

City of Anderson
Regular Meeting
May 11, 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, Council Members Stewart, Thompson, Kirven, Chapman, Harbin, Buck Roberts and John Roberts. Mayor Pro Tem Laughridge 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 Fire Chief, Dale Horne. The invocation was given by Mayor Terence Roberts with respects to the flag by Councilman Steve Kirven.

SPECIAL RECOGNITIONS
Fire Department Life Saving Award
Battalion Chief Brian Black
Firefighter Hunter Hartline
Firefighter Chris Lang

Fire Chief, Dale Horne said on February 21, 2015 Anderson firefighters were dispatched to a cardiac arrest at 1216 Pruitt Street. After arrival, Battalion 1 sent Firefighter Hunter Hartline into the residence with the EMS crew. They found an unconscious patient lying on a bed; the patient was not breathing and had no pulse. The patient was placed on the floor where Firefighter Hartline immediately began chest compressions. After several rounds of compressions, Firefighter Hartline stopped compressions long enough to assist with applying the Lucas machine to the patient. Once the Lucas machine had been applied and was performing chest compressions, Firefighter Hartline applied a bag valve mask to the patient and began performing rescue breaths. After several rounds, the patient did again have a pulse. This was directly related to the actions of Firefighter Hartline.

On March 29, 2015 Anderson firefighters were dispatched to an unconscious patient at 114 Virginia Circle. After arrival, patient was located lying face up on his back, in the street; next to a skateboard. A bystander was attempting to perform CPR. Battalion Chief Black stopped the bystander and checked vitals. The patient had been bleeding heavily from the head and had no pulse or respirations. Battalion Chief Black then began performing CPR on the patient. EMS arrived and Battalion Chief Black briefed the medics. Engine 1 arrived on scene and Battalion Chief Black advised Firefighter Chris Lang to perform ventilations with a bag mask while BC Black continued compressions. CPR was stopped in order to check the patient for a pulse and intubate the patient. At that time, the monitor indicated the presence of a heartbeat. This was directly related to the actions of Battalion Chief Brian Black and Firefighter Chris Lang.

Chief Horne presented the men with a Certificate of Appreciation. They also received a pin for their uniform.

PROCLAMATION
Teen Pregnancy Prevention Month

Proclamation

Teen Pregnancy Prevention Month

WHEREAS, teen pregnancies have far-reaching consequences that adversely affect the health, education and economic future of South Carolina's young people; and

WHEREAS, in 2013, more than 4,700 young girls, ages 15-19 gave birth in our state; and

WHEREAS, teen birth rates in South Carolina decreased by 54% between 1992-2013; and

WHEREAS, teen birth rates in South Carolina decreased by 13% between 2012-2013, the lowest teen birth rate for girls ages 15-19 ever recorded in South Carolina; and

WHEREAS, however, the progress in teen birth rate reductions that saved South Carolina taxpayers an estimated \$172 million in 2010 alone should not suggest decreases in investment and commitment to this issue; and

WHEREAS, **Teen Pregnancy Prevention Month** is an opportunity for parents, teens, educators, program providers, faith based organizations, local elected leaders and statewide policymakers to work together to reduce and prevent teen pregnancy in South Carolina.

NOW THEREFORE, I, Terence V. Roberts, Mayor of the City of Anderson, along with my fellow members of City Council, do proclaim the month of May as

Teen Pregnancy Prevention Month

in the City of Anderson and also encourages the Anderson community to work together to reduce and prevent teen pregnancy for the future success of our young people.

Signed this 11th day of May, 2015

Terence V. Roberts, Mayor

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (8-0) to approve the minutes of the April 27, 2015 meeting as presented.

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

City Manager, John Moore said a vacant commercial building, formerly a convenience store, is situated on the subject property. It was operational as a non-conforming use and 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 as a commercial use. The applicant proposes to open a thrift store in the building and the requested zoning of NC, Neighborhood Commercial will bring it back into zoning compliance for such a use.

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 7th meeting and unanimously recommended approval. This came before Council at their April 13th meeting, but was tabled per Councilman Stewart's request so that he could meet with the applicant to discuss details of the proposal in more detail.

Councilman Stewart asked that, after talking with the neighbors and the surrounding community, the consideration of rezoning be denied.

The applicant and property owners spoke to Council about their desire to open a Thrift Store at 1502 South McDuffie Street. The applicant passed around to Council a petition of signers supporting this rezoning to enable the opening of a thrift store.

Councilman Stewart asked to amend the proposal to deny in order for the applicant to attend a neighborhood meeting to further discuss the interest of the community to rezone this property.

A motion by Councilman Stewart seconded by Councilman Chapman carried unanimously (8-0) to postpone the consideration of an ordinance to rezone 1502 South McDuffie Street from R-5, Single-Family Residential to NC, Neighborhood Commercial.

REQUEST CONSIDERATION OF ORDINANCE 15-06 TO REZONE 1301 TRIBBLE STREET AND AN ADJACENT LOT FROM RM-10, MULTI-FAMILY RESIDENTIAL TO LO, LIMITED OFFICE

Mr. Moore said the applicant proposes to rezone the property in order to convert an unoccupied building into a Laundromat. The property has been vacant for a number of years and was formerly occupied by a church.

According to the zoning ordinance, Laundromats are considered to be a personal service, so they are permitted in the LO, Limited Office classification. Retail based commercial uses are not typically allowed in LO districts, but in addition to personal services, office-related uses are common.

The Planning Commission considered this request at their May 5th meeting and unanimously recommended approval. They stated that an occupied building will be more beneficial than leaving the building in its current state. Staff had concerns about the site being large enough to accommodate parking, but the applicant submitted a parking plan which meets minimum requirements. If rezoned, the proposed development will be subject to meeting building codes, parking and landscaping requirements.

A motion by Council Member Thompson seconded by Councilman Buck Roberts carried unanimously (8-0) to approve Ordinance 15-06 to rezone 1301 Tribble Street and an adjacent lot from RM-10, Multi-Family Residential to LO, Limited Office 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 authorizes a contractor for these services, and this year's list consists of 91 lots. Of these, 71 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 plans to work with Anderson County to recoup some of the costs 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, 4 were received (prices based on an initial cut and 8 subsequent cuts):

- | | |
|-----------------------|----------|
| 1. A Cut and Care | \$19,019 |
| 2. D-S and Sons | \$19,310 |
| 3. J&T Landscaping | \$19,790 |
| 4. Crosby Landscaping | \$21,840 |

This grass and weed contract will eliminate nuisances and improve the aesthetics in the City's neighborhoods.

The Building Department's budget will fund the contract for weed compliance.

The Staff recommends the low bidder, A Cut and Care and will monitor their quality of work and timeliness to ensure that they meet the required guidelines.

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (8-0) to approve a grass and weed contract with A Cut and Care in the amount of \$19,019.

REQUEST CONSIDERATION OF APPOINTMENT (RECLASSIFICATION) OF ASSISTANT JUDGE FOR MUNICIPAL COURT

Assistant City Manager, Linda McConnell said last October, City Council appointed Mr. Goetz Eaton as a Ministerial Recorder for the Municipal Court. Matt Lollis serves in this capacity, too. Last month, Mr. Stacy Blair was appointed as well. They serve along with Judge Ken Mattison and the Assistant Judges: Josh Allen, Richard King, and Robert Thompson.

With the additional judicial capacity in place, staff has identified an opportunity to further enhance the court system and add efficiencies. Ministerial Recorders cannot hear and rule on Bench Warrants. Bench Warrants are issued after a defendant has appeared in court and has received a sentence - to pay a fine, attend counseling or Pre-Trial Intervention (PTI), pay restitution or other similar sentences. A Bench Warrant is issued when the defendant does not fulfill his/her sentence.

Currently when these defendants are arrested on a Bench Warrant they are brought to 8 am Court. By changing Mr. Eaton's position to Assistant Judge, he will then be allowed to rule on Bench Warrants and this will eliminate the moving of defendants from detention to the court room and back. The Bench Warrant duties will be handled while Mr. Eaton is already at City Hall handling bonding, etc.

This change in title adds the authority for hearing and ruling on Bench Warrants. It provides for an increased level of security; in appropriate cases, it will allow for the release of defendants on a timely basis, and will provide better customer service.

No additional funding is required.

Court Administrator Charles Huggins along with Donna Kazia (former interim Court Administrator) recommend that Mr. Goetz Eaton be reclassified from a Ministerial Recorder to an Assistant Judge so that he can hear and rule on bench warrants at bond court instead of having these defendants appear at regular court. This change would have no effect on the other assistant judges. Ministerial Recorders serve at the pleasure of City Council while Assistant Judges are normally appointed for a term not less than 2 years.

All of the existing Assistant Judges are serving on a month to month basis (the former Assistant Judge vacated the position leaving an unexpired term through June 30, 2015). Staff recommends that Mr. Eaton follow this same month to month basis for now with Council considering term appointments for all Assistant Judges in June or July.

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (8-0) to reclassify Mr. Goetz Eaton from a Ministerial Recorder to an Assistant Judge so that he can hear and rule on bench warrants at bond court.

REQUEST CONSIDERATION OF APPOINTMENTS TO THE ANDERSON COMMUNITY DEVELOPMENT CORPORATION

Mrs. McConnell said the goal of the Anderson Community Development Corporation is to enhance and augment economic development projects. The Corporation offers assistance in economically distressed areas while placing emphasis on economic development in communities left out of the mainstream. City Council and the Corporation have approved changes in the by-laws to include broader boundaries of the city limits and for the Board membership to reflect subject matter experts and representation from the Mayor/Designee and City Manager/Designee.

The by-laws state that the Board is composed of 9-17 members, including the Mayor/his City Council designee, the City Manager/his designee, and representatives from the following sectors:

1. Financial/Banking Sector
2. Legal Sector
3. Accounting Sector
4. Public Sector

The below recommendations of 11 people do not fulfill all sectors at this time; however additional recommendations can be made at a later date.

Terence Roberts - Mayor

Council member Bea Thompson – former member of ACDC

Council member Don Chapman – former member of ACDC

Mary Frances Wardlaw – former member of ACDC – (eastside neighborhood)

Anita Shamley – former member of ACDC – (northside neighborhood)

Pat Sifuentes – former member of Downtown Development Commission (represents Piedmont Natural Gas)

Grayson Kelly – e-Merge Advisory Board – (Tri-County Tec)

Ron Marchant – Financial/banking sector (NBSC)

Josh Raffini – Legal sector

Veta New - Education (School District 5)

All of these have expressed a desire to serve.

Approval of these recommendations will allow the Corporation to operate for the purposes of fostering economic development; specifically to receive grants and other funds related to entrepreneurial programs.

A motion by Councilman John Roberts seconded by Councilman Buck Roberts carried unanimously (8-0) to appoint Terence Roberts, Breatrice Thompson, Don Chapman, Mary Frances Wardlaw, Anita Shamley, Pat Sifuentes, Grayson Kelly, Ron Marchant, Josh Raffini, and Veta New to the Anderson Community Development Corporation.

COMMENTS

Mayor Terence said Summer Hammett would like to address the Council. Ms. Hammett shared an experience with City Animal Control. She called Animal Control about 2 dogs chained in a pen with no food or water at 408 Moore Street owned by James Chastain. Officer Lawerance came to the property and was very helpful. Later in the night, Ms. Hammett called Animal Control once again because of the excessive barking of dogs in distress. Officer Jerry Burris came out to the property and told Ms. Hammett there was nothing he could do and to stop calling. Ms. Hammett asked the Council to issue a citation to the property owner. She also asked if more Animal Control Officers could be hired to help animals in distress.

Mr. Moore stated that he would work with Chief Stewart on this issue.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

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

May 13th – Neighborhoods and Housing Committee

May 20th, 21st, and 26th – Budget Meetings

EXECUTIVE SESSION

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

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

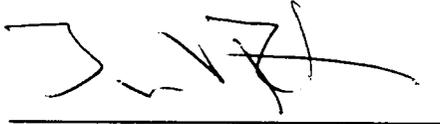
A motion by Councilman Stewart seconded Council Member Thompson carried unanimously (8-0) to add to the Agenda – A contract with Ice Rink Engineering in the amount of \$58,490.61.

A motion by Councilman Chapman seconded Councilman Buck Roberts carried unanimously (8-0) to approve the contract with Ice Rink Engineering in the amount of \$58,490.61 to build an ice skating rink in Carolina Wren Park. This project will be funded by the Hospitality Fund.

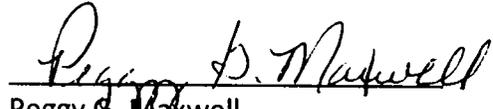
ADJOURNMENT

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

ATTEST:



Terence V. Roberts
Mayor


Peggy G. Maxwell
City Clerk Treasurer