman John Roberts carried unanimously (9-0) to approve Ordinance 19-13 authorizing an Equipment Lease Purchase Agreement in the amount not exceeding \$855,000 to cover the cost of equipment purchases for Public Works on First Reading.

REQUEST CONSIDERTATION OF RESOLUTION 19-05 AUTHORIZING THE CITY OF ANDERSON TO REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF SPECIAL OBLIGATIONS BOND (HOSPITALITY FEE PLEDGE) NOT EXCEEDING \$8,500,000

Finance Director, Margot Martin said the staff presented Recreation capital facility needs and proposed financing arrangements to City Council during the budget work sessions in May and June. During these meetings, the Council gave initial approval to move forward on the following projects during the 2019 – 2020 fiscal year:

- a. Recreation Center Phase III Fields/Pavilion/Greenways \$3,730,000
- b. Whitner Creek Greenway (Park) Construction Project \$4,100,000

Issuing a Resolution allows the Hospitality Fund to be reimbursed for costs incurred prior to the final financing of the Special Obligation Bonds, which will be pledged with Hospitality fees. The not to exceed amount allows for potential changes in cost estimates pending final engineering/design.

Once the funding is completed in the Spring of 2020, the estimated annual debt service payment is estimated to be \$703,720, based on 15 year borrowing at 4%. The debt service payments are included in the Hospitality budget. The Hospitality Fund currently does not have any outstanding debt.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve Resolution 19-05 authorizing the City of Anderson to reimburse certain expenditures made prior to the Issuance of Special Obligation Bonds (Hospitality Fee Pledge) not exceeding \$8,500,000.

**REQUEST CONSIDERATION OF RESOLUTION 19-06 AUTHORIZING THE CITY OF ANDERSON TO
REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF INSTALLMENT
PURCHASE REVENUE BONDS NOT EXCEEDING \$5,500,000**

Finance Director, Margot Martin said the staff presented parking needs and the proposed financing arrangement to City Council during the budget work sessions in May and June. During the budget process, initial approval was given to move forward with the Church Street Parking Garage using an Installment Purchase Revenue Bond to pay for the facility.

Issuing this Resolution allows the General Fund to be reimbursed for costs incurred prior to the final financing of the Installment Purchase Revenue Bonds. The not to exceed amount allows for potential changes in cost estimates pending final engineering/design.

Once the funding is completed in the winter of 2019/2020, the estimated annual debt service payment is estimated to be \$331,118, based on 20 year borrowing at 4%. The debt service payments are included in the General Fund budget.

Mike Burns from Burr and Forman spoke to Council about the form of financing that will be used to move forward in the building the Church Street Parking Garage.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (9-0) to approve Resolution 19-06 authorizing the City of Anderson to reimburse certain expenditures made prior to the Issuance of Installment Purchase Revenue Bonds not exceeding \$5,500,000.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

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

- September 10th – Seat 6 – Neighborhood Watch
- September 12th – Anderson County Municipal Association Meeting
- September 13th – Movie Night in Carolina Wren Park – Captain Marvel
- September 17th – Westside Community Coalition
- September 19th – Southeast Anderson Task Force
- September 23rd – Council Meeting

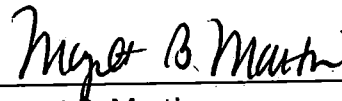
ADJOURNMENT

A motion by Councilman Newton seconded by Mayor Pro Tem Stewart carried unanimously (9-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer