

City of Anderson
Regular Meeting
May 23, 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, Mayor Pro Tem Chapman, Council Members Kirven, Thompson, Laughridge, Buck Roberts, Harbin and John Roberts. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Finance Director, Peggy Maxwell; and City Attorney, Frankie McClain. The invocation was given by Councilman John Roberts with respects to the flag by Mayor Roberts.

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Councilman Buck Roberts carried unanimously (8-0) to approve the minutes of the May 9, 2016 meeting as presented.

REQUEST SECOND AND THIRD READING OF ORDINANCE 16-09 TO AMEND CHAPTER 66,
ARTICLE II, SECTION 66-36 OF THE CODE OF THE CITY OF ANDERSON REGARDING COLLECTION
PROCEDURES FOR RESIDENTAL GARBAGE

City Manager, Linda McConnell said that this amendment was passed on First Reading at the last meeting. The Ordinance references sanitation in particular, garbage carts that remain on the curb/street after collection.

Background:

- Community driven issue – this is a problem reported at the community meetings on a regular basis; traffic safety/maneuverability – carts pose potential challenges and conflicts with general vehicular traffic, pedestrians, emergency vehicles, trash collection – especially challenging on narrow streets; neighborhood enhancement – carts that remain on the street are not aesthetically pleasing

Data/statistics – real issue, not anecdotal

- Total carts serviced – 9900 (sample 1 week survey of all routes)
- Carts remaining on street all week/at least 48 hours after service – 17% city wide
- Existing law – outdated (written before we had blue carts); provides for up to \$200 fine.

Staffing/enforcement - enforcement is the responsibility of the Sanitation Department with the Sanitation Foreman serving as the Sanitation Code Enforcement official.

Revisions based upon 1st reading:

- Removed the fine from the utility bill; will utilize citation similar to parking ticket
- Removed the administrative fee for review of violation with Public Works Director
- Clarified timing between courtesy, 1st offense, 2nd offense, 3rd offense
 - For a first offense, the owner and/or person in control of the property shall be given a courtesy warning and advised of corrective action to be taken. The person may request an appearance before the Director of Public Works.
 - A second offense within one year of a first offence will result in a \$10.00 fine.
 - A third offense within one year of a second offence will result in a \$25.00 fine and an additional fine for everyday thereafter until the violation is corrected.
 - Upon the issuance of any ticket, the violator will have 10 days to request a hearing before the judge.
- Continuous violations and/or failure to pay the fine may result in the issuance of a Uniform Summons and subject the violator to a fine of \$500.00 or thirty days in jail.
- Clarified process for service of the ticket:
 - Hand delivery to the resident or attaching to the door of the residence, and
 - Sending a copy to the subject address by mail

No additional funding is needed to implement this change.

While voluntary compliance has improved with the communication efforts, the issue remains chronic. The staff recommends amending portions of Chapter 66, Article II, and Section 66-36 of the Code of the City of Anderson as described. Staff also recommends continuing the communication efforts.

A motion by Council Member Thompson seconded by Council Laughridge carried unanimously (8-0) to approve Ordinance 16-09 to amend Chapter 66, Article II, Section 66-36 of the Code of the City of Anderson regarding collection procedures for residential garbage on Second Reading.

A motion by Mayor Pro Tem Chapman seconded by Councilman Harbin carried unanimously (8-0) to approve Ordinance 16-09 on Third Reading as stated above.

REQUEST CONSIDERATION OF AN APPOINTMENT TO THE MUNICIPAL ELECTION COMMISSION

City Manager, Linda McConnell said the Municipal Election Commission is composed of three people who serve six-year terms. The Commission is charged with the task of conducting the municipal elections. However, in 1994, the City transferred responsibility for the actual conduct of the elections to the Anderson County Registration and Elections Commission. This was done in an effort to provide for the uniformity in the conduct of municipal elections statewide. Thus, the MEC now serves more in an oversight capacity by certifying ballots, election results, etc. Time

commitment is minimal due to the election process occurring every two years. However, the MEC members are required to attend local training as well as state wide training thus some travel is required.

The current three member Commission is composed of David Ford, Clara Humphrey, and Art Kaldas. Mr. Ford's term extends through December 31, 2017, Ms. Humphrey's term extends through December 31, 2021, and Mr. Kaldas' term extends through December 31, 2019.

Mr. Kaldas appreciates the opportunity of serving on the MEC but has requested to step down from his position. Ms. Renee Fields York has expressed interest in serving on the MEC and is willing to fill Mr. Kaldas' unexpired term ending December 31, 2019. The staff recommends her appointment to the MEC.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (8-0) to appoint Renee Fields York to the Municipal Election Commission to replace Art Kaldas with an unexpired term ending December 31, 2019.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO
REZONE 826 SOUTH MCDUFFIE STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO NP
NEIGHBORHOOD PROFESSIONAL

City Manager, Linda McConnell said the applicant proposes to rezone the property in order for it to be used for office space. There are no current plans for the type of office that will occupy the building. However, in the NP, Neighborhood Professional zoning classification, only low intensity business offices, medical services and single-family residences are permitted.

Although the structure was most recently occupied as a residential dwelling, it has been in use as office space in the past. Years ago, the property had a zoning of HO, Historic Office, but reverted to R-5, Single-Family Residential in 1998 when the Zoning Ordinance went through a major revision.

The Planning Commission will consider this request at their June 7th meeting.

A motion by Councilman Laughridge seconded by Councilman John Roberts carried unanimously (8-0) to refer to the Planning Commission a petition to rezone 826 South McDuffie Street from R-5, Single-Family Residential to NP, Neighborhood Professional.

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

City Manager, Linda McConnell said although most property owners are responsive after being cited for grass and weed compliance, some property owners cannot be located. This results in a lien being placed against their property and the City maintaining the lots. Annually, the City utilizes a contractor for these services, and this year's list consists of 76 lots. Of these, 61 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 was successful in recouping some costs from the County last year.

The City's requirements for the bids include a price for initial lot clean-up and subsequent mowing on a 2 to 3-week basis through the end of October. Each lot will be cut approximately 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, 3 were received (prices based on an initial cut and 8 subsequent cuts):

- | | |
|-----------------------|----------|
| 1. A Cut and Care | \$16,409 |
| 2. D-S and Sons | \$16,632 |
| 3. Crosby Landscaping | \$24,710 |

The benefit of this contract is to eliminate nuisances and to improve the aesthetics in the City's neighborhoods.

Funding for weed compliance is allotted in the Building Department's budget.

City Staff requests approval of low bidder, "A Cut and Care". This company won the bid last year and completed the job in an efficient manner with quality results. Staff will monitor their quality of work and timeliness to ensure that they meet the required guidelines.

A motion by Councilman Harbin seconded by Council Member Thompson carried unanimously (8-0) to award a grass and weed cutting contract to A Cut and Care in the amount of \$16,409.

REQUEST CONSIDERATION OF ORDINANCE 16-11 TO AMEND ORDINANCE 16-03 REGARDING
BUSINESS ASSISTANT PROGRAMS

City Manager, Linda McConnell said City Council adopted a Business Development Assistance Ordinance on February 8, 2016 which provided for the addition of Article VIII to Chapter 2 of the City Code. Article VIII establishes programs for use by the Division of Economic Development to encourage private capital investment and reinvestment. The ordinance limits the eligibility for participation in the Interior Up Fit and Maintenance Program to properties in the Downtown District. It has been recommended that this limitation be removed so that all properties within the city limits are eligible for the Interior Up Fit and Maintenance Program.

It also appears that the Article VIII was incorrectly numbered.

Amending the ordinance will increase opportunities to encourage business development in the City of Anderson.

A budget of \$100,000 has previously been provided by Council for all Business Assistance Programs. This funding will not change.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (8-0) to approve Ordinance 16-11 to amend Ordinance 16-03 regarding Business Assistant Programs.

REQUEST CONSIDERATION OA CHANGE ORDER FOR THE JAMES STREET, HUNTER DRIVE AND
HENRY AVENUE SANITARY AND STORM SEWER IMPROVEMENTS

City Manager, Linda McConnell said in September 2015, Moorhead Construction was awarded this project in the amount of \$1,561,420 as the base bid. The Notice to Proceed was issued on November 2, 2015 and Moorhead Construction began work. The work included 3,820 feet of new 8-inch gravity sewer, 22 sewer manholes, slip-line rehabilitation of approximately 310 feet of stormwater pipe with 42-inch HDPE pipe, approximately 740 feet of new 48-inch reinforced concrete stormwater piping, 15 new concrete catch basins (various sizes), restoration, paving, and connections to existing facilities.

To date, the major infrastructure has been installed and SCDHEC has issued a Permit to Operate the sanitary sewer system. Incidental grassing, old material disposal, and partial restoration have also been completed. Moorhead Construction is currently proceeding with the connection of residential sewer service lines to the new sewer collection system. Moorhead Construction will then complete incidental demolition of the old sewer infrastructure. These activities should be completed by early June 2016.

Due to the complexity of the work, the project was planned with different paving strategies to match the level of work contemplated. The paving replacements included incidental patching, surface overlays, and full scale replacement in some areas.

Unforeseen roadway subsurface conditions were encountered during construction. As the underground facilities were being installed, widespread surface failures were observed due to the existence of poor subsurface materials. A new asphalt surface cannot be installed without correction of the subsurface deficiencies.

It is recommended that additional distressed areas along Henry Ave be removed and replaced, and the roadway be milled to correct surface irregularities and provide tapers toward residential driveways and existing curbs.

Bunnell-Lammons Engineering evaluated the soils and recommended an engineered geo-grid bridging layer to stabilize the subsurface along with twelve inches of stone, prior to installing two inches of binder and one and a half inches of surface course asphalt along Hunter Dr.

Staff met with Design South and the contractor to review the road subsurface conditions and proposed remedies. Moorhead Construction then prepared cost justification worksheets for the additional road improvements.

The additional road improvements will require the preparation of work plans, details and specifications, coordination, final review and permit revisions with the SCDOT, added construction administration services, site inspections, preparation of the change order and related closeout activities. Design South estimates that the additional engineering costs associated with this work will be \$35,000.

To correct the road subsurface issues along Henry Avenue and Hunter Drive and to successfully complete the overall project for the community, staff recommends that the project budget be increased by up to \$360,000.

Moving forward with this change order will allow for the correction of roadway subsurface deficiencies and provide for an adequate road surface to be installed.

This is the first project of its type where all new infrastructure will have been installed – water lines, sewer lines, stormwater and roadways. This also resulted in Piedmont Natural Gas upgrading their service.

<u>Funding:</u>	<u>Utilities</u>	<u>Stormwater</u>
Hunter Dr	\$133,333	\$66,667
Henry Ave	\$125,000	-----
Engineering	<u>\$23,333</u>	<u>\$11,667</u>
Total:	\$281,666	\$78,334

A motion by Councilman Laughridge seconded by Councilman Harbin carried unanimously (8-0) to approve a change order to Don Moorhead Construction, Inc. in the amount of \$ 325,000 and Design South Professionals Inc. in the amount of \$35,000 for a total change order/increase in project budget of \$360,000.

ADMINISTRATIVE BRIEFING

2016 WATER AND SEWER BOND REFUNDING UPDATE

City Manager, Linda McConnell said the City was very successful in refunding \$40,000,000 of Water and Sewer Bonds. The City's Financial Advisors studied the markets conditions and sold the bonds at the right time thus obtaining lower interest rates.

The total savings over the life of the bonds is over \$5,000,000, of which the City will save \$2,562,000, Anderson County will save \$2,000,000 and Homeland Park will save \$286,000.

UPCOMING EVENTS

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

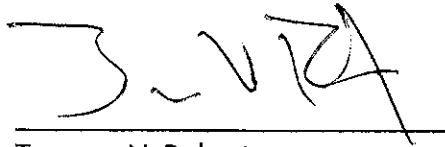
May 26th – Southeast Anderson Task Force
May 27th – Movie Night in Carolina Wren Park
May 30th – City Offices closed for Memorial Day
June 7th – Dedication of Watson Park

Mrs. McConnell also recognized the City winning the Upstate Diversity and Leadership Award. The "Dream Team" led by Council Member Thompson continues to improve the relationships between the community and law enforcement.

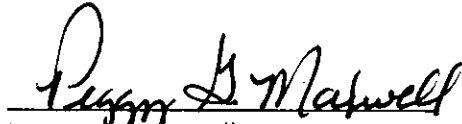
ADJOURNMENT

A motion by Councilman Buck Roberts seconded by Mayor Pro Tem Chapman carried unanimously (8-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer