

Proclamation

WHEREAS, every year National Hispanic Heritage Month is observed and celebrated by Americans across our nation between September 15th and October 15th. The celebration, which began under President Lyndon B. Johnson as Hispanic Heritage Week in 1968, was expanded by the United States Congress in 1988 to be a month-long celebration; and

WHEREAS, throughout our nation's history, millions of immigrants have traveled to America in search of freedom, justice and opportunity; and

WHEREAS, Hispanic Heritage Month recognizes the contributions of generations of Hispanic Americans who have enriched our nation by making contributions in science, education and politics; and

WHEREAS, from food and fashion to music and art, the Hispanics Americans have had a positive influence on the lifestyle of all Americans and are a vital component of the diversity that makes the City of Anderson a vibrant and thriving community; and

WHEREAS, Hispanics Americans represent one of the fastest-growing ethnic groups in the nation, enriching our community's values of faith and family, hard work and sacrifice of generations past while contributing to the promise of a prosperous city for future generations; and

WHEREAS, it is incumbent upon all of us to join together to celebrate the work of Hispanic Americans from all walks of life who, in pursuit of the American dream, have made Anderson, South Carolina their home and have committed themselves to building a strong, safe and welcoming community for all.

NOW THEREFORE, I, Terence V. Roberts, Mayor of the City of Anderson, along with my fellow members of City Council, do hereby proclaim the month of September 15th through October 15th as

Hispanic Heritage Month

in the City of Anderson and encourage citizens of this community to recognize the unique heritage and contributions of Hispanics to the cultural life of our city, state, nation and world.

Proclaimed this 26th day of September, 2022

Terence V. Roberts, Mayor

Council Work Session
September 12, 2022

The Work Session of City Council was held this date in City Hall Council Chambers at 5:00 pm. In attendance were Mayor Pro Tem Harbin, Council Members Thompson, Newton, Stewart, Laughridge, John Roberts, Jeff Roberts, and Martinez. Mayor Terence Roberts was not present. Also, in attendance were City Manager, David McCuen; Assistant City Manager, Andrew Strickland; City Attorney, Frankie McClain; and Chief Financial Officer, Margot Martin.

Administrative Briefing and Discussion

Chief Finance Officer, Margot Martin discussed and presented a power point explaining the reassessment process and the rollback millage calculation to 109 mills from 116 mills as of 9/8/2022 data.

Executive Session

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (8-0) to move into Executive Session:

Section 30-4-70(a)(1) – Discussion of personnel matters relating to City Legal Department.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (8-0) to move out of Executive Session.

There was no action taken.

Regular Meeting
September 12, 2022

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Pro Tem Harbin, Council Members Thompson, Stewart, Jeff Roberts, Laughridge, John Roberts, Newton, and Martinez. Mayor Terence Roberts was not present. Also in attendance were City Manager, David McCuen; Assistant City Manager, Andrew Strickland; City Attorney, Frankie McClain; Chief Financial Officer, Margot Martin; Planning Director, Maurice McKenzie; and Economic Development Project and Grant Specialist, Brittany Gamble. The invocation was given by Councilman Luis Martinez and respect to the flag was given by Councilman Jeff Roberts.

Council Meeting 9/12/22

Mayor Pro Tem Harbin recognized and thanked the Men at Work program for attending the meeting.

APPROVAL OF MINUTES

A motion by Councilman Newton seconded by Councilman Martinez carried unanimously (8-0) to approve the minutes of the August 22, 2022, meeting as presented.

REQUEST SECOND READING OF ORDINANCE 22-13 TO REZONE 9.31 ACRES AT THE CORNER OF EAST RIVER STREET AND CLARKE LANE FROM NC, NEIGHBORHOOD COMMERCIAL TO PDD, PLANNED DEVELOPMENT DISTRICT

Planning Director, Maurice McKenzie said the applicant proposes to rezone the subject property from NC, Neighborhood Commercial to PDD, Planned Development District in order to develop townhouse units on the site. Although attached residential units (townhouses) are allowed in the NC zoning district, the applicant wishes to rezone the property to PDD in order to have more flexibility with development standards. A PDD zoning also provides the opportunity for improved details that a conventional zoning classification would not require.

The existing NC zoning allows office, low intensity retail and residential uses that serve the general area. The proposed PDD zoning as written allows only townhouse units. Commercial and multi-family zoning abuts the property. Across East River Street are single-family residential uses.

The current zoning allows up to eight (8) townhouse units per acre, which equates to 74 units. The applicant proposes 89 units, which equates to 9.6 units per acre. If apartment units are built on the site under current zoning, 10 units per acre are allowed. A development detail in the PDD Document that varies from the conventional zoning of NC is in relation to lot width. The Zoning Ordinance requires each townhouse unit to be on lots of 5,000 square feet. The applicant is requesting a minimum lot size of 1,600 square feet. It has been common with recent PDD's for townhouse developments to allow smaller lots (in the 2,000 square feet range), rather than the larger lot size that conventional zoning requires. By having smaller lots, there will be more open space serving the entire development and can be better controlled and preserved.

Per the PDD document, details include open spaces at "T" intersections, overflow parking lots, and provisions to ensure that vehicles in driveways do not hang over the sidewalks or streets. The proposed development will have 3.73 acres of open space/common area (40%), which is

much more than the required open space of 10% for PDD's. The guidelines of the newly adopted tree ordinance must be met, and the site has significant tree coverage.

Councilman Jeff Roberts spotlighted that growth is moving into Eastern and Southeastern areas of the City of Anderson.

The City Council approved this request on first reading at their August 22nd meeting.

A motion by Councilman Jeff Roberts seconded by Councilman Laughridge carried unanimously (8-0) to approve Ordinance 22-13 to rezone 9.31 acres at the corner of East River Street and Clarke Lane from NC, Neighborhood Commercial to PDD, Planned Development District on Second Reading.

REQUEST SECOND READING OF ORDINANCE 22-14 AMENDING THE 2021-2022 ANNUAL BUDGET

Chief Financial Officer, Margot Martin said the City Council adopted the 2021 - 2022 Annual Budget by Ordinance 21-11 on June 28, 2021. This Budget amendment request is to reflect City Council approval of revenues and expenditures that occurred after the original budget was implemented, grants received, or use of prior year funds carried forward to the new fiscal year. The Budget amendment includes:

1. Increasing Police fund budget for two grants – Body Armor and COVID expenses (\$113,905).
2. Increasing the General Fund budget for use of American Rescue funds for Premium Pay (\$2,258,990).
3. Increasing Transit fund budget to reflect capital grants from FTA for the purchase of two buses (\$848,647).
4. Reflects use of General fund's prior year fund balance for purchase/projects that were approved in prior fiscal years but not paid until FYE 2022:
 - a. Hotel EDI (\$375,000)
 - b. Parking Garage Construction (\$677,062)
5. Increasing Brownfields grant award (\$100,878 – total allocated \$300,000 over three years).
6. Reflecting use of General fund's prior year Pay Tel funds for monies received in FYE 2021 but spent in FYE 2022 (\$70,330).
7. Increase Fire Department's Rescue fund to account for Anderson County Emergency Management divisions revenues received in FYE 2021 but spent in FYE 2022 (\$25,038).
8. Reflecting use of General fund's prior year Commissary monies received in FYE 2021 but spent in FYE 2022 for detention (\$97,906).
9. Increasing Confiscated funds for purchase of Equipment (\$17,312).

10. Reflects City Council approval for land purchase at McCants/S. Fant at cost of \$ 150,015, not included in the FYE 2022 budget.
11. Increasing the Soiree revenue and expenditure budget items for event in April 2022 not included in original budget (\$110,271).

These amendments allow the budget and audit to more accurately reflect actual revenues received and expenditures made that were unknown when the budget was originally adopted. Therefore, comparisons between budget and actual are more meaningful.

Council gave approval of First Reading at the August 22, 2022 City Council meeting.

A motion by Councilman Laughridge seconded by Councilman John Roberts carried unanimously (8-0) to approve Ordinance 22-14 amending the 201-2022 Annual Budget on Second Reading.

REQUEST SECOND READING OF ORDINANCE 22-15 AUTHORIZING THE EXECUTION OF A CONTRACT AND A DEED TO CONVEY REAL ESTATE LOCATED AT 118 EAST EARLE STREET

Due to potential conflict of interest, Councilman Martinez recused himself from discussion and vote.

City Manager, David McCuen said the City of Anderson has previously determined that the lot of land and building located at 118 East Earle Street in the City of Anderson is surplus property.

Pursuant to the Procurement Code of the City of Anderson, the City of Anderson publicly advertised for requests for proposals to purchase the property.

MSN Holdings, LLC has offered to pay the sum of \$90,000 to the City. The buyer will use the building for retail space.

The City will benefit from the receipt of funds and by transfer of the maintenance responsibility. The buyer will also develop the property to a retail-use that will enhance the downtown visitor experience.

Proceeds will be used for the cost of sale.

The City Council approved this request on first reading at their August 22nd meeting.

A motion by Council Member Thompson seconded by Councilman John Roberts carried (7-0) with Councilman Martinez recused, to approve Ordinance 22-15 authorizing the execution of a contract and a deed to convey real estate located at 118 East Earle Street on Second Reading.

REQUEST SECOND READING OF ORDINANCE 22-16 AUTHORIZING THE LEASE OF A PORTION OF THE EAST MARKET STREET PARKING GARAGE TO ANDERSON ROOFTOP, LLC.

Assistant City Manager, Andrew Strickland said one of the primary missions of the City of Anderson is to encourage development, improve the tax base, and enhance the livability of the Anderson Area.

In addition to 305 parking spaces, the East Market Street Parking Garage is home to a 6,148-square foot rooftop space designed to accommodate a rooftop restaurant (1,434 sf conditioned space, and 4,714 sf open air).

Anderson Rooftop, LLC is proposing to operate a full-service restaurant and bar in the space. The business will be a regional draw for Downtown Anderson due to its success in other communities in South Carolina and Georgia. The tenant has received local, regional, and national recognition in the hospitality industry for its exceptional visitor experience, menu, and specialized niche as a rooftop restaurant.

We project the tenant will generate approximately \$250,000 in its first five years of operation from annual hospitality tax and business license fees. The business will also create 60 job opportunities for local service industry professionals. This will be a 10-year lease.

City Manager, David McCuen commented that this project is a great example of the vision of City Council.

Co-Owners of Anderson Rooftop, LLC, Mark Oswald and Kirk Watkins thanked City Council of giving them this opportunity and to serve the Anderson community.

The City Council approved this request on First Reading at their August 22nd meeting.

A motion by Councilman John Roberts seconded by Councilman Newton carried unanimously (8-0) to approve Ordinance 22-16 authorizing the lease of a portion of the East Market Street Parking Garage to Anderson Rooftop, LLC on Second Reading.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO
REZONE 612 EAST RIVER STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO NC,
NEIGHBORHOOD COMMERCIAL

Planning Director, Maurice McKenzie said the applicant requests to rezone the subject property in order to utilize the building and site for commercial purposes. At the present time, there is not a specific use planned for the property. The applicant believes that the property is not practical for residential purposes, particularly since it was previously in use as a bed and breakfast and an office many years ago. A small parking lot exists on the site from previous uses.

Surrounding zoning along this block of East River Street is NC, Neighborhood Commercial, and the East River Street corridor has varying zoning classifications and land uses.

The Planning Commission meets on October 4th.

A motion by Councilman Stewart seconded by Councilman Jeff Roberts carried unanimously (8-0) to approve referral to the Planning Commission a petition to rezone 612 East River Street from R-5, Single-Family Residential to NC, Neighborhood Commercial.

REQUEST CONSIDERATION OF APPOINTMENTS TO THE PLANNING COMMISSION

Planning Director, Maurice McKenzie said according to the Planning Commission's by-laws, each City Council member is responsible for appointing a representative to the Commission. Members do not have to live within the Seat of the Council Member but must be a City resident. Currently, there is a position available for the Seat 2 City Council representative.

Councilman Martinez recommends Timothy "Bryce" Nivens to be appointed to the Planning Commission. Mr. Nivens is active in the community by serving on various boards and civic organizations. He has interest in serving on the Planning Commission to be involved in the local government process.

This appointment allows citizens an opportunity to be a part of the City's governing process and for the City to benefit from citizen representation.

A motion by Councilman John Roberts seconded by Councilman Laughridge carried unanimously (8-0) to approve appointment of Timothy "Bryce" Nivens to the Planning Commission.

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

Economic Development Project and Grant Specialist, Brittany Gamble said the ATAX Advisory Committee has four expired terms to fill that expired December 2021:

Expired term held by Dwayne Bowes (hospitality/lodging); Mr. Bowes is agreeable to reappointment for an additional term.

Expired term held by Cindy Suttles (hospitality/lodging); Mrs. Suttles is agreeable to reappointment for an additional term.

Expired term held by Summer Fredette (At-large); Mrs. Fredette is agreeable to reappointment for an additional term.

Expired term held by Reggie Hawthorne (At-large); Mr. Hawthorne is agreeable to reappointment for an additional term.

The other three members that serve on this committee are John Doolittle (Hospitality/Restaurant), Shelton Pace (Hospitality/Restaurant), and Diann Simms (Arts/Culture).

Staff recommends approval of these reappointments for 4-year terms through December 31, 2025.

A motion by Councilman John Roberts seconded by Council Member Thompson carried unanimously (8-0) to approve the reappointment of Dwayne Bowes, Cindy Suttles, Summer Fredette and Reggie Hawthorne to the Accommodations Tax (ATAX) Advisory Committee with a 4-year term ending December 31, 2025.

REQUEST APPROVAL OF ORDINANCE 22-17 AMENDING THE 2022-2023 MILLAGE RATE

Chief Financial Officer, Margot Martin said the City Council adopted the 2022-2023 Annual Budget by Ordinance 22-11 on June 27, 2022. Section 2 of the Budget ordinance reflected the required Levy of taxes for the fiscal year at 116 mills. City Council Members attended a Work Session before the regular meeting.

Per Section 12-43-285 of the SC Code, the City must certify in writing to the County Auditor that the millage rate levied is in compliance with the laws limiting the millage rate imposed by the City. Since 2022 is a reassessment year, the City must follow the calculation of the rollback millage per Section 12-37-251. The last reassessment was in 2017.

The City's assessed values have increased 5.1% (excluding growth). As a result, the City must rollback its millage from 116 to 109. The City does have the option to increase the millage rate imposed for general operating purposes above the reassessment rate only to the extent of the increase allowed per the SC revenue and Fiscal Affairs office. This year, the City's millage rate increase limitation is 5.09%.

Since our original budget ordinance for the fiscal year 2022-2023 Section 2, stated the tax levy would be 116, the Council must amend to reflect the levy amount Council wishes to set.

A motion by Councilman Newton seconded by Councilman Martinez carried unanimously (8-0) to approve Ordinance 22-17 amending the 2022 – 2023 Millage Rate to 109, decrease from 116 on First Reading.

ADJOURNMENT

A motion by Councilman Newton seconded by Councilman John Roberts carried unanimously (8-0) to adjourn at 6:35 pm.

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

**City of Anderson
Council Agenda**

Title/Description: Old Business

Request approval of Ordinance 22-17 amending the 2022 - 2023 Millage Rate

Executive Summary:

Request: Request approval of Ordinance 22-17 amending the 2022 – 2023 Millage Rate in the levy of taxes.

Background: The City Council adopted the 2022-2023 Annual Budget by Ordinance 22-11 on June 27, 2022. Section 2 of the Budget ordinance reflected the required Levy of taxes for the fiscal year at 116 mills.

Per Section 12-43-285 of the SC Code, the City must certify in writing to the county auditor that the millage rate levied follows the laws limiting the millage rate imposed by the City. Since 2022 is a reassessment year, the City must follow the calculation of the rollback millage per Section 12-37-251. The last reassessment was in 2017.

The City’s assessed values have increased 6.1% (as of 9-8-22, excluding growth). As a result, the City must rollback its millage from 116 to 109. The City does have the option to increase the millage rate imposed for general operating purposes above the reassessment rate only to the extent of the increase allowed per the SC revenue and Fiscal Affairs office. This year, the City’s millage rate increase limitation is 5.09%.

Since our original budget ordinance for the fiscal year 2022-2023 Section 2, stated the tax levy would be 116, the Council must amend to reflect the levy amount Council wishes to set.

The detail ordinance is attached. Council attended a work session on September 12, 2022, to review this process in detail and the calculation.

Recommendation: Request approval of Ordinance 22-17 amending the 2022 – 2023 Millage Rate to 109, decrease from 116 on second and final reading.

Action Requested:

Ordinance 2nd Reading

Information Only

**CITY OF ANDERSON
COUNCIL AGENDA
September 26, 2022
6:00 PM**

INVOCATION: Council Member Tony Stewart
RESPECTS TO FLAG: Council Member Beatrice Thompson
PROCLAMATION: Hispanic Heritage Month – Sept. 15th - Oct. 15th

Approval of Minutes of September 12, 2022

A. OLD BUSINESS:

1. Request second reading of Ordinance 22-17 amending the 2022 - 2023 millage rate.

B. NEW BUSINESS:

1. Request consideration of a contract for the Recreation Center lobby renovation.
2. Request consideration of a banking services contract for the City of Anderson.
3. Request consideration of a resolution certifying certain real property as an abandoned textile mill site as provided by the South Carolina Textiles Communities Revitalization Act.

ORDINANCE 22 – 17

FY 2022 – 2023 MILLAGE RATE AMENDMENT

An Ordinance of the Mayor and Council of the City of Anderson to amend the Budget Adoption Ordinance 22-11 by amending Section 2. Levy of Taxes, providing for details of such amendments, and certain matters,

WHEREAS, the City adopted Ordinance 22-11 on June 27,2022, setting forth the millage rate for the levy of taxes for FY 22-23;

WHEREAS, the City is following the South Carolina Code Section 12-37-251 in setting its millage rates in a year of reassessment by Anderson County;

WHEREAS, in order to ensure that the City certifies the proper millage rate to the Anderson County Auditor per South Carolina Code Section 12-43-285, the millage rate should be rolled back from 116 to 109;

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON TO AMEND SECTION 2. LEVY OF TAXES AS HEREBY AUTHORIZED:

SECTION 2. Levy of Taxes. That a tax to cover the period from July 1, 2022 to June 30, 2023, both inclusive; for the sums and in the manner hereinafter mentioned, is and shall be levied, collected by Anderson County and paid into the treasury for the City of Anderson for the use and service thereof; a tax not to exceed one hundred eleven (\$109.00) on every one thousand dollars (\$1,000.00) in assessed value of real estate and personal property of every description owned and used in the City of Anderson, South Carolina, except such as is exempt from taxation under the constitution and laws of the State of South Carolina, is and shall be levied and paid to Anderson County and then remitted into the City Treasury for the credit to the City of Anderson for the corporate purposes, permanent improvement and for the purpose of paying current expenses of said Municipality. Such tax is levied on such property as is assessed for taxation for County and State purposes.

Date: September 26, 2022

Agenda Item No: B-1

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a contract for lobby renovation at Recreation Center.

Executive Summary:

Background: The current design of the Rec Center lobby is a large open area when you enter the front doors. There are no measures in place to have people stop at the front desk or prevent them from accessing areas within the building. The front desk has a curved counter and is open at the end where people could get behind the desk area. The security camera screen can be seen by the public.

The city contracted with DP3 Associates to redesign the lobby area with crowd control measures, design a more secure from desk area and a vestibule at the entrance area. The city advertised to bid through South Carolina Business Opportunities (SCBO), Anderson Independent, city website and emailed various contractors. Three bids were received by the September 13th deadline. The firms bidding were:

Lazer Construction Company, Inc.	Williamston, SC	\$418,900.00
JM Cope Construction	Rock Hill, SC	\$409,686.00
Satchel Construction, LLC	Greenville, SC	\$362,078.26

DP3 reviewed the bids and unit pricing for each firm.

Benefit: The new design of the lobby will provide a higher level of safety for front desk personnel and more control of foot traffic entering the building. The vestibule will help with energy savings.

Funding: Hospitality Funds

Recommendation: DP3 and staff recommends awarding the base bid to Satchel Construction, LLC in the amount of \$362,078.26.

Action Requested: General Approval

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a banking services contract for the City of Anderson.

Executive Summary:

Request: Request consideration and approval of a banking services contract with TD Bank.

Background: The City’s banking services contract with TD Bank is up for renewal. The City solicited banking service proposals in May 2022 from all local banks and posted on the City’s website. We had five banks to respond - First Citizen’s, TD Bank, Wells Fargo, Synovus, and J P Morgan Chase. The staff evaluated the bids based on a defined set of criteria including fees, earnings credit rate, interest rates, online security, and other non-financial considerations and narrowed the list to three.

The following is a summary of the fees and rates by the three banks interviewed:

	<u>Annual Fees</u>	<u>Earnings Credit Rate</u>	<u>Demand Deposit Rate</u>	<u>Net Value</u>
TD Bank	\$ 27,914	1.50%	2.18%	\$ 421,719
JP Morgan Chase	\$ 18,033	2.10%	2.00%	\$ 434,356 **
Synovus	\$ 57,793	0.65%	2.00%	\$ 298,011

** ECR Rate not used by JPM .They Peg balance Amt to offset fees not ECR %

Detail Review of Banking Service Bids is attached.

The City staff uses one local bank for a majority of the City’s business. This allows the City to earn more interest, pay lower fees, transfer funds, make deposits, etc. in a central location. The staff recommends TD Bank to be the City’s bank. They are financially sound, provide great service at a competitive rate and offer all the banking services, including security fraud protection, that the City needs. TD Bank operates 2 branches in Anderson, which is extremely important for the convenience to our employees needing check cashing services. JP Morgan offered several options to accommodate the lack of a local branch, but all the options would require additional work of City staff. Synovus announced the closing of its downtown branch a few weeks after their interview.

Recommendation: The City staff recommends awarding a new five-year contract to TD Bank for the City’s banking services. Contract would begin in November 2022.

Action Requested: X General Approval

RESOLUTION NO. 22-

A RESOLUTION CERTIFYING
CERTAIN REAL PROPERTY IN
THE CITY OF ANDERSON AS
AN ABANDONED TEXTILE MILL SITE

WHEREAS, the City of Anderson, South Carolina (“City”), acting by and through its City Council (“Council”), is authorized and empowered to certify real property as an “abandoned textile mill site” according to the South Carolina Textiles Communities Revitalization Act, South Carolina Code Annotated 12-65-100, *et seq.*, as amended (“Act”); and

WHEREAS, according to Sections 12-65-20(3) and (1) of the Act, respectively, a “textile mill” means “a facility or facilities that were initially used for textile manufacturing, dying, or finishing operations and for ancillary uses to those operations”, and an “abandoned” textile mill means that “at least eighty percent of the textile mill has been closed continuously to business or otherwise nonoperational as a textile mill for a period of at least one year immediately preceding the date on which the taxpayer files a Notice of Intent to Rehabilitate”;

WHEREAS, according to Section 12-65-20(4)(a) of the Act, a “textile mill site” means “the textile mill together with the land and other improvements on it which were used directly for textile manufacturing operations or ancillary uses. However, the area of the site is limited to the land located within the boundaries where the textile manufacturing, dying, or finishing facility structure is located and does not include land located outside the boundaries of the structure or devoted to ancillary uses;”

WHEREAS, Section 12-65-20(4)(b) of the Act provides, in part, that, “Notwithstanding the provisions of item (4)(a), with respect to... (iii) a site which, on the date the notice of intent to rehabilitate is filed, is located in a distressed area of a county in this State, as designated by the applicable council of government, "textile mill site" means the textile mill structure, together with all land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses...”;

WHEREAS, Anderson Whitner Mill LLC and/or one or more of its affiliates (the “Developer”), intends to acquire certain portions and lease certain other portions of the property located at 1322 Glenn Street and 354 Railroad Circle, Anderson, South Carolina, identified as Anderson Tax Map Parcels 1232302001, 1232302002, 1232302007, 1232302008, and 1232303001 (the “Property”), and intends to rehabilitate such property in a manner that qualifies for South Carolina income tax credits under the Act;

WHEREAS, the textile mill located on the Property has been “abandoned”, as defined in Section 12-65-20(1) of the Act, for over 25 years;

WHEREAS, the Appalachian Council of Governments has designated and certified the Property as being in a distressed area;

WHEREAS, pursuant to Sections 12-65-30(C)(2), the Developer, as the taxpayer, plans to file a Notice of Intent to Rehabilitate with the South Carolina Department of Revenue;

WHEREAS, pursuant to Section 12-65-60 of the Act, a taxpayer may apply to the municipality or county in which the textile mill site is located for a certification of the textile mill site made by ordinance or binding resolution of the governing body of the municipality or county; and

WHEREAS, the Developer, as the taxpayer, has applied to the City of Anderson for a certification of the Property as a textile mill site by binding resolution of Anderson City Council,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANDERSON, SOUTH CAROLINA, AS FOLLOWS:

It is hereby certified that the Property is an abandoned textile mill site by reason of the following:

1. The Property was a textile mill as defined in S.C. Code Section 12-65-20(3).
2. The Property has been abandoned as defined in S.C. Code Section 12-65-20(1).
3. The geographic area of the entire Property is consistent with the definition of a textile mill site, as defined in S.C. Code Section 12-65-20(4).

BE IT FURTHER RESOLVED THAT this Resolution shall take effect upon its adoption.

Date: September 26, 2022

Agenda Item No: B-3

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a resolution certifying certain real property as an abandoned textile mill as provided by the South Carolina Textiles Communities Revitalization Act.

Executive Summary:

Background:

The South Carolina Textile Communities Revitalization Act (the “Act”) was enacted in Title 12, Chapter 65 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned textile mill sites located in South Carolina. The Act provides that rehabilitation and redevelopment of abandoned mill sites into assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities.

Section 12-65-30 of the Act provides that a taxpayer who rehabilitates an abandoned textile mill site is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes.

ANDERSON Whitner Mill, LLC (the “Taxpayer”) is in the process of acquiring title to certain real property known as the Anderson Mill Site which property is further identified as Anderson County Tax Map No. 123-23-02-001, 123-23-03-001, 123-23-02-007, 123-23-02-008, and 123-23-02-002, and intends to rehabilitate such property in a manner that qualifies for South Carolina income tax credits under the Act.

Benefit:

The City will benefit by the restoration of the abandoned mill site into a productive asset for our community and downtown area.

Recommendation:

City Staff recommends that the Resolution be passed.

Action Requested:

- | | |
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| <input type="checkbox"/> Ordinance 1st Reading | <input type="checkbox"/> Information Only |
| <input type="checkbox"/> Ordinance 2nd Reading | <input type="checkbox"/> General Approval |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Other |