

City of Anderson
Regular Meeting
May 9, 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, Stewart, Harbin and John Roberts. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Utilities Accountant, Margot Martin; City Attorney, Frankie McClain and Public Works Director, Kerry Stalnaker. The invocation was given by Councilman Laughridge with respects to the flag by Councilman Harbin.

PROCLAMATION
National Public Works Week – May 15-21

Proclamation

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as cemeteries, sanitation, streets, engineering, fleet maintenance, stormwater and traffic management; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitudes and understanding of the importance of the work they perform.

NOW, THEREFORE, I, Terence V. Roberts, Mayor of the City of Anderson, South Carolina, along with my fellow members of City Council, do hereby proclaim May 15-21, 2016 as

National Public Works Week

in the City of Anderson, SC and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Proclaimed this 9th day of May, 2016

Terence V. Roberts, Mayor

APPROVAL OF MINUTES

A motion by Councilman Stewart seconded by Councilman Buck Roberts carried unanimously (9-0) to approve the minutes of the April 25, 2016 meeting as presented.

REQUEST SECOND AND THIRD READING 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 By-pass.

The City Council considered this request at their April 11th meeting and approved it on First Reading. The Planning Commission also considered the request and unanimously recommended approval.

A motion by Mayor Pro Tem Chapman seconded by Council Buck Roberts carried unanimously (9-0) 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 Second Reading.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve Ordinance 16-06 on Third Reading as stated above.

REQUEST CONSIDERATION ON 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

City Manager, Linda McConnell said the Public Works Committee met last winter to discuss sanitation in particular, garbage carts that remain on the curb/street after collection and shared the findings with the City Council.

Introductory Findings:

- Community driven issue – this is a problem issue 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, every week, remains a chronic issue

Process

Regulations, education & communication, enforcement

- Existing law – outdated (written before we had blue carts); provides for up to \$200 fine
- Proposed ordinance amendment – proposed remedy would be similar to a parking ticket; if not paid, then courtesy summons to appear in court; establish reasonable fine
- Education/communication – as recommended, staff began a 90 day (February through April) education/communication process with the distribution of flyers in February as well as personal contacts. The same information is on the City's website and on ECTV. Staff communication has been extended to and will continue to extend to owners/occupants, property managers, and rental and leasing companies.
- Enforcement process - With passage of the ordinance, staff will follow a 3 step process:
1st offense = courtesy warning and corrective action explained and required
2nd offense = owner and/or person in possession of the property will be charged a \$10 fine (applied to the water bill)
3rd offense = owner and/or person in possession of the property will be charged a \$25 fine

Failure to comply may result in the issuance of a Uniform Summons to appear before the Municipal Court.

Staffing/enforcement - enforcement will be the responsibility of the Sanitation Department. The Sanitation Foreman will serve as the Sanitation Code Enforcement official. Training has been provided by the South Carolina Criminal Justice Academy.

No additional funding is needed to implement this change.

Voluntary compliance has improved with the communication efforts but the issue remains chronic. The Public Works Committee and staff recommend amending portions of Chapter 66, Article II, and Section 66-36 of the Code of the City of Anderson. Staff recommends continuing the communication efforts. Upon adoption of the regulations, enforcement with the 3 step process as outlined will begin June 1, 2016.

Mayor Pro Tem Chapman wanted to note that within the Ordinance the elderly and disabled citizens can fill out an application to have their carts taken to and from their curbside, without fines.

Councilman Stewart was concerned about the \$35 administration fee for the opposed citizen to meet with the City's Public Work Director to discuss the fine notice. Councilman Stewart also would like better education provided to the community about this matter.

Council discussed the Section 66-36 (q)(1)(e) of the Ordinance that stated the fines will be added to Electric City Utilities bill. There were many concerns of the citizens water being turn off due to not paying this cart fine.

A motion by Councilman Stewart seconded by Council Member Thompson carried unanimously (9-0) to amend Section 66-36 (q)(1)(a) of to remove the \$35 administration fee on First Reading

A motion was made by Councilman Stewart to amend Section 66-36 (q)(1)(e) and to remove the fines from the Electric City Utilities bill and the notice should go to the owner of the property. Motion failed (1-8), with Mayor voting in favor.

A motion by Councilman Stewart seconded by Councilman Laughridge carried (5-4) with Councilman John Roberts, Kirven, Chapman and Buck Roberts opposed, to amend Section 66-36 (q)(1)(e) to remove the fines from the Electric City Utilities bill on First Reading.

City Manager, Linda McConnell stated that City Staff will take these changes passed today on First Reading and bring back an updated Ordinance in regards of how to impose the fine.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

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

May 17th – Upstate Diversity Leadership Awards Dinner

May 19th – Southeast Anderson Task Force

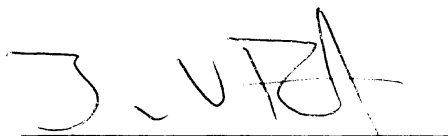
May 20th – Movie Night in Carolina Wren Park

May 30th – City Offices closed for Memorial Day

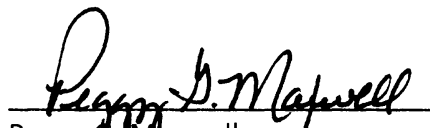
ADJOURNMENT

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to adjourn.

ATTEST:



Terence V. Roberts
Mayor



Peggy G. Maxwell
City Clerk Treasurer