

City of Anderson
Regular Meeting
April 11, 2016

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

SPECIAL RECOGNITIONS

Fire Department Life Saving Award

Lieutenant Paul McGaha

Sergeant Ryan Herring

Engineer Reese Alexander

Engineer John P. Poore

Firefighter Nathan Hendrix

Firefighter John Olive

Fire Chief, Dale Horne said on February 10, 2016 the Anderson Fire Department was dispatched to a cardiac arrest at Academy Sports. AFD Engine 2 arrived on scene and found two deputies performing CPR on a male patient. Firefighters Olive and Hendrix reevaluated the patient and continued CPR. Lieutenant McGaha and Engineer Alexander prepped the patient for application of the AED. The AED analyzed the patient and advised to shock. After continued CPR and a shock from the AED they were able to get a pulse back. This was directly related to the actions of Lieutenant McGaha, Engineer Alexander, Firefighter Olive and Firefighter Hendrix.

Also on November 28, 2015 the Anderson Fire Department was dispatched to a cardiac arrest in the food court at the Anderson Mall. AFD Engine 2 arrived on scene and found a male patient lying in the floor unconscious. Sergeant Ryan Herring checked for a pulse, but was unable to find one and started CPR. Engineer J.P. Poore and Firefighter Nate Hendrix prepped the patient for application of the AED and Firefighter John Olive applied a bag valve mask. The AED analyzed the patient and advised to shock. After continued CPR and three shocks they were able to get a pulse back. This was directly related to the actions of Sergeant Herring, Engineer Poore, Firefighter Olive and Firefighter Hendrix. EMS transported the patient to the hospital.

Chief Horne presented each of these members of the Anderson Fire Department with a Life Saving Certificate and Assistant Fire Chief, Randy Bratcher pinned each of them.

PROCLAMATION
Fair Housing Month – April

Proclamation

WHEREAS, the month of April is recognized throughout these United States of America as Fair Housing Month; and

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, set forth a national policy of fair housing without regard to race, color, national origin, religion, sex, familial status or disability; and

WHEREAS, housing is a critical component of family and community health and stability; and

WHEREAS, both State and Federal offices of the Department of Housing and Urban Development continue their efforts to promote and educate as many citizens as possible about every person's right to enjoy equal opportunities in housing insuring that all Americans have the opportunity to achieve the American Dream of homeownership; and

WHEREAS, the City of Anderson continues to affirmatively further fair housing for its citizens.

NOW, THEREFORE, I, Terence V. Roberts, Mayor of City of Anderson, South Carolina, along with my fellow council members of City Council, do hereby proclaim April, 2016 to be

FAIR HOUSING MONTH

in the City of Anderson, SC for the significance of fair housing to our way of life and encourage all citizens to observe and support both the letter and spirit of the Fair Housing Law as an expression of the individual rights guaranteed by the United States Constitution and the Constitution of the State of South Carolina

Signed this 11th day of April, 2016



Mayor Terence V. Roberts

APPROVAL OF MINUTES

A motion by Councilman Stewart seconded by Councilman Laughridge carried unanimously (7-0) to approve the minutes of the March 28, 2016 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 16-05 PROVIDING FOR THE SALE AND ISSUANCE OF WATER AND SEWER SYSTEM REFUNDING REVENUE BONDS

City Manager, Linda McConnell said staff is requesting second and third reading of Ordinance 16-05 authorizing the issuance and sale of not exceeding \$45,000,000 Water and Sewer System Revenue Bonds to refund the 2009 bond series.

The City of Anderson has outstanding principal balance of \$44,050,000 for the 2009 Water and Sewer Revenue bonds. By refunding the outstanding bonds at lower interest rates, the City could save between \$119,500 and \$139,000 annually.

There are financial thresholds that have been established to determine when or if the City should enter the financial market for advanced bond refunding.

The staff will look at the net present value savings and determine if the savings will make a material impact on lowering our debt service payments and also how the potential cash flow savings would affect the water and sewer budgets.

Based on the current bond market, the City would receive a net present value cash savings of \$2,300,000 to \$2,600,000 over the remaining life of the bonds which is 2039.

Since the bond refunding process takes 75-90 days, the staff recommends that the City proceed with second and third reading of the bond ordinance, so that when or if the market conditions are favorable, the City will be ready to proceed with refunding all or a portion of the bonds.

This ordinance was prepared by McNair Law Firm, bond counsel, and reviewed by Frankie McClain. Council approved on First Reading on March 28, 2016.

A motion by Councilman Laughridge seconded by Council Member Thompson carried (6-0) with Councilman Harbin abstaining to approve Ordinance 16-05 providing for the sale and issuance of Water and Sewer System Refunding Revenue Bonds on Second Reading. Councilman Harbin's employer could potential purchase these bonds.

A motion by Councilman Stewart seconded by Councilman John Roberts carried (6-0) with Councilman Harbin abstaining to approve Ordinance 16-05 on Third Reading as stated above.

REQUEST CONSIDERATION OF ORDINANCE 16-06 TO ANNEX AND ZONE TO GC, GENERAL COMMERCIAL, APPROXIMATELY 5.4 ACRES LOCATED AT 624 HIGHWAY 28 BY-PASS, AND AN ADJACENT 1.41 ACRE CITY-OWNED PARCEL

City Manager, Linda McConnell said the applicant proposes to construct a grocery store on the 5.4-acre parcel and annex the property to receive city services. An adjacent city-owned parcel, which contains a sewer trunk line is requested by the staff to be annexed as well. The proposed zoning classification of GC, General Commercial is consistent with surrounding properties that have been annexed in recent years along SC 28 bypass.

The Planning Commission considered this request at their April 5th meeting and unanimously recommended approval.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (7-0) to approve Ordinance 16-06 to annex and zone to GC, General Commercial, approximately 5.4 acres located at 624 Highway 28 By-Pass, and an adjacent 1.41 acre City-owned parcel on First Reading.

REQUEST CONSIDERATION OF ORDINANCE 16-07 TO REZONE 407 CONCORD ROAD FROM R-15, SINGLE-FAMILY RESIDENTIAL TO NP, NEIGHBORHOOD PROFESSIONAL

City Manager, Linda McConnell said the applicant proposes to rezone the subject property in order to operate a massage therapy office. The structure is currently vacant, but was previously used as a rental house. The requested zoning classification of NP, Neighborhood Professional was created and adopted by the City Council in 2003 to accommodate low intensity professional and business offices and health services (no retail) that are compatible with residential areas.

The property is surrounded by a mix of single-family, multi-family, office, commercial and service business uses. An adjacent property, 405 Concord Road, was rezoned to NP, Neighborhood Professional a few years ago.

The Planning Commission considered this request on April 5th 2016 and unanimously recommended approval. There was no public opposition at the meeting. If rezoned, the applicant must comply with all necessary building codes, and meet parking and landscaping requirements prior to operating a business.

A motion by Council Member Thompson seconded by Councilman Laughridge carried unanimously (7-0) to approve Ordinance 16-07 to rezone 407 Concord Road from R-15, Single-Family Residential to NP, Neighborhood Professional on First Reading.

REQUEST CONSIDERATION OF RESOLUTION 16-03 FOR APPLICATION TO SOUTH CAROLINA
CLEAN WATER REVOLVING FUND AUTHORITY FOR \$6.8 MILLION TO REPLACE TWO SEWER
PUMP STATIONS

City Manager, Linda McConnell said this resolution would authorize the City Manager to complete, execute and submit an application to the State for a loan from the Fund in the amount of \$6,800,000 to finance the costs of replacing the Northwest (formerly known as Mall Rd) pump station and the Northeast (formerly known as Wedgewood) pump station.

This loan amount could decrease by \$500,000 depending on the approval of a grant from the Appalachian Regional Commission.

City Council awarded the engineering contact for the pump station replacements to Design South on September 14, 2015. Approval for actual construction will be brought before council at a later date.

This approval is authorization to apply for the funds.

The South Carolina Water Quality Revolving Fund Authority provides low interest loan financing for the construction of municipal wastewater facilities from the Clean Water Revolving Loan Fund pursuant to the Federal Safe Drinking Water Act. The current interest rate for the fiscal year 2016 is 1.8%.

The estimated annual debt service payments of \$268,000 will be paid from the Sewer operating budget.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (7-0) to approve Resolution 16-03 for application to South Carolina Clean Water Revolving Fund Authority for \$6.8 million to replace two sewer pump stations.

REQUEST CONSIDERATION OF A CONSTRUCTION CONTRACT FOR THE WEST FRANKLIN AREA
WATER LINE REPLACEMENT PROJECT

City Manager, Linda McConnell said the Utilities Division requests consideration to award a construction contract with J&M Construction of Anderson for the West Franklin Street Area Waterline Replacement project.

The Water System Master Plan identified several streets in the West Franklin Street Area including a portion of West Franklin, Booker, Rose Hill, West Reed, and Johnson Streets, as well as Smith Street, Casey Street, Byrd Lane, Montague Street, Eleanor Street, Cathcart Street,

Armstrong Street, Cunningham Street, Reed Court, West Morris Street, and Owen Drive. This project will replace a total of approximately 14,700LF of 6" and 2" pipe.

Bids Received:

J&M Construction (Anderson, SC)	\$1,669,807.45
Payne, McGinn, Cummins (Travelers Rest)	\$1,884,054.75
Moorhead Construction (Belton, SC)	\$1,975,906.00

All bids exceeded the design estimate due to the significant amount of paving required by the placement of the water line. As directed Section 5-203(3) of the procurement code titled, "Negotiations After Unsuccessful Competitive Sealed Bidding", we met with the successful low bidder to discuss alternative line placements that would eliminate a substantial portion of the required paving. Unit price adjustments due to alternative placement and decreased quantities of work are as follows:

1. Pipe Installation – increased from \$36.00 per LF to \$39.00 per LF due to placement.
2. Roadway Milling and Replacement – increase from \$13.35 per SY to \$14.96 per SY due to a significant decrease in quantity.

This change will result in a deduct change order of \$325,584.97.

This project is scheduled to be completed within 180 days following the Notice to Proceed.

This project will eliminate several water quality issues due to old cast iron water lines that require regular flushing.

This project will be funded by the Water Operations Special Projects Capital budget.

Staff recommends approval of a construction contract with J&M Construction in the amount of \$1,669,807.45 and subsequent Change Order #01 in the amount of (\$325,584.97).

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (7-0) to approve a construction contract with J&M Construction in the amount of \$1,669,807.45 for the West Franklin Area Water Line Replacement project and subsequent deduct Change Order #01 in the amount of \$325,584.97.

REQUEST CONSIDERATION OF ORDINANCE 16-08 TO AMEND THE SEWER USE ORDINANCE

City Manager, Linda McConnell said the Utilities Division requests consideration of an ordinance amending Ordinance 13-15 by renaming Division 5 "Enforcement and Penalties" and beginning Division 5 with Section 34-42 and by adding Division 6 providing a program to reduce the accumulation and discharge of Fats, Oils, and Grease.

Article II of this ordinance pertains to the Sewers and Sewage Disposal. Pursuant to the EPA's Administrative Order on Consent (AOC), the Utilities Division has developed a Fats, Oils, and Grease (FOG) program to assist in our goal to eliminate Sanitary Sewer Overflows (SSO's). FOG is any combination of animal fats and vegetable oils used in prepared food. The largest contributors of FOG to sewer system are restaurants, referred to as Food Service Establishments (FSE's). FSE's can be delis, limited and full service restaurants, school cafeterias, buffets, hospitals, prisons, etc....The primary components of the City's FOG program must include:

1. Legal Authority to control discharge of FOG
2. Specifications of accepted FOG control devices
3. Standards for the design and construction of FOG control devices
4. FOG control device management, operation and maintenance standards
5. Protocols for construction inspections
6. Protocols for compliance inspections
7. Compliance enforcement programs
8. Compliance assistance program
9. Public education program
10. Staffing and equipment requirements
11. Key performance indicators
12. Coordination with code enforcement

The Sewer Use Ordinance is amended to add a new Division 6 to specifically address these twelve (12) components of the FOG program.

This program fully meets the requirements of the EPA's AOC and establishes the appropriate guidelines to meet the City's goal to eliminate FOG related SSO's.

Current sewer rates initially support the start of this program for year one; however, future program years are anticipated to be supported by a FSE FOG rate schedule.

Councilman Kirven expressed his concern on how this amendment compares to Anderson County Sewer Ordinance and the financial impact on Food Establishments within the City.

A motion by Councilman Stewart seconded by Council Member Thompson carried (6-1) with Councilman Kirven opposed to approve Ordinance 16-08 to amend the Sewer Use Ordinance on First Reading.

ADMINISTRATIVE BRIEFING

QUARTERLY PROGRESS REPORT

City Manager, Linda McConnell asked Council to review the Quarterly Progress Report included in the Council Packet.

UPCOMING EVENTS

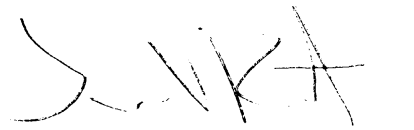
City Manager, Linda McConnell reminded Council of the following upcoming events and all meetings in April 2016.

- April 12th – Alphabet Streets Community Meeting
- April 14th – Anderson County Municipal Association Meeting
- April 19th – Westside Community Coalition
- April 21st – Southeast Anderson Task Force
- April 28th – Concerned Citizens of Eastside
- April 29th – Art on the Town – Main St. Art Crawl

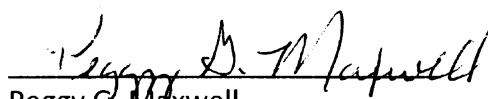
ADJOURNMENT

A motion by Councilman Stewart seconded by Councilman Laughridge carried unanimously (7-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor


Peggy G. Maxwell
City Clerk Treasurer