

City of Anderson  
Regular Meeting  
April 13, 2015

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 Laughridge, Council Members Stewart, Thompson, Kirven, Chapman, Harbin, and John Roberts. Councilman Buck Roberts was not present. Also in attendance were City Manager, John Moore; Assistant City Manager, Linda McConnell; Finance Director, Peggy Maxwell; City Attorney, Frankie McClain; Fire Chief, Dale Horne; and Planning Director, Maurice McKenzie. The invocation was given by Council Member Beatrice Thompson with respects to the flag by Mayor Pro Tem Rick Laughridge.

SPECIAL RECOGNITIONS  
10 & Under Girls Palmetto State Basketball Champions

Mayor Roberts introduced the 10 & Under Girls Palmetto State Basketball Champions and Coach Terry Truman.

Fire Department Life Saving Award  
Firefighter Jacob Donoff

Fire Chief Horne said on December 22, 2014, the Anderson Fire Department was dispatched to the Chick-Fil-A on Clemson Blvd for a cardiac arrest. Engine 2 and Car 2 responded. Car 2 was the first unit on scene, with Engine 2 arriving shortly thereafter. Assistant Chief Bratcher assessed the patient and found that she had no pulse and was not breathing. He started chest compressions while the other firefighters arrived. The AED was used on the patient. Assistant Chief Bratcher continued doing compressions and Firefighter Donoff used the bag mask to perform ventilations. When EMS arrived, the AFD personnel assisted EMS with preparation for transport to the hospital. The survival of this patient was directly related to the actions of Assistant Chief Randy Bratcher and Firefighter Jacob Donoff.

Chief Horne presented Firefighter Jacob Donoff with the Life Saving Award.

APPROVAL OF MINUTES

A motion by Councilman Stewart seconded by Council Member Thompson carried unanimously (8-0) to approve the minutes of the March 23, 2015 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 15-04 AUTHORIZING AN EQUIPMENT  
LEASE PURCHASE AGREEMENT

City Manager, John Moore said the staff presented capital equipment needs to the Finance Committee on January 14, 2015. Staff identified (4) garbage trucks as a priority. The Finance Committee recommended referring the purchase approval of these trucks to City Council for approval.

The trucks will be used daily to service all City garbage carts. The refuse bodies are the same as we are currently using and will be equipped with a left hand cart tipper to streamline service and reduce costs therefore saving time and money.

These trucks will replace (2)1993 Fords, a 1995 Freightliner and a 2001 Freightliner.

The staff recommends using a lease purchase agreement to finance the trucks (\$280,000 ea.) over a five year period. The estimated annual payment of \$238,000 will begin in the 2015-2016 budget year.

City Council approved this ordinance on First Reading at their March 23, 2015 meeting.

A motion by Councilman Chapman seconded by Mayor Pro Tem Laughridge carried unanimously (8-0) to approve Ordinance 15-04 to authorize an Equipment Purchase Agreement to finance 4 garbage trucks over a five year period on Second Reading.

A motion by Councilman Stewart seconded by Councilman Chapman carried unanimously (8-0) to approve Ordinance 15-04 on Third Reading as stated above.

REQUEST CONSIDERATION OF AN ORDINANCE TO REZONE 1502 SOUTH MCDUFFIE STREET  
FROM R-5, SINGLE-FAMILY RESIDENTIAL TO NC, NEIGHBORHOOD COMMERCIAL

Mr. Moore said a vacant commercial building, formerly a convenience store, is situated on the subject property and the applicant proposes to reopen it. However, it was operational as a non-conforming use. Zoning guidelines state that non-conforming uses can remain unless they become vacant for more than 4 months. Because it has not been in operation for at least 1.5 years, it lost its non-conforming status and must be rezoned in order for it to reopen. The requested zoning of NC, Neighborhood Commercial will bring it back into zoning compliance.

The building is commercial-type structure with parking. Most of the surrounding land uses are residential in nature.

The Planning Commission considered this request at their April 7<sup>th</sup> meeting and unanimously recommended approval.

Councilman Stewart asked if this agenda item could be postponed to the next City Council Meeting because this rezoning is in his district. He would like to access the situation.

REQUEST CONSIDERATION OF ORDINANCE 15-05 TO REVISE THE PLANNED DEVELOPMENT DISTRICT DOCUMENT FOR TRACT A OF THE MAYFIELD, LOCATED OFF HARRIETT CIRCLE

Planning Director, Maurice McKenzie said the property consists of approximately 29 acres of a 139 acre parcel that was annexed in 2003. The 139 acres was divided into 5 tracts, each with specific development guidelines under the PDD, Planned Development District zoning standards. Two tracts have been developed as a residential subdivision known as Rockwell Plantation. The subject property, known as "Tract A", is located off Harriett Circle and abuts Oakmont Subdivision.

Tract A allows only single-family residential. The proposal is to construct 93 single-family houses, but a PDD revision is necessary in order to accommodate a specific development plan. Revisions to PDD documents are handled in the same manner as a rezoning, requiring Planning Commission review and approval by City Council. The applicant's initial request was to reduce the minimum lot sizes, lot widths, and side yard setbacks.

The applicant hosted a neighborhood meeting prior to the Planning Commission meeting to introduce the proposal. At the March 3<sup>rd</sup> Planning Commission meeting, a few residents of surrounding neighborhoods attended and expressed some concerns, one being the lack of an adequate buffer between Oakmont and the proposed subdivision. The PDD document currently requires a berm, but is not specific. The proposal was denied by a 5-2 vote.

Resulting from the dialogue at the Planning Commission meeting, the applicant further refined the language of the document to better address concerns by the board and citizens. 93 houses are still planned with the changes. **The revised proposal is as follows:**

- Average lot size 9,200 square feet, with no lot less than 7,800 square feet (current requirement is a 10,000 square foot minimum lot size)
- Buffers – Off of Harriett Circle shall be 50 feet (currently no requirements);  
Along Oakmont Subdivision shall be 30 feet (currently no requirements);  
Buffer zones are a not part of residential lots;  
A 4 to 6 foot earthen berm with 1 tree per 30 feet will be located in the buffer zones
- Reduce the minimum lot widths from 75 feet to 65 feet

- Revise the language to allow side yard setbacks to be 5 feet per side

The applicant hosted a second neighborhood meeting on April 2<sup>nd</sup> to share the revised proposal with interested citizens, approximately 10 people attended.

The Planning Commission recommended denial of the original request by a 5-2 vote. This prompted the applicant to make further refinements as addressed above.

A motion by Councilman Chapman seconded by Mayor Pro Tem Laughridge carried unanimously (8-0) to approve Ordinance 15-05 to revise the Planned Development District document for Tract A of The Mayfield, located off Harriett Circle on First Reading.

#### REQUEST CONSIDERATION OF RESOLUTION 15-01 AMENDING THE BY-LAWS FOR THE ANDERSON COMMUNITY DEVELOPMENT CORPORATION

Assistant City Manager, Linda McConnell said the goal of the current structure of the Anderson Community Development Corporation is to enhance and augment economic development projects within certain redevelopment areas encompassed in the City limits. The Corporation offers assistance in economically distressed areas while placing emphasis on economic development in communities left out of the economic mainstream. The make-up of the Board membership has been representative of the Redevelopment Areas. While the mission of the current structure will virtually remain the same, the new Economic Development Division will focus recruiting and retention efforts in the broader jurisdiction of the City limits.

The staff proposes revisions to the existing Corporation By-laws to include the broader boundaries of the City limits. Additionally, the Board membership should reflect that of subject matter experts in the following fields: Financial/Banking Sector, Legal Sector, Accounting Sector and Public Sector in addition to representation from the Mayor/Designee and City Manager/Designee.

The revisions will reflect the broader jurisdictional focus for economic development recruitment efforts, increasing overall growth and economic vitality of the City.

The Downtown Committee, Anderson Community Development Corporation Board of Directors and staff support the amendments to the existing Anderson Community Development Corporation By-laws.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (8-0) to approve Resolution 15-01 amending the by-laws for the Anderson Community Development Corporation.

REQUEST CONSIDERATION OF RESOLUTION 15-02 AUTHORIZING THE EXECUTION AND DELIVERY OF A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ANDERSON AND THE CITY OF MYRTLE BEACH

Mr. Moore said section 23-1-210 of the Code of Laws of South Carolina (1976, as amended) provides that law enforcement officers may be transferred on a temporary basis to work in law enforcement in other municipalities or counties in this state under the conditions set forth in said section and pursuant to an agreement entered into by the entities stating the conditions and terms of the temporary employment of officers to be transferred.

Municipalities are authorized by the South Carolina Code of Laws to enter into Mutual Aid Agreements for the benefit of the citizens. Section 23-1-210 of the Code of Laws for South Carolina specifically authorizes an agreement for the transfer of law enforcement officers to work in law enforcement in any other municipality or county in the state. Prior to any transfer, the concerned municipalities are required to enter into a written agreement stating the terms of the temporary employment of all officers to be transferred. The Myrtle Beach Police Department desires to enter into such agreement with the City of Anderson Police Department for the purpose of securing to each other the benefits of mutual aid in the event of natural disaster, disorder, or other emergency situations.

The citizens of the City of Anderson and the City of Myrtle Beach will benefit by having enhanced law enforcement response in the event of natural disasters, disorder, or other emergency situations.

A motion by Councilman Harbin seconded by Councilman Chapman carried unanimously (8-0) to approve Resolution 15-02 authorizing the execution and delivery of a Mutual Aid Agreement between the City of Anderson and the City of Myrtle Beach.

REQUEST CONSIDERATION OF RESOLUTION 15-03 AUTHORIZING THE EXECUTION AND DELIVERY OF A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ANDERSON AND THE CITY OF NORTH MYRTLE BEACH

Mr. Moore said section 23-1-210 of the Code of Laws of South Carolina (1976, as amended) provides that law enforcement officers may be transferred on a temporary basis to work in law enforcement in other municipalities or counties in this state under the conditions set forth in said section and pursuant to an agreement entered into by the entities stating the conditions and terms of the temporary employment of officers to be transferred.

Municipalities are authorized by the South Carolina Code of Laws to enter into Mutual Aid Agreements for the benefit of the citizens. Section 23-1-210 of the Code of Laws for South

Carolina specifically authorizes an agreement for the transfer of law enforcement officers to work in law enforcement in any other municipality or county in the state. Prior to any transfer, the concerned municipalities are required to enter into a written agreement stating the terms of the temporary employment of all officers to be transferred. The North Myrtle Beach Police Department desires to enter into such agreement with the City of Anderson Police Department for the purpose of securing to each other the benefits of mutual aid in the event of natural disaster, disorder, or other emergency situations.

The citizens of the City of Anderson and the City of North Myrtle Beach will benefit by having enhanced law enforcement response in the event of natural disasters, disorder, or other emergency situations.

Police Chief, Jim Stewart was asked by Council to verify the length of the agreements.

A motion by Mayor Pro Tem Laughridge seconded by Councilman John Roberts carried unanimously (8-0) to approve Resolution 15-03 authorizing the execution and delivery of a Mutual Aid Agreement between the City of Anderson and the City of North Myrtle Beach.

## ADMINISTRATIVE BRIEFING

### QUARTERLY PROGRESS REPORT

Mr. Moore asked Council to review the Quarterly Progress Report included in the Council Packet.

### UPCOMING EVENTS

City Manager, John Moore reminded Council of the following upcoming events and all meetings in April 2015.

April 15<sup>th</sup> – Sounds in the Park – Wren Park

April 17<sup>th</sup> – Movie Night – Big Hero 6 – Wren Park

April 24<sup>th</sup> – Art on the Town - Downtown

EXECUTIVE SESSION

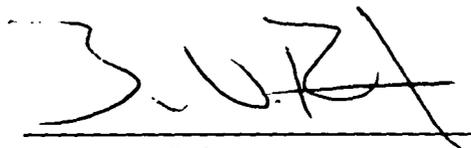
A motion by Councilman Stewart seconded by Councilman Harbin carried unanimously (8-0) to move into Executive Session to discuss Contractual Matter – Possible Property Acquisition and Economic Development.

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

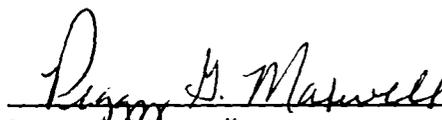
ADJOURNMENT

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (8-0) to adjourn.

ATTEST:



Terence V. Roberts  
Mayor



Peggy G. Maxwell  
City Clerk Treasurer