

City of Anderson
Regular Meeting
February 10, 2014

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Roberts, Mayor Pro Tem Stewart, Council Members Roberts, Kirven, Thompson, Chapman, Laughridge, and Harbin. Also in attendance were City Manager, John Moore; Assistant City Manager, Linda McConnell; Finance Director, Peggy Maxwell; City Attorney, Frankie McClain; and Fire Chief, Dale Horne. The invocation was given by Mayor Terence Roberts with respects to the flag by Councilman Don Chapman.

SPECIAL RECOGNITIONS
Engineer Ronnie Eskew – Fire Department Retiree

Fire Chief, Dale Horne said Ronnie Eskew joined the Anderson Fire Department on May 5, 1987. He was promoted to Engineer on April 24, 2000. He is retiring after 27 years of service. Chief Horne presented Engineer Ronnie Eskew with a plaque on behalf of the City.

Battalion Chief Brian Black – Fire Department Life Saving Award

Chief Horne said on October 30, 2013 Fire Station 1 received a call to assist with a possible shooting at Arlington Ave. Upon arrival, firefighters were advised by neighbors that they thought the male subject was suffering from a seizure. Battalion Chief Black did a full patient assessment and located a gunshot wound on the patient's upper arm. The patient went into cardiac arrest but did survive. His survival was directly related to the actions of Battalion Chief Black. Chief Horne presents Battalion Chief Brian Black with a ribbon and plaque on behalf of the City.

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman Chapman carried unanimously (8-0) to approve the minutes of the January 27, 2014 meeting as presented.

REQUEST CONSIDERATION OF ORDINANCE 14-03 TO REZONE APPROXIMATELY 2.2 ACRES
LOCATED AT 304 AND 308 KINGSLEY ROAD FROM R-15, SINGLE-FAMILY RESIDENTIAL TO RM-
18, MULTI-FAMILY RESIDENTIAL

City Manager, John Moore said the applicant, Anderson University, proposes to rezone the parcels of land in their ownership to RM-18, Multi-Family Residential. This will bring an existing duplex into zoning compliance and will also allow Anderson University to utilize another dwelling for office space dedicated to their Crossroads summer camp program. Also included in this rezoning is some vacant land behind the buildings, but there are no plans for that property at this time. The RM-18 zoning classification allows for colleges and universities, so any use associated with their day-to-day operations will be permitted. RM-18 is the predominant zoning of the main campus, located across Kingsley Road.

The Planning Commission considered this request at their February 4th meeting and recommended approval by a 7-1 vote. There were no neighboring property owners or other citizens present.

A motion by Councilman Roberts seconded by Councilman Laughridge carried unanimously (8-0) to approve Ordinance 14-03 to rezone approximately 2.2 acres located at 304 and 308 Kingsley Road from R-15, Single-Family Residential to RM-18, Multi-Family Residential on the First Reading.

REQUEST CONSIDERATION OF ORDINANCE 14-04 TO REZONE 710 EAST GREENVILLE STREET
FROM LO, LIMITED OFFICE TO NC, NEIGHBORHOOD COMMERCIAL

Mr. Moore said the applicant proposes to rezone the subject property in order to develop it with additional tenant space. The existing structure will remain. Under LO, Limited Office guidelines, constructing additional tenant space is permitted without a rezoning, but the applicant has plans for a restaurant to occupy one of the spaces. LO zoning allows office and medical uses, but not restaurants or retail sales (unless it is associated with medical). NC, Neighborhood Commercial zoning is the lowest intensity zoning that will allow a restaurant.

According to a preliminary site plan, the applicant plans to keep the existing 1,800 square foot building on the site. Planned for construction is a 1,250 square foot office building and a 1,425 square foot restaurant building near the Greenville Street frontage. The subject property is narrow in shape and has a Duke Energy transmission line along one side, which limits its development possibilities.

Abutting zoning is LO as well as single-family residential. Across the street is NC, Neighborhood Commercial zoning, and in close proximity is the AnMed main campus.

The Planning Commission heard this request on January 7th and recommended denial. At the time, the applicant did not have a specific plan to show that the property can accommodate the proposed buildings, parking, landscaping, etc. The Commission determined that there were too many unknowns to approve. In addition, the Commission had concerns about an existing Duke Energy transmission line that runs through the property and the possibility of it hindering development.

Since the time of the Planning Commission meeting, the applicant has submitted a proposed site plan which shows a possible site configuration. Also, the applicant has since received approval from Duke Energy to park underneath the lines.

A motion by Councilman Roberts seconded by Councilman Chapman carried unanimously (8-0) to approve Ordinance 14-04 to rezone 710 East Greenville Street from LO, Limited Office to NC, Neighborhood Commercial on First Reading.

REQUEST CONSIDERATION OF A CONTRACT WITH CLEMSON UNIVERSITY REGARDING PUBLIC EDUCATION AND AWARENESS FOR STORMWATER PROGRAM

Mr. Moore said the City of Anderson is a Regulated Small Municipal Separate Storm Sewer System (SMS4) operator required to comply with six minimum control measures designed to reduce pollutant discharges into receiving waterbodies. Two of the six minimum control measures are public education and outreach and public participation/involvement. This request was brought to council for consideration on October 28, 2013 and tabled until further information could be provided. Carolina Clear offers a comprehensive approach developed by the Clemson University Cooperative Extension Service to inform and educate communities about water quality, water quantity and the cumulative effects of stormwater. Carolina Clear addresses the special significance of South Carolina's water resources and the role they play in the state's economy, environmental health and overall quality of life. Carolina Clear is designed to specifically assist MS4s impacted by state and federal mandates to manage water pollution, and they are committed to preserving our resources for future generations.

There are several benefits for the City of Anderson to partner with Clemson University and Carolina Clear. Clemson University has extensive resources and experience in environmental education, social marketing and the evaluation of such efforts through community surveys. Partnering on the public education and participation efforts will prevent the duplication of efforts that undoubtedly have occurred and would continue without this alliance. Partnering will also allow stormwater staff to focus on the current backlog of projects.

Clemson University prefers to conduct the program throughout Anderson County, including Belton and other municipalities required to have a stormwater program. As a result, the Anderson County Council approved a contract with Clemson University and Carolina Clear on October 15, 2013.

The Stormwater Fund will fund a contract with Carolina Clear. The fund has a budget of \$930,000, with a professional services component of \$34,000. This contract is for five (5) years at \$15,000 per year. Either party may terminate the contract at any time with thirty (30) days' notice.

The stormwater staff reviewed the contract and Memorandum of Understanding with Clemson University, and recommend approval. This is a federally mandated component of the City's stormwater program.

Councilman Kirven stated his concerns with the federal government mandate on public education and the contract with Clemson University. Councilman Kirven does not think the City should spend this amount of money on this contract. He recommended that the public education and awareness be done by City staff.

A motion by Councilman Harbin seconded by Council Member Thompson carried (5-3) with Mayor Pro Tem Stewart and Councilmen Kirven and Chapman opposed to approve a contract with Clemson University (Carolina Clear) regarding public education and awareness for Stormwater Program. The contract is for five years at \$15,000 per year.

REQUEST CONSIDERATION OF ORDINANCE 14-05 AMENDING ANDERSON CITY CODE SECTION 18-10 (4) AS IT RELATES TO THE KEEPING OF CHICKENS INSIDE THE CITY

Mr. Moore said in December 2012, the City Council amended the Anderson City Code to add guidelines allowing citizens to keep up to four hens under certain restrictions and limitations. Included in those guidelines was a provision that the subsection will terminate after one year and be reconsidered by the Council.

(h) This subsection will terminate one year from the date of adoption and will be reconsidered by the Council at that time.

During the initial year of allowing egg-laying hens inside the City, there have been no issues resulting from the new guidelines. Four applications were approved by the staff, and each property and coop was periodically monitored throughout the year to ensure compliance. No neighboring property owners or other citizens have registered any complaints or concerns during the initial year.

Advocates for keeping hens on residential properties believe that keeping the regulations will give citizens an additional option for providing a local sustainable food source for themselves and their families.

Since there have been no issues resulting from the new guidelines and because the law has not placed a regulatory hardship upon the staff, it is recommended that subparagraph (h) is removed and the remaining guidelines stay in the City Code.

A motion by Mayor Pro Tem Stewart seconded by Councilman Chapman carried unanimously (8-0) to approve Ordinance 14-05 amending Anderson City Code Section 18-10 (4) as it relates to the keeping of chickens inside the City on First Reading.

REQUEST CONSIDERATION OF CONSTRUCTION CONTRACT FOR STONE CREEK DRIVE
STORMWATER IMPROVEMENTS

Mr. Moore said a large sinkhole has developed between 809 and 811 Stone Creek Drive. The sinkhole was caused by a corroded and failed 36-inch corrugated metal pipe, which provides drainage to Woodfield Subdivision. The drainage system has been inspected by Public Works staff and is in poor condition, and in need of permanent repair. Over the past several years, Public Works staff has made several repairs to the drainage system; however, sink holes continue to develop.

The project was released for bid by City staff and Design South Professionals, Inc. Four pre-qualified contractors received bid documents and provided written proposals to the City of Anderson on December 17, 2013.

The following is a list of the 4 bidders:

Chandler Construction Services, Ninety Six, SC	\$151,080
Don Moorehead Construction, Inc., Belton, SC	\$206,490
Thrift Brothers, Inc., Seneca, SC	\$237,804
J & M Construction, Anderson, SC	\$328,500

The project entails the rehabilitation of approximately 400 LF of stormwater pipe by slip lining with HDPE pipe and the installation of a new catch basin. The improvements will provide a long term solution to the drainage system. The procedure for repairing the system is not a traditional pipe replacement, but an underground lining system, which is not as invasive or as large of a nuisance for citizens in the affected area.

This improvement will add 30 to 50 years of life to the system.

The Stormwater Fund will fund this project.

City staff and Design South Professionals, Inc. reviewed the bids received and recommend that the contract be awarded to Chandler Construction Services, Inc. with a cost of \$151,080.

A motion by Mayor Pro Tem Stewart seconded by Council Member Thompson carried unanimously (8-0) to award the bid to Chandler Construction Services, Inc. in the amount of \$151,080.

REQUEST CONSIDERATION OF A CHANGE ORDER FOR THE HIGHWAY 28 BY-PASS WATER PRESSURE IMPROVEMENTS PROJECT

Mr. Moore said the Utilities Division requests consideration of a change order to amend the scope of work of the Hwy 28 Bypass Pressure Water Improvements project.

On October 13, 2013, Council approved a construction contract with Gar-Con, Inc. in the amount of \$910,190. At the beginning of construction, issues arose over the availability of adequate right-of-way to construct a portion of the planned project. After meeting with several property owners on Dixon Road, it is in the City's best interest to amend the scope of work and remove this portion of the project. After working with the contractor and engineer, staff recommends amending the contract to transfer this portion of the project to another project in the City's Water Master Plan (Area of Greenacres, Briarwood, Haley Road, Liddell Avenue, and Springdale Road).

A change order is necessary to amend the contract with Gar-Con. The change order will establish site specific bid items, quantities, and unit cost that were not currently established by the current bid. After review, we believe the unit costs are a fair representation of the work required. The existing bid items and unit cost will remain in effect.

Approval of this change order will allow amendment of the current contract and expedite these planned improvements by transferring funds in the amount of \$321,624.50 within the existing contract.

There is no additional funding required.

A motion by Mayor Pro Tem Stewart seconded by Councilman Laughridge carried unanimously (8-0) to approve change order #1 as submitted to establish bid items, bid quantities, and unit cost with no increase to the project budget.

ADMINISTRATIVE BRIEFING

INNOVATE ANDERSON BOARD APPOINTMENTS

Mr. Moore asked Council to consider any changes to the Innovate Anderson Board. Current board members Buck Roberts, Beatrice Thompson, Steve Kirven, John Moore, Linda McConnell, Doug McDougald and Charlie Thorton would all like to remain on the board.

UPCOMING EVENTS

The City Manager reminded Council of the following upcoming events and all meetings in February 2014.

February 12th – Public Safety Committee

February 13th – City of Anderson hosts – Anderson County Municipal Association Meeting

February 21st – Council Retreat

Council Member Thompson asked Mayor Roberts to consider some research on a distracted driving ordinance.

EXECUTIVE SESSION

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

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

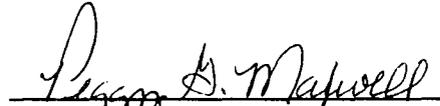
ADJOURNMENT

A motion by Councilman Roberts seconded by Council Member Thompson carried unanimously (8-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer