

City of Anderson
Regular Meeting
August 24, 2015

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Council Members Kirven, Buck Roberts, Laughridge, Harbin, and John Roberts. Mayor Roberts, Mayor Pro Tem Chapman, Council Members Thompson and Stewart were not present. 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 Councilman Laughridge with respects to the flag by Councilman Buck Roberts.

SPECIAL RECOGNITIONS
Fire Department Promotions
Captain Ron Branyon
Engineer Daniel Bagwell

Fire Chief, Dale Horne said Captain Ronald Branyon came to the Anderson City Fire Department in April of 2002. Captain Branyon is a graduate of Crescent High School. He is a volunteer firefighter with the Flatrock-Bowen Volunteer Fire Department. He was promoted to Engineer in June 2008, Sergeant in January 2011 and Lieutenant in December 2012. He has numerous certifications including arson investigator and fire marshal. He is the fire department's lead fire investigator on the Arson Task Force and is a reserve officer with the City Police Department.

Engineer Daniel Bagwell came to the Anderson City Fire Department in September of 2011. He is a graduate of Palmetto High School and a volunteer firefighter with the West Pelzer Fire Department. He has received his Fire Fighter I and II certifications plus numerous other fire academy courses.

Captain Ron Branyon and Engineer Daniel Bagwell were pinned by Battalion Chief, Randy Bratcher.

APPROVAL OF MINUTES

A motion by Councilman Buck Roberts seconded by Councilman Harbin carried unanimously (5-0) to approve the minutes of the August 10, 2015 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 15-11 AMENDING SECTION 3-202(1)
AND SECTION 3-207(8)(d) OF THE CITY OF ANDERSON PROCUREMENT CODE

City Manager, John Moore said the Procurement Code for the City of Anderson was adopted on April 1, 2004, in compliance with the provisions of the South Carolina Consolidated Procurement Code. At that time, formal competitive sealed bidding was required for all purchases over Twenty Thousand Dollars. The Procurement Code provided for procedures for small purchases over Ten Thousand Dollars up to Twenty Thousand Dollars. The South Carolina Consolidated Procurement Code has been amended to provide for formal sealed bidding for contracts over Fifty Thousand Dollars and procedures for small purchases between Ten Thousand Dollars and Fifty Thousand Dollars. Staff recommends that the City of Anderson Procurement Code be amended to mirror the amended provisions of the state code. The Ordinance passed on first reading at the August 10, 2015 Council Meeting.

The City of Anderson will benefit because the amounts will enable the city to expedite procurement of small contracts and reduce the cost that is involved in formal sealed bidding.

A motion by Councilman Buck Roberts seconded by Councilman Harbin carried unanimously (5-0) to approve Ordinance 15-11 amending Section 3-202(1) and Section 3-207(8)(d) of the City of Anderson Procurement Code on Second Reading.

A motion by Councilman Buck Roberts seconded by Councilman John Roberts carried unanimously (5-0) to approve Ordinance 15-11 on Third Reading as stated above.

REQUEST CONSIDERATION OF AGREEMENT TO CONTRIBUTE FUNDS TO THE PUBLIC DEFENDER

Mr. Moore said Herverly Young, Public Defender for the 10th Circuit, has requested funding from the City of Anderson for representation of indigent defendants in the Municipal Court that are charged with offenses that carry the possibility of incarceration.

The 2015-2016 state budget includes the following provision:

61.12. If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for the representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

The Public Defender intends to contract with an attorney to represent indigent defendants in all of the Municipal Courts in the county. His projected cost is \$35,000.00 for the attorney and

\$15,000.00 for insurance and staff support. Based upon percentages of population, the City of Anderson will be responsible for 60.76% (\$30,380.30). Without an agreement with the Public Defender's Office, the other alternative will be to contract with a private attorney. However, if that is done, the City would be responsible for screening the individuals to determine if they are eligible for a free attorney. This is not necessary if we use the Public Defender's Office. Mr. Young has reported that his office handled 112 cases in FY 13-14, 183 cases in FY 14-15 and 21 cases thus far in FY 15-16.

The staff feels Municipal Courts should not be subject to these additional charges (\$2.2 million in assessments from Municipal Courts went to the Office of Indigent Defense in 2013 – 2014). Nevertheless, staff feels the amount requested is reasonable.

The City of Anderson will benefit by satisfying its obligation to provide legal representation for indigent defendants charged with an offense that may result in incarceration.

Public Defender, Herverly Young spoke to Council about the benefits of the agreement.

This agreement will be funded by the General Fund.

A motion by Councilman Harbin seconded by Councilman Buck Roberts carried unanimously (5-0) to approve agreement to contribute funds (\$30,380.30) to the Public Defender.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO
REZONE 1406 NARDIN AVENUE FROM R-5, SINGLE-FAMILY RESIDENTIAL TO GC, GENERAL
COMMERCIAL

Mr. Moore said the applicant owns an automotive body shop at 1503 South Main Street and also owns the subject property on Nardin Avenue which abuts the business. He wishes to expand his business onto this parcel. He is currently in the process of demolishing a dwelling on the lot. In addition to several zoning-related requirements, rezoning this parcel to GC, General Commercial is also necessary.

The Planning Commission will consider this request at their September 1st meeting.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (5-0) to approve referral to the Planning Commission a petition to rezone 1406 Nardin Avenue from R-5, Single-Family Residential to GC, General Commercial.

REQUEST CONSIDERATION OF RESOLUTION 15-05 AUTHORIZING THE CITY TO JOIN THE PUBLIC
EMPLOYEE BENEFIT AUTHORITY

Mr. Moore requests approval of Resolution 15-05 authorizing the City of Anderson to join the Public Employee Benefit Authority and allow the Public Employee Benefit Authority to act as the provider of Group Health Benefits Plan and related Benefits.

Each year, the costs of health insurance and related services continue to increase. Annually, we look at options to lower this cost to the city and our employees. Municipalities can apply to be part of the Public Employee Benefit Authority where a lower cost health plan option is available. Resolution adoption is required as part of the application process.

By being part of PEBA, the city has an opportunity to lower the costs of health insurance by approximately \$1,000,000 the first year and potentially more money during the four year commitment period.

A motion by Councilman Harbin seconded by Councilman Buck Roberts carried unanimously (5-0) to approve Resolution 15-05 authorizing the City to join the Public Employee Benefit Authority.

ADMINISTRATIVE BRIEFING

PAVING UPDATE

Mr. Moore said on an annual basis, the City Council submits repaving priority resolutions to the Anderson County Council, the Anderson County Transportation Committee (ACTC), and the South Carolina Department of Transportation (SCDOT). Normally, there is uncertainty with available funding and County and SCDOT's established paving priorities. However, the City has always anticipated that the resolutions provide direction for the specified agencies when they develop paving plans.

Paving priority lists are especially important this year, since the state legislature is releasing an additional \$7.5 million to be spent on state secondary roads in Anderson County. This will go along with the \$2-3 million the ACTC typically receives for local and state roads. This is good news, since 65% of the roads inside the City are state-maintained with the majority being secondary roads. The allocation formula has not been finalized by the ACTC yet, but the City should receive significant funding because 11.18% of state roads in Anderson County are within the City of Anderson.

The staff reviewed the most recent paving lists and worked to re-grade every road on our state list and all local streets inside the City in order to establish a tiered priority system. Evaluations were based on SCDOT's ranking system -- pavement condition (50%), average daily traffic (20%), economic/ community impact (10%), and population affected (20%).

This Resolution will provide Anderson County, the ACTC, and the SCDOT direction in terms of what is in the best interest of City residents who pay local and state taxes. Resolution containing our paving priorities will be provided at the next Council Meeting.

UPCOMING EVENTS

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

August 25th – Finance Committee Meeting

September 1st – Economic Development Committee Meeting

September 10th – Anderson County Municipal Association Meeting

September – Numerous events throughout the month at Carolina Wren Park

EXECUTIVE SESSION

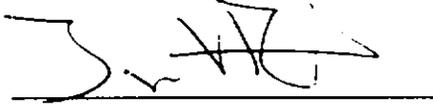
A motion by Councilman Buck Roberts seconded by Councilman Harbin carried unanimously (5-0) to move into Executive Session to discuss Personnel – City Manager Contract.

A motion by Councilman Laughridge seconded by Councilman Buck Roberts carried unanimously (5-0) to move out of Executive Session.

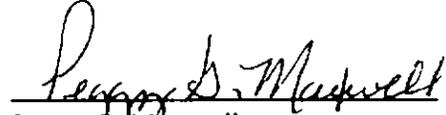
ADJOURNMENT

A motion by Councilman Buck Roberts seconded by Councilman Laughridge carried unanimously (5-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer