

City of Anderson
Regular Meeting
June 9, 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 and John Roberts. Councilman Harbin was not present. Also in attendance were City Manager, John Moore; Assistant City Manager, Linda McConnell; Finance Director, Peggy Maxwell; City Attorney, Frankie McClain; and Assistant Fire Chief, Randy Bratcher. The invocation was given by Council Mayor Terence Roberts with respects to the flag Councilman John Roberts.

SWEARING-IN CEREMONY
Firefighter Matthew Crowe

Firefighter Matthew Crowe is a 2009 graduate of Westside High School. He was previously employed with the South Greenville Fire Department and left to pursue a career in law enforcement with the SC Highway Patrol. Realizing law enforcement was not for everyone, he applied with the Anderson Fire Department. He is an accredited Firefighter I and II and has numerous other fire and rescue courses.

He has successfully completed his probationary period and is qualified to be sworn in as an Anderson City Firefighter.

Assistant Fire Chief, Randy Bratcher swore-in and pinned Firefighter Matthew Crowe.

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Council Member Thompson carried unanimously (8-0) to approve the minutes of the May 12, 2014 meeting as presented.

REQUEST CONSIDERATION 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 include 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 stormwater 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 prior to the Council meeting.

Mr. Moore stated that non-profits now pay \$15 per month and that will go to \$20 for sanitation cart service unless they have a dumpster.

He also stated that all non-profits pay storm water fees (\$4.00 to \$4.50 per ERU) and their bill will increase by their prorated share. Without the fee, the federally mandated storm water requirements would just go to city taxpayers. This way the costs of the program are shared by all.

Councilman Stewart was concerned about the fixed income residents who may not be able to pay the \$5.00 sanitation capital fee on their monthly Electric City Utility bill. Mr. Moore stated that their water service could be disconnected for nonpayment of the fee. Councilman Stewart agreed that the city's equipment needs to be replaced.

Councilman Kirven stated that the primary mission of the City is to provide basic services of police, fire and sanitation. He commented positively about the new budget approach to funding the City but questioned whether it was enough to keep providing current services at the levels that our citizens have come to expect.

Mr. Moore stated that the Council Finance Committee will be meeting with the staff quarterly to review the budget and the implementation of the new fees.

A motion by Council Member Thompson seconded by Councilman Chapman carried (7-1) 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 First Reading.

Councilman Stewart opposes the approval of the budget for fiscal year 2014-2015 due to the capital fee of \$5 per month.

REQUEST CONSIDERATION OF ORDINANCE 14-09 AMENDING THE PIEDMONT NATURAL GAS FRANCHISE AGREEMENT

Mr. Moore said that this is a request for first 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 to it 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 Councilman Chapman seconded by Councilman Laughridge carried unanimously (8-0) 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 First Reading.

REQUEST CONSIDERATION OF ORDINANCE 14-10 AMENDING THE DUKE ENERGY FRANCHISE AGREEMENT

Mr. Moore said that this is a request for first 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 Councilman Laughridge seconded by Councilman Buck Roberts carried unanimously (8-0) to approve Ordinance 14-10 to increase Duke Energy's franchise fee to 4% on First Reading.

REQUEST CONSIDERATION 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 Planning Commission considered this request at their June 3rd meeting and recommended approval.

A motion by Council Member Thompson seconded by Mayor Pro Tem Stewart carried unanimously (8-0) to approve Ordinance 14-11 to annex and zone to GD, General Commercial, 1.72 acres located at 656 Highway 28 Bypass on First Reading.

REQUEST CONSIDERATION OF A GRASS AND WEED CUTTING CONTRACT FOR CODE COMPLIANCE

Mr. Moore said although most property owners are responsive after being cited for grass and weed compliance, some property owners cannot be located. This results in the City placing a lien against their property and the City maintaining the lots. Annually, the City contracts for these services, and this year's list consists of 97 lots. Of these, 81 are in possession of the Anderson County Forfeited Land Commission, meaning that taxes were not paid on these lots and not reclaimed. There is no budgeted funding from other sources to maintain the Forfeited Land Commission lots, but the City has worked with Anderson County in the past to recoup some monies to maintain the lots. It is hoped that there will be assistance this year, which will put monies back into the weed compliance budget.

The City's requirements for the bids include a price for initial lot clean-up and subsequent mowing on a 2-3 week basis through the end of October. Each lot will be cut up to 8 times under the terms of the City's requirements (not including the initial clean-up). If it is determined that the lots do not need cutting as often, the expenditure will be less.

After following the advertising procedures for soliciting bids, 6 were received:

1. J&T Lawn Care	\$14,700
2. A Cut and Care	\$19,600
3. D-S and Sons	\$20,140
4. Precision Landscape	\$25,488
5. Crosby Landscaping	\$26,860
6. NGL Erosion Control Group	\$32,240

The code compliance eliminates nuisances improves the aesthetics in the City's neighborhoods.

Weed compliance is a line item in the Building Department's budget.

Staff recommends the low bidder, J&T Lawn Care in the amount of \$14,700. Since this contractor never conducted work for the City, staff will monitor their initial cutting quality and timeliness to ensure that they meet the required guidelines.

A motion by Council Member Thompson seconded by Mayor Pro Tem Stewart carried unanimously (8-0) to approve a grass and weed cutting contract with J&T Lawn Care in the amount of \$14,700.

REQUEST CONSIDERATION OF A CHANGE ORDER WITH TREHEL CORPORATION FOR CAROLINA WREN PARK

Mr. Moore said the City of Anderson contracted with Trehel Corporation for the construction of Carolina Wren Park. Additional construction and redesign at the Wren Pavilion will enhance the general accessibility and usable floor space of the facility.

The specific changes to Wren Pavilion include removal of the mezzanine stairs, installation of a vertical platform lift, and the extension of the floor space on the Whitner Street level. The total construction cost is \$112,442. Trehel will be responsible for all costs associated with enhancing the accessibility for Wren Pavilion at a cost of \$82,483. This amount includes the removal of the mezzanine stairs and the installation of the vertical platform lift. The additional work of extending the floor space on the Whitner Street level will add an additional 936 square feet at a cost of \$39,069 and is the City's cost.

These modifications will enhance the general accessibility of Wren Pavilion and provide for more usable floor space.

The staff recommends that removal of the mezzanine stairs will occur around August (this allows for permitting, demolition, materials ordering/installation). The on-site work for this portion is about 1 week. The installation of the lift and extension of the floor on the Whitner Street level is recommended to occur in January 2015. This work will take approximately 4 weeks on site. This 2-phase approach allows scheduled events and activities to be planned and coordinated during the winter when outdoor activities are less frequent.

The funding of \$39,069 for the City's modification of the floor will come from the Hospitality Fund.

The staff and Trehel Corporation recommend approval of the contract amendment with Trehel Corporation to remove the mezzanine stairs, add the vertical platform lift, and extend the floor of the Whitner Street level with the cost to the City being \$39,069 and the cost to Trehel being \$82,483. The recommendation also includes the scheduling as described above.

A motion by Councilman Laughridge seconded by Councilman John Roberts carried unanimously (8-0) to approve the contract amendment with Trehel Corporation to remove the mezzanine stairs, add the vertical platform lift, and extend the floor of the Whitner Street level with the cost to the City being \$39,069 and the cost to Trehel being \$82,483.

REQUEST CONSIDERATION TO PURCHASE A BUS FOR TRANSIT DEPARTMENT

Mr. Moore said the Transit Department requests approval to purchase a 2012 32 ft. E-Z Rider II BRT El Dorado National Transit Bus.

The City Transit system had seven (7) buses in its fleet. The fleet consisted of one (1) 2001 Chance Coach Replica Trolley (Bus 32), one (1) 2001 Chance Coach 35' Opus Low Floor bus (Bus 46), one (1) 2002 Chance Coach 30' Opus Low Floor bus (Bus 54), one (1) 2004 30' Optima Opus Low Floor bus (Bus 50), one (1) 2006 40' El Dorado National Axxess Low Floor bus (Bus 39), one (1) 2011 32' El Dorado National EZ Rider II BRT Low Floor bus (Bus 04), and one (1) 2013 32' El Dorado National EZ Rider II BRT Low Floor bus (Bus 59). Bus 54 was burned in a fire on May 9th and is no longer usable. The system now has six buses. Four buses are used for four routes and two are spares.

Bus 54, damaged by fire, was 12 years old and was scheduled to be replaced last year. The Transit staff located a replacement bus, an E-Z Rider II BRT 32' bus with 31 passenger seats and ADA equipped with two wheelchair positions. This bus is a demo and has mileage of 7,200.

This bus also matches our current fleet, our mechanics are trained to work on this bus and parts are already in stock.

The cost of this vehicle is \$210,000. Grant funds from the Federal Transit Administration will pay 83% (\$174,300) of the cost and the local match of 17% (\$35,700) will come from transit funds. The local match is available in the transit account. This purchase will be made as emergency, sole source procurement. FTA has been consulted and they have no issues with this purchase. Normal procurement time for purchasing a new bus would take a minimum of 15 months.

A motion by Mayor Pro Tem Stewart seconded by Council Member Thompson carried unanimously (8-0) to approve the purchase of a demo 2012 El Dorado National 32 ft. E-Z Rider II BRT transit bus from National Bus Sales for \$210,000.

REQUEST CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT WITH ANDERSON COUNTY REGARDING THE TRI-COUNTY TECHNICAL COLLEGE TRANSIT ROUTE

Mr. Moore said Anderson County used an earmark federal grant to pay for the 4-U Transit route from Anderson to Clemson since January 2001 and the Homeland Park route since September 2009. In June 2014, the grant will expire. Anderson County, in an attempt to continue these routes, asked the City for a proposal to manage and operate a Tri-County Tech route. Clemson Area Transit, current manager of the 4-U Transit route system, is a free system and does not collect any fares. A fare is necessary for Anderson County to fund this route. Electric City Transit can charge a fare for the route as we do for all of the city routes. The City and County have met with SCDOT, ACOG, Clemson University, and Greenlink (Greenville Transit) and all parties agree that support and funding is available for the Tri-County Tech route.

All bus routes serving the Anderson area will be under Electric City Transit management. Connections and transfers will be smooth with minimal interruptions. Partnerships with Anderson County, Clemson University and Greenlink (Greenville Transit) will be positive for the future of an Anderson area transportation system.

The estimated annual operations cost for Tri-County Tech route is \$250,000. FTA grant funds 5311 (Rural) and 5307 (City Urban) will pay 50% of operations and 80% of capital. Local match of 50% of operations and 20% of capital will be paid by Anderson County. Tri-County Tech has committed \$50,000 toward the local match. The total budget of \$250,000 will have \$125,000 paid by federal funds and \$125,000 paid by Anderson County/Tri-County Tech. Fare collections will be used to fund the local match. The City will have no additional costs.

A motion by Mayor Pro Tem Stewart seconded by Councilman Laughridge carried unanimously (8-0) to approve an Intergovernmental Agreement with Anderson County regarding the Tri-County Technical College Transit Route.

REQUEST CONSIDERATION OF POLICE DEPARTMENT APPLICATION FOR JUSTICE ASSISTANCE GRANT (JAG) PROGRAM REGARDING STREET LEVEL CRIMINAL APPREHENSION PROGRAM

Mr. Moore said the City of Anderson Police Department is requesting \$17,580 in direct funding from the Justice Assistance Grant (JAG) Program for the purpose of hiring sworn officers to work overtime to practice pro-active law enforcement activities in Anderson, South Carolina. The name of the program for which the City of Anderson will apply for these funds is the Street Level Criminal Apprehension Program. This is the same program we have been funding with grant money since 1997.

The primary goal of the Street Level Criminal Apprehension Program is to reduce the violent crime rate in the City of Anderson through saturated patrols of high crime areas. The program allows the department to take a proactive stance toward violent crime control by concentrating resources in areas that the crime rate and crime trends indicate that law enforcement is most needed.

This grant program does not require a match. The \$17,580 will be applied toward the cost of overtime for sworn officers and non-sworn support personnel. The overtime funded by this program will be solely for street level criminal apprehension operations.

A motion by Councilman Laughridge seconded by Councilman Buck Roberts carried unanimously (8-0) to approve an application to the JAG Program in order to receive grant funding to operate the Street Level Criminal Apprehension Program.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

The City Manager, John Moore reminded Council of the following upcoming events and all meetings in June 2014.

- June 11th – Fire Arms Training Simulator
- June 12th – Chamber Small Business Awards
- June 14th – Father’s Day Car Show

EXECUTIVE SESSION

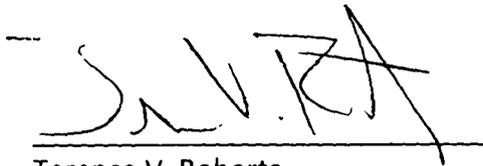
A motion by Councilman Buck Roberts seconded by Councilman Chapman carried unanimously (8-0) to move into Executive Session to discuss Contractual Matter – Possible Property Acquisition.

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

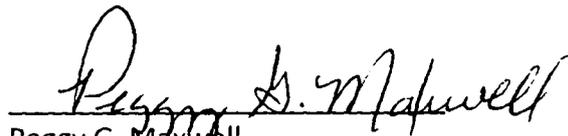
ADJOURNMENT

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

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer