

**CITY OF ANDERSON
COUNCIL AGENDA
June 10, 2019
6:00 PM**

INVOCATION: Councilman John Roberts
RESPECTS TO FLAG: Mayor Terence Roberts
SPECIAL RECOGNITION: Malachi Harrison - Scripps National Spelling Bee

Approval of Minutes of May 13, 2019

A. OLD BUSINESS:

1. Request consideration of an ordinance to rezone 1509 East River Street from R-5, Single-Family Residential to LO, Limited Office.

B. NEW BUSINESS:

1. Request consideration of an ordinance adopting the budget for fiscal year 2019-2020.
2. Request consideration of a referral to the Planning Commission a proposed amendment to the Zoning Ordinance as it relates to Small Wireless Facilities.

C. ADMINISTRATIVE BRIEFING:

1. Upcoming Events

Regular Meeting
May 13, 2019

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 Chapman, Stewart, Harbin, Newton, John Roberts, and Jeff Roberts. Councilman Laughridge was not present. Also in attendance were City Manager, David McCuen; Assistant City Manager, Andrew Strickland; Finance Director, Margot Martin; City Attorney, Frankie McClain; Planning Director, Maurice McKenzie; and Stormwater Manager, Adam Cromer. The invocation was given by Councilman Stewart and respect to the flag was given by Councilman Harbin.

PROCLAMATION
National Safe Boating Week
May 18 – 24, 2019

Proclamation

Whereas, for nearly 90 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling and fishing; and

Whereas, recreational boating is fun and enjoyable, and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands. However, our waterways can become crowded at times and be a place of chaos and confusion; and

Whereas, during National Safe Boating Week, the U.S. Coast Guard and its federal, state, and local boating partners encourage all boaters to explore and enjoy America's beautiful waters responsibly. Safe boating begins with preparation; and

Whereas, on average, 650 people die each year in boating-related accidents in the U.S.; approximately 80 percent of these are fatalities caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by boat, equipment or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

Whereas, National Safe Boating Week is sponsored by the National Safe Boating Council, the National Association of State Boating Law Administrators and the U.S. Coast Guard in cooperation with the Canadian Safe Boating Council, the Canadian Coast Guard, and the Lake Hartwell Sail and Power Squadron of the United States; and

Whereas, this annual campaign heightens better awareness before the critical Memorial Day Weekend.

Now, Therefore, I, Terence Roberts as Mayor of Anderson, along with my fellow members of City Council, do hereby proclaim the week of May 18 – 25, 2019 as

National Safe Boating Week

and encourage all citizens of Anderson who boat to practice safe boating habits and wear a life jacket at all times while boating.

Proclaimed this 13th day of May, 2019

Terence V. Roberts, Mayor

APPROVAL OF MINUTES

A motion by Councilman Newton seconded by Councilman Chapman carried unanimously (8-0) to approve the minutes of April 22, 2019 meeting as presented.

REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO REZONE 1509 EAST RIVER STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO LO, LIMITED OFFICE

Planning Director, Maurice McKenzie said the applicant proposes to rezone the property in order to bring it into zoning compliance. There is a commercial-style building on the site with paved parking, and was previously in use as a non-conforming hair salon. Since the commercial use vacated the site, it must be rezoned in order for any commercial-type activity to occupy the building. The applicant requests LO, Limited Office zoning, which allows offices and related uses that are generally compatible with surrounding residential uses.

The Planning Commission will consider this request at their June 4th meeting.

A motion by Councilman Stewart seconded by Mayor Pro Tem Thompson carried unanimously (8-0) to approve referral to the Planning Commission to petition to rezone 1509 East River Street from R-5, Single-Family Residential to LO, Limited Office.

REQUEST CONSIDERATION OF A CONTRACT WITH CLEMSON UNIVERSITY REGARDING PUBLIC EDUCATION, OUTREACH AND PARTICIPATION FOR THE STORMWATER PROGRAM

City Manager, David McCuen said the City of Anderson is a Regulated Small Municipal Separate Storm Sewer System (SMS4) operator required to comply with six minimum control measures designed to reduce pollutant discharges into receiving waterbodies. Two of the six minimum measures are public education/outreach and public participation/involvement.

Stormwater Manager, Adam Cromer said the Clemson University Cooperative Extension Service Carolina Clear Program is a comprehensive approach developed to inform and educate communities about water quality, water quantity and the cumulative effects of stormwater. Carolina Clear addresses the special significance of South Carolina's water resources and the role they play in the state's economy, environmental health and overall quality of life. Carolina Clear is designed to specifically assist MS4s impacted by state and federal mandates to manage water pollution, and they are committed to preserving our resources for future generations.

There are several benefits for the City of Anderson to partner with Clemson University. Clemson University has extensive resources and experience in environmental education, social marketing and the evaluation of such efforts through community surveys. Partnering on the public education and participation efforts will prevent the duplication of efforts that undoubtedly have occurred and would continue without this alliance. Partnering will also allow Stormwater Staff to focus on the day to day project activities.

Clemson University prefers to conduct the program throughout Anderson County, including Belton and other municipalities required to have a stormwater program. As a result, Anderson County recently approved a contract with Clemson University.

The Stormwater Utility will fund this contract. This contract is a five-year term at \$15,000 per year. Either party may terminate the contract at any time with thirty days-notice.

A five-year contract with Clemson University that was approved by Council on February 10, 2014, recently expired. Stormwater Staff reviewed the attached Contract and Memorandum of Understanding with Clemson University, and recommends approval. This is a federally mandated component of the City's stormwater program.

A motion by Councilman Harbin seconded by Councilman John Roberts carried unanimously (8-0) to approve a contract with Clemson University regarding public education, outreach and participation for the stormwater program in the amount of \$15,000 per year for a five-year term.

REQUEST CONSIDERATION OF A PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES
REGARDING OAK DRIVE STORMWATER IMPROVEMENTS

City Manager, David McCuen said the City was notified of a sinkhole in the backyard of 105 Oak Dr. After researching the history of the failing pipe, it was determined that the pipe in question is part of the stormwater network in Old North Anderson that was converted from open channel stream flow to a piped system decades ago. Since initial discover of the sinkhole, several others have formed along the most upstream reach of the pipe in the side yard.

Stormwater Manager, Adam Cromer said we are proposing to replace approximately 600 feet of 48" pipe, repair or replacement of potentially 4 catch basins, and 170 feet of 24" pipe.

Proposals for design services were requested from Design South, Davis & Floyd, and Ridgewater Engineering (formerly F&S), which are all on the City's engineer on call list. An on-site meeting was held with each company before proposals were submitted. Each company was asked to give a proposal to include design services, bidding assistance, and construction administration assistance. Two proposals were submitted.

Company name	Price
Davis & Floyd	\$34,210
Ridgewater Engineering	\$22,500

Benefits of this project include increased safety for the property owners and the replacement of failing infrastructure.

Funding for this project will be from the Stormwater Fund.

Staff has reviewed the proposals and recommends approval of the contract for engineering services to Ridgewater Engineering in the amount of \$22,500.

A motion by Councilman Harbin seconded by Mayor Pro Tem Thompson carried unanimously (8-0) to approve a contract for professional engineering services with Ridgewater Engineering in the amount of \$22,500.

ADMINISTRATIVE BRIEFING

UPCOMING EVENTS

City Manager, David McCuen reminded Council of the following upcoming events and all meetings in May 2019.

May 16th – Southeast Anderson Task Force

May 21st – Westside Community Coalition

May 21st – Seat 2 Neighborhood Watch Meeting at Fire Station 3

May 23rd – Concerned Citizens of Eastside

May 27th – City Offices closed for Memorial Day

City Manager, David McCuen introduced the City's new Assistant City Manager, Andrew Strickland. Mr. Strickland comes to the City of Anderson from Columbia County, Georgia.

ADJOURNMENT

A motion by Councilman Newton seconded by Councilman John Roberts carried unanimously (8-0) to adjourn.

ATTEST:

Terence V. Roberts
Mayor

Margot B. Martin
City Clerk Treasurer

Date: June 10, 2019

Agenda Item No: A-1

**City of Anderson
Council Agenda**

Title/Description: Old Business

Request consideration of an ordinance to rezone 1509 East River Street from R-5, Single-Family Residential to LO, Limited Office.

Executive Summary:

Background: The applicant proposes to rezone the property in order to bring it into zoning compliance. There is a commercial-style building on the site with paved parking, and was previously in use as a non-conforming hair salon. Since the commercial use vacated the site, it must be rezoned in order for any commercial-type activity to occupy the building. The applicant requests LO, Limited Office zoning, which allows offices and related uses that are generally compatible with surrounding residential uses.

Benefit: N/A

Funding: N/A

Recommendation: Approval. The Planning Commission considered this request at their June 4th meeting and recommended approval. If rezoned, all tenants that occupy the property must comply with the City's zoning, signage, and related codes.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Referral

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON TO AMEND THE CITY OF ANDERSON ZONING ORDINANCE BY REZONING 1509 EAST RIVER STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO LO, LIMITED OFFICE.

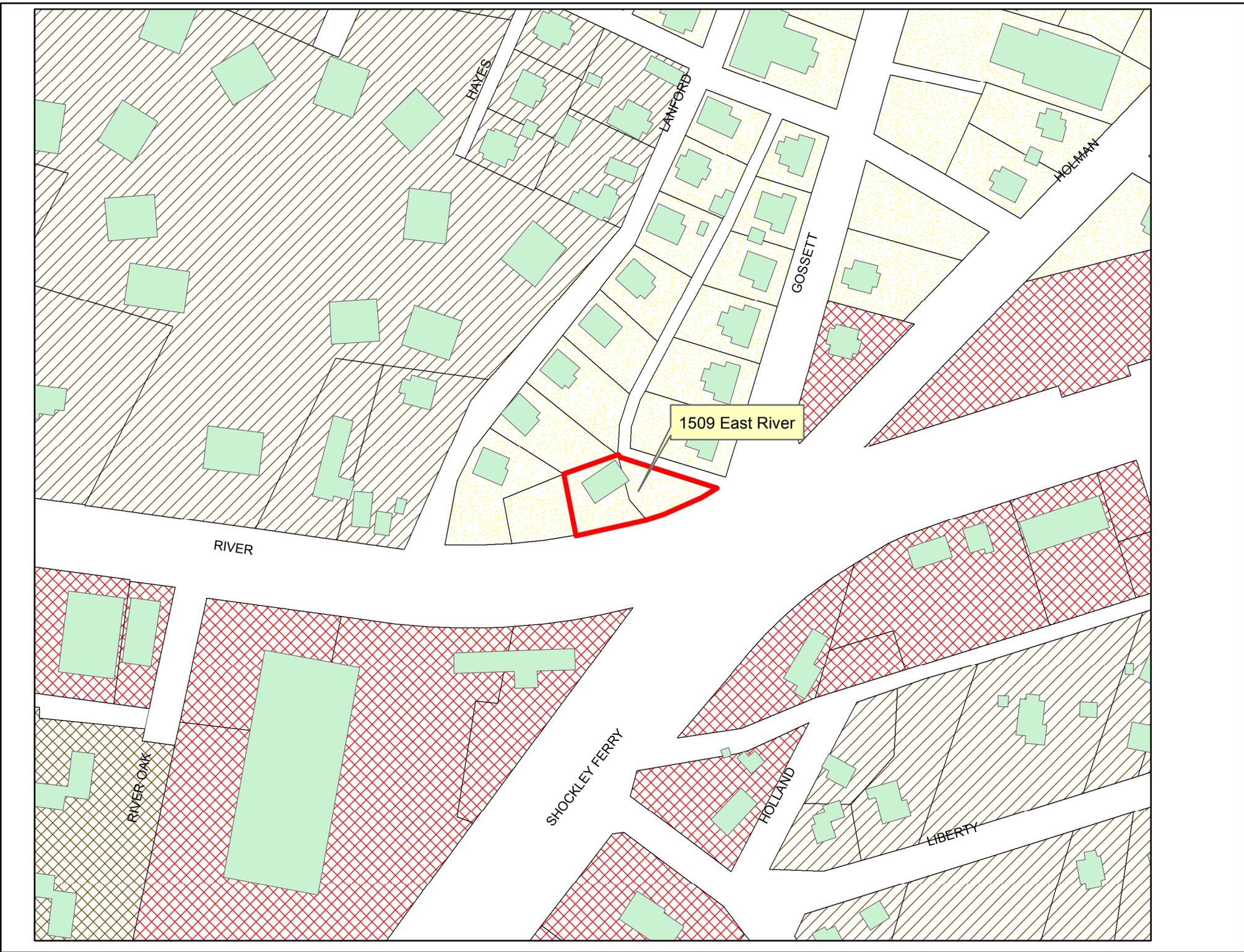
WHEREAS, the City of Anderson has been petitioned by Danielle Simpson Fields to rezone 1509 East River Street from R-5, Single-Family Residential to LO, Limited Office which is more specifically described as follows:

LEGAL DESCRIPTION PENDING

WHEREAS, the City of Anderson Planning Commission has reviewed the petition and recommends approval of the request.

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

1. The Zoning Ordinance of the City of Anderson, dated January 12, 1998, and amendments thereto, be amended by rezoning 1509 East River Street from R-5, Single-Family Residential to LO, Limited Office.
2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.
3. This ordinance shall take effect immediately upon its adoption by the City Council of the City of Anderson.



Date: 06-10-2019

Agenda Item No: B - 1

**City of Anderson
Council Agenda**

Title/Description: New Business

Request consideration of an ordinance adopting the budget for fiscal year 2019-2020.

Executive Summary:

Background: In accordance with the General Statutes of the State of South Carolina, the City Council is required to adopt an annual balanced budget by ordinance prior to July 1.

Benefit: The City’s budget is a policy and planning document that describes the City’s priorities and plans. The purpose of a budget is to control the money, directing funds at projects identified by Council and providing basic municipal services.

The City Council held a budget work session on May 22, 2019 to review highlights/overviews of the 2019-2020 budget.

A public hearing will be held on June 10, 2019 prior to the Council meeting. The Budget ordinance is attached.

Funding: The total budget for all funds is \$78,963,179. The budget ordinance maintains the millage rate of 116 (rolled back from 118 in 2017); implements year 2 of the previously adopted rate path for utility rate changes of 6% for water and 3.5% for sewer to invest funds to address capital and infrastructure needs; amends procurement code to increase operational efficiency in purchasing goods and services; and provides a 2.25% cost of living increase for employees. The budget does not include any tax increases or reduction in services for our citizens.

Recommendation: Request first reading of Ordinance 19-06 adopting the budget for fiscal year ending June 30, 2020. The budget for all funds is \$78,963,179.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Other

ORDINANCE 19-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON, SOUTH CAROLINA, TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ANDERSON, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2020.

WHEREAS, Section 5-7-260 (3) of the SC Code requires that a municipal Council shall act by ordinance to adopt Budgets and Levy Taxes pursuant to Public Notice;

WHEREAS, the Council believes that sound financial policies begin with the adoption of a balanced budget;

WHEREAS, the City administration and Council have held work sessions to determine the budget that is in the best interest of the City;

NOW THEREFORE BE IT ORDAINED by the Governing Body of the City of Anderson in Council duly assembled and by the authority of the same is hereby adopted and is hereby made a part hereof as fully as if incorporated herein and a copy thereof is attached by funds as follows:

SECTION 1. Estimates of Revenue and other financing sources, and establishment of appropriations.

- A.** That the prepared budget and the estimated revenue for payment of same with totals by funds as follow:

General Fund	\$33,962,464
Sewer Fund	14,848,495
Water Fund	11,197,078
Storm Water Fund	2,366,910
Transit Fund	1,155,833
Capital Replacement Fund	4,678,518
Hospitality Fee Fund	3,492,874
Parks & Recreation Fund	2,389,903
Community Development Fund	1,112,571
Sanitation Fund	1,973,645
Cemetery Fund	444,888
TIF Fund	975,000
Accommodations Tax	275,000
Endowment Fund	50,000
Perpetual Care Fund	<u>40,000</u>
	\$78,963,179

B. Exceptions for Certain Funds.

Provisions of Existing Statutes, Ordinances, Contracts and Covenants. Where existing Statutes, Ordinances, Contracts and Covenants govern the use of funds accordingly to legislatively or contractually determined formulae, the estimates in this Ordinance are illustrative rather than controlling and appropriations of those funds will adjust according to the applicable provision of such Statutes, Ordinances, Contracts and Covenants.

Capital Project Appropriations. Governmental fund appropriations designated from previous appropriation ordinances shall remain in force for the life of the project and are accounted for in the construction in progress accounts. Any net fund balance accumulation shall not lapse at June 30, 2020 with the exclusion of capital project appropriations that are designated as construction in progress.

Appropriations Established by Other Ordinances. Appropriations for capital expenditure or investment or for bond issuance costs or for the payment of annual installments of capitalized interest according to a predetermined schedule are made in the related Bond Ordinances. Nothing in this ordinance shall modify or amend the terms of any Bond Ordinance.

SECTION 2. Levy of Taxes. That a tax to cover the period from July 1, 2019 to June 30, 2020, both inclusive; for the sums and in the manner hereinafter mentioned, is and shall be levied, collected by Anderson County and paid into the treasury for the City of Anderson for the use and service thereof; a tax not to exceed one hundred sixteen (\$116.00) on every one thousand dollars (\$1,000.00) in assessed value of real estate and personal property of every description owned and used in the City of Anderson, South Carolina, except such as is exempt from taxation under the constitution and laws of the State of South Carolina, is and shall be levied and paid to Anderson County and then remitted into the City Treasury for the credit to the City of Anderson for the corporate purposes, permanent improvement and for the purpose of paying current expenses of said Municipality. Such tax is levied on such property as is assessed for taxation for County and State purposes.

SECTION 3. Amended the Sewer Operations and Maintenance Rate for the City’s Utility Partners. Monthly sewer O&M rate for Anderson County and Homeland Park for billings commencing July 1, 2019, is hereby amended as follows:

Sewer O&M \$3.24 Rate per 1,000 gallons

SECTION 4. Section 78-202, Water Service Charges, monthly water rates for billings commencing July 1, 2019 is hereby amended as follows:

(a) Monthly water rates shall be as follows:

	Inside Rate	Outside Rate
First 200 cubic feet or less	\$11.88	\$22.46
Next 400 cubic feet per hundred	\$ 2.42	\$ 4.57
Next 1,400 cubic feet per hundred	\$ 2.66	\$ 5.03
Next 18,000 cubic feet per hundred	\$ 2.29	\$ 4.33
Next 30,000 cubic feet per hundred	\$ 1.93	\$ 3.65
Over 50,000 cubic feet per hundred	\$ 1.45	\$ 2.74

(b) Monthly minimum bill by meter size shall be as follows:

3/4 inch	200 cubic feet or less	\$ 11.88	\$ 22.46
1 inch	400 cubic feet or less	\$ 16.72	\$ 31.60
1 1/2 inch	1,200 cubic feet or less	\$ 37.52	\$ 70.92
2 inch	2,500 cubic feet or less	\$ 70.29	\$ 132.85
3 inch	9,500 cubic feet or less	\$230.74	\$ 436.10
4 inch	15,000 cubic feet or less	\$356.81	\$ 674.37
6 inch	33,500 cubic feet or less	\$732.32	\$1,384.08
8 inch	53,600 cubic feet or less	\$950.99	\$1,797.37

SECTION 5. Section 78-207, Sewer Service Charges, monthly sewer rates for billings commencing July 1, 2019 is hereby amended as follows:

	Inside Rate	Outside Rate
First 200 Cubic feet or less	\$11.60	\$23.20
Each additional 100 cubic feet	\$ 5.27	\$10.54

SECTION 6. Cost of Living Increase. That a 2.25% cost of living increase will be effective July 1, 2019.

SECTION 7. City of Anderson Procurement Code Updates. Commencing July 1, 2019, the City of Anderson Procurement Code is hereby amended as follows:

Approval Limits

Department Head	Up to \$5,500
Division Head	Up to \$15,000
Finance Director	Up to \$25,000
City Manager	Up to \$50,000
City Council	> \$50,000 or use of Fund Balance

Purchase Requirements

Reasonable cost basis (no quotes)	<\$5,000
3 Written Quotes	>\$5,000 - \$15,000
3 Written Solicitation (informal bids)	>\$15,000 - \$50,000
Competitive Bids	.>\$50,000

SECTION 8. Memorandum of Agreement for School Resource Officer Program. The City Manager is authorized to execute a Memorandum of Agreement between School District Five of Anderson County and the City of Anderson for the purposes of the School Resource Officer program.

SECTION 9. Tax Anticipation Note. That based upon experience comparable to that in previous years to meet budgeted obligation of the General Fund for the period July 1, 2019 through January 31, 2020, borrowing not to exceed \$4,000,000 in Tax Anticipation Notes is authorized and is part of this Ordinance.

SECTION 10. Certain supplemental appropriations. Any funds received during the fiscal year as a result of new grants awarded to the City and any increases in the appropriation of fund balances for grants from the City or appropriations of fund balance for Capital Projects approved by motion or resolution of City Council shall increase the original budget and shall not require a supplemental budget ordinance.

SECTION 11. Administration of the budget. The City Manager or his designee shall administer the budget and may authorize the transfer of appropriations within the allotments heretofore established as necessary to achieve the goals of the budget provided however, that no such transfers shall be used to increase the total appropriation within any fund. The City Manager may execute all documents related to the lease purchase financing of equipment authorized in the 2019 - 2020 Budget and shall have delegated authority to "assign" and "unassigned" fund balance which shall be intended for specific purposes.

SECTION 12. Validity of the Budget Ordinance. If, for any reason, any sentence, clause, or provision of this ordinance shall be declared invalid, such declaration shall not affect the remaining provisions thereof.

SECTION 13. Conflicts with Preceding Ordinances. Except as otherwise provided herein, with respect to any conflicts arising between this and other ordinances, this Ordinance shall prevail with respect to the conflicting sections.

SECTION 14. Enactment. This Ordinance shall take effect on July 1, 2019.

Date: June 10, 2019

Agenda Item No: B-2

**City of Anderson
Council Agenda**

Title/Description: New Business

Request: Referral to the Planning Commission a proposed amendment to the Zoning Ordinance as it relates to Small Wireless Facilities.

Executive Summary:

Background: New technology, called “small wireless facilities” is becoming more prevalent in cities across the country and in South Carolina as well. This involves a denser network of antennas located more at street level to supplement and communicate with traditional cell towers. These antennas are typically attached to existing utility poles or buildings, but most often, they are in visible public spaces.

Because of the new demand and since cell tower regulations in most cities do not address this type of technology, the Municipal Association of South Carolina (MASC) worked with the telecommunications industry to better understand the issue and its potential impacts regarding zoning, licensing, permitting, etc. A model ordinance was created, which balances the needs of cellular providers with municipal interests. A City Council work session was held on November 26th, 2018 to provide information regarding this subject and to share the MASC’s model ordinance. Input from Council members was considered and added to enhance the model ordinance. If approved, they will serve as the City’s regulations.

Since this will be a part of the Zoning Ordinance as part of the existing Cellular and Communication Towers section, this must first be heard by the Planning Commission prior to City Council action.

Benefit: N/A

Funding: N/A

Recommendation: Referral to the Planning Commission. This Planning Commission will consider this request at their July 9th meeting.

Action Requested:

Ordinance 1st Reading

Information Only

Ordinance 2nd Reading

General Approval

Resolution

Referral