

**CITY OF ANDERSON
COUNCIL AGENDA
November 26, 2018
6:00 PM**

INVOCATION: Council Member Tony Stewart

RESPECTS TO FLAG: Mayor Pro Tem Beatrice Thompson

Approval of Minutes of November 13, 2018

A. OLD BUSINESS:

1. Request second reading of Ordinance 18-18 authorizing the execution of a deed to convey real estate located on McCully Street in the City of Anderson.
2. Request second reading of Ordinance 18-19 approving an Economic Development Agreement between the City of Anderson and LabTech Diagnostics.

B. NEW BUSINESS:

1. Request consideration of a referral to the Planning Commission a petition to rezone 1501 West Whitner Street from R-5, Single Family to GC, General Commercial.
2. Request consideration to purchase mobile scanners for the Police Department.
3. Request consideration of a resolution providing certification as provided by the South Carolina Abandoned Buildings Revitalization Act of 2013 (S.C. Code Section 12-67-109 et seq.) for the building at 129 East Whitner Street.
4. Request consideration of a contract with American Tank Maintenance for a Tank Maintenance and Asset Management Program.
5. Request consideration of a contract with DP3 Architects for the City Hall and Municipal Business Center capital projects.

C. ADMINISTRATIVE BRIEFING:

1. Upcoming Events

D. EXECUTIVE SESSION:

1. Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements regarding the City Hall and Municipal Business Center capital projects.
2. Section 30-4-70(a)(2) – Legal advice relating to possible litigation.

Regular Meeting
November 13, 2018

The regular meeting of City Council was held this date in City Hall Council Chambers at 6:00 pm. In attendance were Mayor Terence Roberts, Mayor Pro Tem Thompson, Council Members John Roberts, Chapman, Stewart, Laughridge, Harbin, Newton and Jeff Roberts. Also in attendance were City Manager, Linda McConnell; Assistant City Manager, David McCuen; Finance Director, Margot Martin; Planning Director, Maurice McKenzie; IT Director, Mark Cunningham; Parks and Recreation Director, Bobby Beville; Community Development Director, Erica Craft; and Economic Development Director, Kimberly Spears. The invocation was given by Councilman Chapman and respect to the flag was given by Councilman Jeff Roberts.

APPROVAL OF MINUTES

A motion by Councilman Laughridge seconded by Mayor Pro Tem Thompson carried unanimously (9-0) to approve the minutes of October 22, 2018 meeting as presented.

REQUEST SECOND READING OF ORDINANCE 18-17 CONSENTING TO PLACEMENT OF REAL PROPERTY INTO A MULTI-COUNTY INDUSTRIAL BUSINESS PARK AND APPROVING A CREDIT AGREEMENT WITH JB FERGUSON PROPERTIES LLC AND ESTATE PLANNING CONSULTANTS, INC. AND OTHER RELATED MATTERS

City Manager, Linda McConnell said one of the primary missions of the City of Anderson is to encourage development and improve tax base and enhance the livability of the Anderson Area.

The development will directly and beneficially affect the economy of the City with a substantial investment in the improvement of property in the downtown area. The development will be in the Palmetto Building on Murray Avenue and the 400 Block of S. Main Street.

The public interest of the City will be served to a substantial degree by undertaking the development because of significant capital investment and job creation.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) approve Ordinance 18-17 consenting to placement of real property into a Multi-County Industrial Business Park and approving a credit agreement with JB Ferguson Properties LLC and Estate Planning Consultants, Inc. and other related matters on Second Reading.

REQUEST CONSIDERATION OF AN APPOINTMENT TO THE PLANNING COMMISSION

Planning Director, Maurice McKenzie said the Planning Commission consists of 9 members, and each City Council member has the responsibility to appoint one representative. The bylaws of the Planning Commission allow Council members to appoint representatives who reside anywhere inside the City, not just from their Seat.

Councilman Matt Harbin's representative on the Planning Commission, Jim Harris, resigned from the position earlier this year. Steve LeFevre has expressed interested in serving on a City board or commission. Councilman Harbin recommends that Mr. LeFevre complete the unexpired term which ends on June 30, 2021. Mr. LeFevre resides within the City limits, which is a requirement.

The benefit of this appointment is to allow citizens an opportunity to be a part of the City's governing process and for the City to benefit from citizen representation.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (9-0) to appoint Steve LeFevre to the Planning Commission with a term expiring June 30, 2021.

Mayor Terence Roberts thanked Steve LeFevre for his willingness to serve and Jim Harris for his time serving on the Planning Commission.

REQUEST CONSIDERATION TO PURCHASE A 311 REQUEST AND WORK MANAGEMENT SOFTWARE PACKAGE

IT Director, Mark Cunningham said City Staff is requesting to purchase a 311 Request and Work Management software package that will replace our existing system with a solution that is compatible with our OMS (Operations Management System).

The City of Anderson has used At Your Request software since 2006. This software is a web only work order/request software that allows citizens or employees to initiate work requests. The software has not been updated in the last 12 years and does not offer a mobile application.

Over the past 18 months, the City has implemented Cartegraph, an Operations Management System (OMS). We began this implementation in the Utilities Division and have since expanded to Stormwater and Public Works.

See Click Fix is a 311 Request and Work Management software package that has partnered with Cartegraph so that both software packages work together. When a user submits a request into See Click Fix, a workorder is generated in Cartegraph.

Cost breakdown:

See Click Fix Subscription (Annual Recurring)	\$12,800.00
Implementation Services (Installation)	\$5,300.00
Total	\$18,100.00

See Click Fix will allow the City of Anderson to become more efficient in the way work requests are handled. When implemented, this software will work seamlessly with Cartegraph. See Click Fix comes with a customizable app that the City can use for other purposes – it can essentially be the new “City” app where you can go to get information on all City services.

Anderson County – who is also a Cartegraph customer – will be transitioning to See Click Fix next year. When we are both using the same system, we will be able to route work requests back and forth between agencies. If a citizen submits a work request to Anderson County that actually belongs to the City of Anderson, See Click Fix will route the request to the City and the citizen will not need to do anything.

The Building Department and Building Maintenance will be able to use this software for both internal and external requests. Both of these departments will be trained on Cartegraph and See Click Fix will allow work orders to be routed into that system.

Public Works has been a heavy user of At Your Request over the years. Now that they are using Cartegraph, they must take the work order information and manually enter it. See Click Fix will streamline this process.

As this software will be utilized City wide, the funding will be paid out of the 2019 operating budgets as follows:

Installation expense of \$5,300 – City Building Maintenance

Annual subscription of \$12,800

Sewer Fund	\$3,200
Water Fund	\$3,200
Stormwater Fund	\$3,200
General Fund Public Works	\$1,600
General Fund Building Maintenance	\$1,600

A motion by Councilman Chapman seconded by Mayor Pro Tem Thompson carried unanimously (9-0) to approve the purchase of 311 Request and Work Management software package with an installation cost of \$5,300 and an annual subscription of \$12,800.

REQUEST CONSIDERATION TO PURCHASE EQUIPMENT FOR THE RECREATION DIVISION

Parks and Recreation Director, Bobby Beville said the Beautification Department needs to replace two mowers used to maintain the parks, City lots and right-of-ways. The ExMark mowers were purchased in 2009 & 2010 and both have over 2800 hours.

The fitness/wellness program would like to expand the program by adding Spin Bikes. Adding spin bikes to the facility would create the opportunity to attract new members and offer classes to a younger population. Having spin bikes would create the opportunity to offer classes for our youth. Currently, there are two instructors on staff certified to teach spin classes.

Purchasing mowers will provide the beautification department with reliable equipment to keep the parks, right-of-ways, flumes maintained to the City's expectations.

Adding spin bikes create an additional feature to attract potential members and provide an opportunity to create programs for youth, young adults and seniors.

These purchases will be funded by the Hospitality Fund.

Staff recommends purchasing two John Deere mowers from Ag-Pro (Anderson, SC) in the amount of \$18,511.38 and purchase eleven Precor Spinner Rally Indoor cycles in the amount of \$22,348.04 from Advantage Sport & Fitness, Inc. Total hospitality request is \$40,859.42.

A motion by Councilman Laughridge seconded by Councilman Newton carried unanimously (9-0) to approve the purchase of two John Deere mowers in the amount of \$18,511.38 and eleven Precor Spinner Rally Indoor Cycles in the of \$22,348.04 to be paid from the Hospitality Fund.

REQUEST CONSIDERATION OF AN ORDINANCE TO AMEND SECTION 66-4(a)(3) OF CHAPTER 66 OF THE CODE OF THE CITY OF ANDERSON

City Manager, Linda McConnell said Section 66-40(a)(3) of the Code of the City of Anderson provides standards for the removal of building materials.

This amendment clarifies the language in the Solid Waste ordinance concerning the removal of incidental building materials resulting from work performed by the occupant of the house. The amendment clarifies this section so that it is understood that removal of materials by the City is limited to those projects done by the occupant of the house that do not require a building permit.

Amendment will clarify the responsibility for the removal of building materials from a work site.

Councilman Jeff Roberts asked to postpone this item to take a better look at the language and strengthen the standards.

REQUEST CONSIDERATION OF ORDINANCE 18-18 AUTHORIZING THE EXECUTION OF A DEED TO CONVEY REAL ESTATE LOCATED ON MCCULLY STREET IN THE CITY OF ANDERSON

Community Development Director, Erica Craft said the City currently owns certain real property located on McCully Street in the City of Anderson, State of South Carolina, consisting of three lots identified as Anderson County Tax Map Numbers 124-21-06-010, 124-21-08-019 and 124-21-08-018.

Upon the acquisition of the property, the Developer plans to construct a minimum of three single family residences within a period of five years.

The City of Anderson has previously selected Nehemiah Community Revitalization Corporation to develop McCully Street as a Community Stabilization Area.

Nehemiah Community Revitalization Corporation completed 10 single family homes on McCully Street in 2012 which resulted in a tremendous improvement to the area.

Nehemiah Community Revitalization Corporation has applied for additional funds through the Affordable Housing Program.

The Development of the additional lots will contribute significantly to improvement of McCully Street.

A motion by Councilman Laughridge seconded by Mayor Pro Tem Thompson carried unanimously (9-0) to approve the execution of deed to convey real estate located on McCully Street in the City of Anderson on First Reading.

REQUEST CONSIDERATION OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF ANDERSON AND ROGUE HOLDINGS, LLC ON BEHALF OF WEST POINT HOME, INC.

City Manager, Linda McConnell said Rogue Holdings, LLC is redeveloping a property located at 201 N. Main Street to accommodate office space for WestPoint Home, Inc. The downtown 15,000 SF project area on the second and third floors of the building will accommodate office space for 65 new jobs. The total investment is \$1,625,000.00.

The proposed agreement is based on the capital investment and new revenue generated by this project.

Revenues resulting from the proposed development are estimated to exceed \$200,000 in a five-year period.

The development satisfies the following eligibility criteria for the Economic Development Incentive Program:

- Designated Area: Downtown TIF
- Corporate headquarters
- Research & Development
- High technology growth business
- Creation of Jobs
- The development exceeds the \$300,000 investment threshold with 50% towards physical improvements

REQUEST CONSIDERATION OF ORDINANCE 18-19 APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ANDERSON AND PROJECT SPINDLE

City Manager, Linda McConnell said the developer has requested financial assistance from the City of Anderson in return for an expansion project that will include new construction to accommodate an expanded operation and 80 new jobs. The estimated cost of development is \$2.5 million.

The mission of the City to encourage economic development will be enhanced by the completion of the development project.

The proposed agreement is based on the capital investment and new revenue generated by this project.

Revenues resulting from the proposed development are estimated to exceed \$300,000 in a five-year period. The development will result in the creation of 80 new jobs.

City Manager, Linda McConnell asked Council to further discuss the two Economic Development items in Executive Session.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

City Manager, Linda McConnell reminded Council of the following upcoming events and all meetings in November 2018.

November 15th – Southeast Anderson Task Force – provides a Thanksgiving meal to the community

November 16th – Holiday Ice Opening – Carolina Wren Park

November 22nd & 23rd – City Offices closed for Thanksgiving Holiday

November 26th – Council Meeting

November 30th – Tree Lighting Festivities

December 2nd – Christmas Parade

EXECUTIVE SESSION

A motion by Councilman Stewart seconded by Councilman Jeff Roberts carried (9-0) to move into Executive Session to discuss: Section 30-4-70(a)(5) – Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

A motion by Councilman Laughridge seconded by Councilman John Roberts carried unanimously (9-0) to move out of Executive Session.

REQUEST CONSIDERATION OF AN ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE CITY OF ANDERSON AND ROGUE HOLDINGS, LLC ON BEHALF OF WEST POINT HOME, INC.

City Manager, Linda McConnell said the applicable project is the development of 201 N. Main St.

City Council adopted this program with a philosophy that incentives may provide a financial impact of the decision making process for economic development prospects. Equally important is the emphasis of a business friendly environment and “can do” attitude as a manner of conducting municipal business. More specifically, the development meets the eligibility criteria and other factors of consideration as follow:

- Located in the Downtown TIF district
- Identified as a corporate headquarters
- Investment increases taxable value by approximately \$800,000
- Generation of water tap, water capacity, building permits and business license fees in the first year totaling \$6,595
- Generation of approximately \$51,523.92 annual increase in City taxes
- Creation/retention of 65 office jobs

The amount of the Incentive Grant is based upon the amount of the capital investment and new revenue generated as a result. The total grant amount shall not be greater than the direct value received by the City and derived from the capital investment during the term of the incentive. The amount of the grant is \$200,000 paid in \$40,000 increments over 5 years, beginning in 2019 and ending with the payment in 2023. There is no payment during the year 2018.

The scheduled of revenues and anticipated revenues along with the projected grant payments indicate that the incentive grant will be a budgeted general fund item.

A motion by Councilman Harbin seconded by Councilman Laughridge carried unanimously (9-0) to approve an Economic Development Incentive Agreement between the City of Anderson and Rogue Holdings, LLC on behalf of West Point Home, Inc in the amount of \$200,000 to be paid in \$40,000 increments over 5 Years beginning 2019.

REQUEST CONSIDERATION OF ORDINANCE 18-19 APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ANDERSON AND PROJECT SPINDLE

City Manager, Linda McConnell said Project Spindle is with an existing business within the City limits that will promote expansion to the business and will create/retain 80 jobs.

In return for the proposed development by the developer, the City will pay a grant in the total amount of \$345,000 payable over five years.

Anticipated revenues indicate that the grant will be a budgeted general fund item.

A motion by Councilman Chapman seconded by Councilman Newton carried unanimously (9-0) to approve Ordinance 18-19 approving an Economic Development Agreement between the City of Anderson and Project Spindle in the amount of \$345,000 payable over five years on First Reading.

ADJOURNMENT

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

ATTEST:

Terence V. Roberts
Mayor

Margot B. Martin
City Clerk Treasurer

Date: November 26, 2018

Agenda Item No: A-1

**City of Anderson
Council Agenda**

Title/Description: Old Business

Request second reading of an ordinance authorizing the execution of a deed to convey real estate located on McCully Street in the City of Anderson.

Executive Summary:

Background:

The City currently owns certain real property located on McCully Street in the City of Anderson, State of South Carolina, consisting of three lots identified as Anderson County Tax Map Numbers 124-21-06-010, 124-21-08-019 and 124-21-08-018.

Upon the acquisition of the property, the Developer plans to construct a minimum of three (3) single family residences within a period of five (years).

The City of Anderson has previously selected Nehemiah Community Revitalization Corporation to develop McCully Street as a Community Stabilization Area.

Nehemiah Community Revitalization Corporation completed 10 single family homes on McCully Street in 2012 which resulted in a tremendous improvement to the area.

Nehemiah Community Revitalization Corporation has applied for additional funds through the Affordable Housing Program.

Benefit:

The Development of the additional lots will contribute significantly to improvement of McCully Street.

Funding:

N/A

Recommendation:

City Staff recommends that the Ordinance be passed.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Other

ORDINANCE NO. 18-18

AN ORDINANCE OF THE MAYOR
AND COUNCIL OF THE CITY OF
ANDERSON AUTHORIZING THE
EXECUTION OF A DEED TO
CONVEY REAL ESTATE LOCATED
ON MCCULLY STREET IN THE
CITY OF ANDERSON

WHEREAS, the City currently owns certain real property located on McCully Street in the City of Anderson, State of South Carolina, consisting of three lots identified as Anderson County Tax Map Numbers 124-21-06-010, 124-21-08-019 and 124-21-08-018, and

WHEREAS, upon the acquisition of the property, the Developer plans to construct a minimum of three (3) single family residences within a period of five (5) year, and

WHEREAS, the City of Anderson has previously selected Nehemiah Community Revitalization Corporation to develop McCully Street as a Community Stabilization Area; and

WHEREAS, Nehemiah Community Revitalization Corporation completed 10 single family homes on McCully Street in 2012 which resulted in a tremendous improvement to the area, and

WHEREAS, Nehemiah Community Revitalization Corporation has applied for additional funds through the Affordable Housing Program; and

WHEREAS, the development of the additional lots will contribute significantly to the improvement of McCully Street.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE CITY OF ANDERSON THAT:

1. The Mayor of the City of Anderson is hereby authorized to execute a Special Warranty Deed to convey three lots located on McCully Street identified as Anderson County Tax Map Numbers 124-21-06-010, 124-21-08-018, and 124-21-08-019, upon the developer executing the Development Agreement attached as Exhibit A.
2. This ordinance shall take effect immediately upon its adoption by the Mayor and Council of the City of Anderson.

Date: November 26, 2018

Agenda Item No: A-2

**City of Anderson
Council Agenda**

Title/Description: Old Business

Request second reading of an ordinance approving an economic development agreement between the City of Anderson and LabTech Diagnostics.

Executive Summary:

Background:

One of the primary missions of the City of Anderson is to encourage development and improve the tax base and enhance the livability of the Anderson Area.

Benefit:

Revenues resulting from the proposed development are estimated to exceed \$300,000.00 in a five year period plus a significant financial impact from an increase in jobs.

Agreement Terms:

In return for the proposed development by the developer, the City will pay a grant in the total amount of \$345,000.00 payable over five years.

Funding:

Anticipated revenues indicate that the grant will be a budgeted general fund item.

Recommendation:

City Staff recommends that the Ordinance be passed.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Other

ORDINANCE NO. 18-19

AN ORDINANCE OF THE MAYOR
AND COUNCIL OF THE CITY OF
ANDERSON APPROVING AN
ECONOMIC DEVELOPMENT
AGREEMENT BETWEEN THE CITY
OF ANDERSON AND LABTECH
DIAGNOSTICS

WHEREAS, one of the primary missions of the City of Anderson is to encourage economic development and thereby improve the tax base and enhance the livability of the Anderson area, and

WHEREAS, the developer has plans to expand its business on certain property that will expand the City's tax base, and

WHEREAS, the developer has requested financial assistance from the City of Anderson in return for the developer's agreement, and

WHEREAS, revenues from property taxes, water taps, business licenses, stormwater fees, and building permits are estimated to exceed \$300,000.00 in a five-year period plus a significant financial impact from the increase in jobs, and

WHEREAS, based upon the foregoing, the City Council of the City of Anderson has determined that the mission of the City to encourage economic development will be enhanced by the completion of developer's project.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON THAT:

1. The agreement between the City of Anderson and LabTech Diagnostics providing for a grant to be paid to the developer in return for the development of certain property is hereby approved.
2. All ordinances inconsistent or in conflict with the provision of this ordinance are hereby repealed to the extent of the inconsistency or conflict.
3. This ordinance shall take effect immediately upon its adoption by the City Council of the City of Anderson.

Date: November 26, 2018

Agenda Item Number: B-1

**City of Anderson
Council Agenda**

Title/Description: New Business

Request: Referral to the Planning Commission a petition to rezone 1501 West Whitner Street from R-5, Single-Family Residential to GC, General Commercial.

Executive Summary:

Background: The applicant requests to rezone the subject property in order to market it for commercial use. There are no current plans for the property. The building on the site is a commercial-style structure and has been in existence for many years. It has been zoned for residential use for some time, so during a period in which it was occupied, the business(s) operated as non-conforming.

Benefit: N/A

Funding: N/A

Recommendation: Referral to the Planning Commission. The Planning Commission will consider this request at their December 4th meeting.

Action Requested:

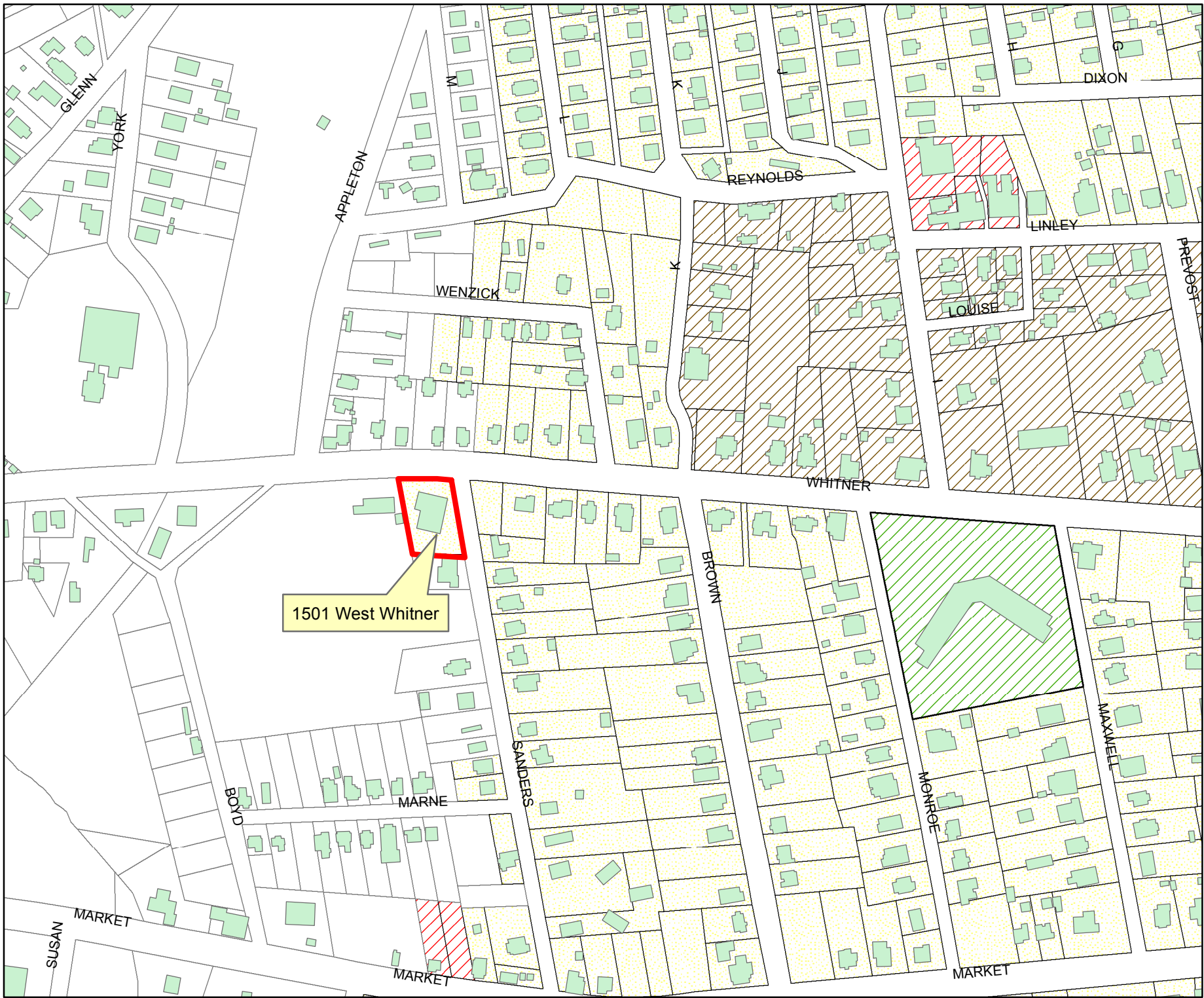
Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Other (Referral)



1501 West Whitner

Date: November 26, 2018

Agenda Item No: B-2

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration to purchase mobile scanners for the City of Anderson Police Department.

Executive Summary:

Background: Beginning January 1, 2018 the state of South Carolina is required all state law enforcement agencies to begin implementing the entering of electronic traffic tickets, also called e-ticketing, from the patrol car. In order to facilitate e-ticketing, the implemented tablets and mifi hotspots will utilize mobile printers for all patrol and traffic vehicles in use by the APD. The department has implemented the e-ticket program with the traffic division and is now ready to implement this with patrol. The department requests the purchase of (50) Honeywell Vuquest scanners to be placed in patrol vehicles. The state contract is with Howard Technology Solutions, Laurel, MS.

Funding: Funding is from the police department budget.

Recommendation: The staff recommends purchasing (50) Honeywell Vuquest mobile scanners from Howard Technology Solutions in the amount of \$15,194.00

Action Requested: X General Approval

Date: November 26, 2018

Agenda Item No: B-3

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a resolution to provide certification as provided by the South Carolina Abandoned Building’s Revitalization Act of 2013 (S.C. Code Section 12-67-109 Et. Seq.) for the building at 129 E. Whitner Street, Anderson, SC.

Executive Summary:

Background:

The South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina.

The Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities.

Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes.

Grey Building, LLC (the “Taxpayer” is the owner and developer of certain real property known as 129 E. Whitner Street, Anderson, SC, which property is further identified on Anderson County Tax Maps as Tax Map No. 123-30-03-006 (the “Property”). The taxpayer intends to develop the Property as commercial space and has requested that the City, by way of binding resolution, certify that the Building Site is abandoned as defined by Section 12-67-120.

Benefit:

The City will benefit by the restoration of an abandoned building into a productive asset for our community and downtown area.

Funding:

Not applicable

Recommendation:

City Staff recommends that the Resolution be passed.

Action Requested:

- | | |
|--|---|
| <input type="checkbox"/> Ordinance 1st Reading | <input type="checkbox"/> Information Only |
| <input type="checkbox"/> Ordinance 2nd Reading | <input type="checkbox"/> General Approval |
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Other |

RESOLUTION NO. _____

TO PROVIDE CERTIFICATION AS PROVIDED
BY THE SOUTH CAROLINA ABANDONED
BUILDINGS REVITALIZATION ACT OF 2013
(S.C. CODE SECTION 12-67-109 ET SEQ.)
FOR THE BUILDING AT 129 E. WHITNER
STREET, ANDERSON, SOUTH CAROLINA

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) “Abandoned Building” means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five years immediately preceding the date on which the taxpayer files a “Notice of Intent to Rehabilitate”. For purposes of this item, a building or structure that otherwise qualified as an “abandoned building” may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned.

(2) “Building Site” means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited to the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building’s income producing use; and,

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local real property taxes; and,

WHEREAS, Grey Building, LLC (the “Taxpayer”) is the owner and developer of certain real property known as 129 E. Whitner Street, Anderson, SC, which property is further identified on Anderson County Tax Maps as Tax Map No. 123-30-03-006 (the “Property”); and

WHEREAS, the Taxpayer intends to develop the Property as commercial space; and

WHEREAS, on June 25, 2018, the Taxpayer filed a Notice of Intent to Rehabilitate the Property with the South Carolina Department of Revenue; and

WHEREAS, the Taxpayer has taken steps to prepare the Property for development as commercial space (the “Building Site”); and

WHEREAS, the Property is located within the City of Anderson, South Carolina; and

WHEREAS, the Taxpayer has requested that the City, by way of binding resolution, certify that the Building Site is abandoned as defined by Section 12-67-120.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ANDERSON, SOUTH CAROLINA that the City of Anderson makes the following certifications as requested by the Taxpayer under the South Carolina Abandoned Buildings Revitalization Act of 2013 (S.C. Code Section 12-67-100, et seq.):

1. The Taxpayer has submitted to the City a request for a binding resolution to certify that the Building Site is abandoned pursuant to Section 12-67-160 of the Act (the “Request to Certify”).
2. The City has reviewed the Request to Certify, conferred with the Taxpayer and conducted a review of its records concerning the Property.
3. The City hereby certifies that (i) the Building Site is an abandoned building site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of each of the Building Sites is consistent with Section 12-67-120(2) of the Act.

BE IT FURTHER RESOLVED THAT this Resolution shall take effect upon its adoption.

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a contract for Water Storage Tank Maintenance Program.

Background: The Water System Master Plan includes a Tank Maintenance Program for the City’s seven (7) elevated water storage tanks. This program involves tank painting (inside and out), regular washouts of each tank, an annual inspection of each tank and any repairs due to acts of vandalism to the tank, fencing, and/or safety hatches. We started the process by issuing an RFP for Tank Maintenance Services on May 15, 2018. In this proposal, we laid out a proposed schedule for each tank, including painting and washouts. We specifically required Tnemec paint as well as the thickness and proper pre-finish preparation. The City received 4 responses to the RFP on June 29, 2018. Each proposal was evaluated on cost and scored based on 23 individual criteria.

Proposals Received	Price	Location	Points
American Tank Maintenance	\$1,629,842.00	Warthen, GA	159
Suez	\$1,928,610.00	Atlanta, GA	755**
Southern Corrosion	\$2,084,872.00	Roanoke Rapids, NC	88
Tank Pro	\$2,498,203.00	Tuscaloosa, AL	190

**The point system included the number of employees for each company, which one is a larger company with 600 employees.

After reviewing each proposal, we narrowed our research to American Tank Maintenance and Suez (formerly known as Utilities Services) based on price and the evaluation points system. We then called references for the two proposers. While both were given good reviews, American Tank Maintenance stood out.

The cost of the proposals was very front-end loaded due to our proposed schedule and paint specifications. This would not meet our budget and only provided a one-year warranty on each painting. We began negotiations with American Tank Maintenance to consider a contract that would deliver a similar product but be more advantageous to the City from an annual budget and warranty standpoint placing all the responsibility for all coatings and any acts of vandalism for the duration of the contract.

The attached plan shows the negotiated schedule and annual cost for the program and each tank. All red blocks indicate a painting activity, blue blocks indicate a washout inspection, and white blocks indicate a visual inspection only.

This plan is more advantageous to the City since this program spreads out the annual cost for

each tank, contractor assumes all risk and liability for the duration of the contract, and each tank receives two (2) paintings except for Whitehall and Fant which will receive additional paintings in year 11 and 12.

After the initial ten (10) year period, the cost to continue under the maintenance contract is substantially discounted and can be re-bid if desired. The City may cancel the contract at any time but would be responsible for payment of all work performed up to that time.

Benefit: This project will place our tanks on a schedule for painting, washout, and inspections. This will allow us to meet the expectations set by SCDHEC and the Safe Drinking Water Act (mandated by the EPA). It will also give a major overhaul to our most visible assets and will help us provide our customers with the best quality water.

Funding: This project will be funded by the Water Operations Tank Maintenance Budget and supported by our current rates.

Recommendation: The Water Operations Department recommends contracting with American Tank Maintenance in the amount of \$2,138,116 according to the attached 10-year schedule.

Action Requested:

General Approval

Date: November 26, 2018

Agenda Item No: B-5

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of a contract with DP3 Architects for the City Hall and Municipal Business Center capital projects.

Executive Summary:

Background:

City Hall and the Municipal Business Center's roof and/or building envelope systems are in need of rehabilitation. The original City Hall was built in 1898 and has been modified and expanded multiple times over the 120 years. It contains multiple roofing structures, levels, and systems. The Municipal Business Center was constructed in 2008. In November of last year, City Council approved a contract with DP3 Architects for Phase I (architectural/engineering services) of the projects. Phase I included: existing facility conditions investigation and assessment; development of recommendations, order of magnitude cost estimating, and final documentation.

The Phase II work includes design development drawings (including any modifications of engineering systems required by the scope of the roof and building envelope repairs, construction documents for permitting and implementation, bidding assistance, and construction administration services.

Benefit: The benefit derived will be to halt/prevent water intrusion and any damaging effects, and preserve the buildings' infrastructure systems including structural, electrical, and HVAC. Collateral benefits include reduction of energy costs, removal of unnecessary equipment, and improved appearance.

Funding: Funds required for this contract are included in the 2019 Capital Replacement fund budget.

Recommendation: The staff recommends approval of the contract with DP3 for the Phase II work in the amount of \$407,500.00.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Other