

City of Anderson
Regular Meeting
June 23, 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 Buck Roberts, Laughridge, Chapman, Thompson, Kirven, Harbin and John Roberts. Also in attendance were City Manager, John Moore; Assistant City Manager, Linda McConnell; Finance Director, Peggy Maxwell; and City Attorney, Frankie McClain. The invocation was given by Councilman Matt Harbin with respects to the flag Councilman Steve Kirven

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (9-0) to approve the minutes of the June 9, 2014 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 14-08 ADOPTING THE BUDGET FOR
FISCAL YEAR 2014-2015

City Manager, John Moore said each year City Council adopts a budget for the City of Anderson. Budget adoption is required by state law.

The City's budget is a policy and planning document that tells what the City's priorities are and where the City is going. The purpose of a budget is to control the money, directing it at projects identified by Council and providing basic municipal services. This year's budget approach was to create a new sustainable way of funding City government.

The total budget for all funds is \$52,097,307. The budget does includes a tax millage rollback of seven mills, a franchise fee increase for Piedmont Natural Gas and Duke Energy, a sewer rate increase of 15%, a storm water rate increase of \$.50 per ERU, and a capital fee of \$5 per month. Each Council member has been to a budget work session. A public hearing was held on June 9, 2014 prior to the Council meeting.

City Council approved this ordinance on First Reading at their June 9, 2014 meeting.

A motion by Councilman Harbin seconded by Councilman Buck Roberts carried (8-1) with Mayor Pro Tem Stewart opposing to approve Ordinance 14-08 adopting the budget for fiscal year beginning July 1, 2014 with a budget for all funds totaling \$52,097,307 on Second Reading. Councilman Stewart opposed the capital fee of \$5 per month.

A motion by Councilman Laughridge seconded by Councilman Chapman carried (8-1) with Mayor Pro Tem Stewart opposing to approve Ordinance 14-08 on Third Reading as stated above.

REQUEST SECOND AND THIRD READING OF ORDINANCE 14-09 AMENDING THE PIEDMONT
NATURAL GAS FRANCHISE AGREEMENT

Mr. Moore said that this is a request for second and third reading of Ordinance 14-09 amending Section 5 of Ordinance 08-02 to increase the franchise fee from 3% to 5% of the gross receipts of Piedmont Natural Gas Company, Inc. derived from the sale and distribution of gas within the corporate limits of the City of Anderson and extending the term of the franchise agreement for an additional 10 years.

Piedmont Natural Gas Company, Inc. is currently operating within the City of Anderson under a franchise granted by Ordinance No. 08-02. Section 5 of Ordinance 08-02 provides for a franchise fee of 3% of the gross receipts derived by Piedmont Natural Gas Company from the distribution and sale of gas through its pipeline facilities to customers within the corporate limits of the City of Anderson. Piedmont Natural Gas Company has agreed to increase the franchise fee to 5% of the gross receipts and an extension of the term of the franchise for 10 years from the date of the increase. The increase is recommended by the Finance Committee as part of the budget recommendation for the 2014-2015 budget.

The City of Anderson will benefit from the increase in the franchise fee by in enabling the City to reduce property tax millage.

A motion by Mayor Pro Tem Stewart seconded by Councilman Harbin carried unanimously (9-0) to approve Ordinance 14-09 to amend Section 5 of Ordinance 08-02 of the Piedmont Natural Gas Franchise Agreement to increase their franchise fee to 5% on Second Reading.

A motion by Mayor Pro Tem Stewart seconded by Councilman Harbin carried (9-0) to approve Ordinance 14-09 on Third Reading as stated above.

REQUEST SECOND AND THIRD READING OF ORDINANCE 14-10 AMENDING THE DUKE ENERGY
FRANCHISE AGREEMENT

Mr. Moore said that this is a request for second and third reading of Ordinance 14-10 providing for an increase in the franchise fee paid by Duke Energy Carolina, Inc. to 4% of the gross electrical receipts derived by the company from customers within the corporate limits of the City of Anderson.

Duke Energy Carolinas, LLC, has been providing electrical service to the City of Anderson through a Municipal Service Agreement dated July 13, 2009. Pursuant to the terms of the agreement, the city has the right to adjust the fee upon a vote by City Council. The Finance Committee has recommended the increase as part of for the 2014-2015 City budget.

The City of Anderson will benefit from the increase in the franchise fee by enabling the City to reduce property tax millage.

A motion by Mayor Pro Tem Stewart seconded by Councilman Buck Roberts carried unanimously (9-0) to approve Ordinance 14-10 to increase Duke Energy's franchise fee to 4% on Second Reading.

A motion by Councilman Harbin seconded by Councilman Chapman carried (9-0) to approve Ordinance 14-10 on Third Reading as stated above.

REQUEST SECOND AND THIRD READING OF ORDINANCE 14-11 TO ANNEX AND ZONE TO GC,
GENERAL COMMERCIAL, 1.72 ACRES LOCATED AT 656 HIGHWAY 28 BYPASS

Mr. Moore said the applicant proposes to annex the subject parcel into the City and construct a fast food restaurant (Bojangles) on the site. Last year, the City annexed land in the surrounding area—Walmart, fast food restaurants, a gas station and other businesses. The subject parcel is situated between Zaxby's and Aaron's Rentals. All of the parcels in last year's annexation have the GC zoning classification which is consistent with this request.

Expanding the boundaries add to the City's tax base. This new business will receive City services such as police and fire protection, and reduced water and sewer rates.

The Council approved this request on first reading at the June 9, 2014 Council meeting.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 14-11 to annex and zone to GC, General Commercial, 1.72 acres located at 656 Highway 28 Bypass on Second Reading.

A motion by Councilman Harbin seconded by Council Member Thompson carried (9-0) to approve Ordinance 14-11 on Third Reading as stated above.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO
REZONE 431 WILLIAMSTON ROAD AND 718 NORTH GOSSETT STREET FROM LI, LIGHT
INDUSTRIAL TO RM-10, MULTI-FAMILY RESIDENTIAL

Mr. Moore said 431 Williamston Road, formerly the Anderson County Fairgrounds, is now the site of the Anderson University Athletic Complex. Although the university has been transitioning some of their activities to the 44 acre site, they are now planning major improvements to meet their athletic and academic needs. 718 North Gossett Street is a vacant 5.86 acre parcel. At the present time, Anderson University has not submitted plans for developing that lot. The existing LI, Light Industrial zoning does not allow for university-related uses, so rezoning these properties to RM-10 will be consistent with other parcels that Anderson University owns

Bringing the properties into zoning conformance will allow Anderson University to meet their needs for expansion.

A motion by Councilman Buck Roberts seconded by Councilman Chapman carried unanimously (9-0) to refer to the Planning Commission a petition to rezone 431 Williamston Road and 718 North Gossett Street from LI, Light Industrial to RM-10, Multi-Family Residential.

The Planning Commission meeting will be held on July 8th.

REQUEST CONSIDERATION OF A CONTRACT FOR ROOF IMPROVEMENTS TO FIRE STATION I

Mr. Moore said in 2011, a new roof system was installed on Fire Station I to replace an aging roof that was in deteriorating condition. \$28,500 in funding left over from the Fire Station 3 construction bond was used to pay for the roof installation, and the work was conducted by Turn Key Roofing. Leaking and other problems continued to exist after the new roof was installed, and the materials warranty was not honored by the manufacturer because of the quality of workmanship by the roofing contractor. As a result, the City has been working with TAC Roof Design and Consulting to help protect the City and to find solutions to repair the Fire Station I roof. The consultant was able to negotiate with Turn Key to remove the existing roof system and install a new roof at their cost for the original scope of work (\$28,500). According to the roof consultant however, in order to ensure that the roof is installed in a proper manner, procedures in addition to the original scope of work is necessary. Items such as tapered insulation to provide a positive slope to the roof drains, new support rails under the HVAC units and new wall coping have been added to the new scope of work.

TAC Roof Design and Consulting indicated the additional work by Turn Key and an electrical contractor will total \$30,299.46. The consultant will supervise all phases of the work to ensure that the installation is in accordance with specifications.

The roof improvement will ensure that a proper roofing system is installed on Fire Station I. The new roof will have a 20 year water-tight warranty.

Staff recommends approval of TAC Roof Design and Consulting's plan of action at the cost \$30,299.46. Funding will be provided by the General Fund.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (8-1) with Councilman Kirven opposing to approve a contract with TAC Roof Design and Consulting in the amount of \$30,299.46 to perform roof improvements to Fire Station I.

REQUEST CONSIDERATION TO PURCHASE A VEHICLE FOR THE POLICE DEPARTMENT

Mr. Moore said the Police Department is requesting approval to purchase a new 2014 Dodge Charger patrol vehicle from Butler Dodge (state contract) for \$22,503.

The Dodge Charger is a law enforcement 6 cylinder model. The vehicle will be under a full 3yr/36 month bumper to bumper (minus wearable items) warranty and a 5/100 mile limited powertrain warranty as you would have on any new car. The City of Anderson has (14) Dodge Chargers in the fleet which have performed well. Insurance payments, trade in credit, and the DEA e-share account will cover the full cost of the vehicle purchase. With this purchase, 2 wrecked vehicles will be taken offline (2009 Chevrolet Impala, 2004 Ford Crown Victoria) and a 2003 Chevrolet Blazer spare will be used for trade-in credit.

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (9-0) to approve the purchase of a 2014 Dodge Charger patrol vehicle in the amount of \$22,503 from Butler Dodge.

REQUEST CONSIDERATION TO PURCHASE A MULTI-PURPOSE VEHICLE FOR THE POLICE DEPARTMENT

Mr. Moore said the City of Anderson Police Department requests consideration to purchase a Kawasaki Mule 4010 4X4 XC for law enforcement.

The Command Staff along with the assigned downtown officers have reviewed the Kawasaki, John Deere, and Cub Cadet for enforcement and patrol purposes in the downtown area.

In November 2013, City Council approved the Hospitality Projects Plan which included the acquisition of a multi-purpose vehicle at an estimated cost of \$16,000. The vehicle will be used to support the officers that patrol the downtown, including the 2 new officers authorized in the plan. The current vehicle in use is a 10 year old golf cart.

The Kawasaki Mule 4010 4X4XC is a side by side vehicle with on road and off road capability. This vehicle is needed to accommodate the new downtown officers assigned to evening shift, support the increase in downtown events and general activities, and the growth in pedestrian/vehicular traffic. It will become the primary vehicle with the golf cart being the support vehicle. This is a vehicle that allows for a community policing approach that is more suitable to the downtown environment and multi-function events than a traditional patrol car. The vehicle will have a steel cab roof making it suitable for weather related use. The multi-purpose nature of this vehicle will provide capability for future uses in areas such as parklands and trails. Greenville has had success with these types of vehicles in their downtown. The other (2) vehicles considered were a John Deere XUV 6251 with poly half doors, poly windshield, and a poly roof for \$13,626.65 at Ag-Pro in Williamston, SC and the Cub Cadet Volunteer, a half door (soft door), acrylic windshield, and poly top roof for \$10,430 from A-1 Speed and Sport on Sayre Street. The Kawasaki Mule is gas operated and will be outfitted with lighting, decals, etc. just as any law enforcement vehicle. These items will cost approximately \$1,000 and will be purchased separately.

This purchase will be funded by the Hospitality Fund.

A motion by Mayor Pro Tem Stewart seconded by Councilman Buck Roberts carried unanimously (9-0) to approve the purchase of a Kawasaki Mule 4010 4X4XC from Anderson Motorsports at a cost of \$13,018.56, and approval of \$1,000 for the additional outfitting equipment for a total Hospitality expenditure of \$14,018.56

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

The City Manager, John Moore reminded Council to review the July 2014 Calendar.

EXECUTIVE SESSION

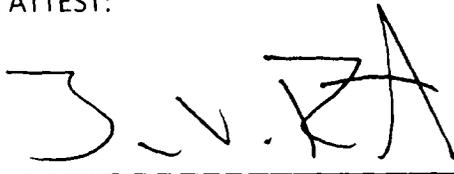
A motion by Councilman Buck Roberts seconded by Councilman Laughridge carried unanimously (9-0) to move into Executive Session to discuss Contractual Matter – Possible Property Acquisition and Legal Advice – Litigations – Riddle et al vs. City of Anderson and Mediation – Recreation Center.

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

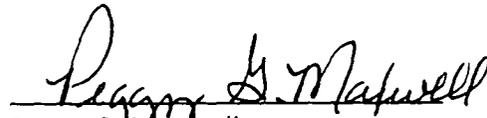
ADJOURNMENT

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

ATTEST:



Terence V. Roberts
Mayor


Peggy G. Maxwell
City Clerk Treasurer