

**CITY OF ANDERSON  
COUNCIL AGENDA  
October 12, 2020  
6:00 PM**

**INVOCATION:** Councilman Jeff Roberts

**RESPECTS TO FLAG:** Councilman Tony Stewart

Approval of Minutes of September 28, 2020

**A. OLD BUSINESS:**

1. Request second reading of Ordinance 20-30 amending Section 42-64 and 42-65 of the Anderson City Code providing for penalties for failure to comply with a notice to abate nuisance.
2. Request consideration of an ordinance to annex and zone to R-20, Single-Family Residential a 10-foot-wide strip located at 1415 Oak Hill Drive.

**B. NEW BUSINESS:**

1. Request consideration to purchase a vehicle for the Transit Department.
2. Request consideration to purchase a water booster pump for the utility system.
3. Request consideration of a resolution to enter into a Development Agreement regarding Project South Pole.

**C. EXECUTIVE SESSION:** Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements and the receipt of legal advice relating to matters covered by the attorney-client privilege.

Regular Meeting  
September 28, 2020

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

APPROVAL OF MINUTES

A motion by Council Member Thompson seconded by Councilman Harbin carried unanimously (8-0) to approve the minutes of the September 14, 2020 meeting as presented.

REQUEST SECOND READING OF ORDINANCE 20-27 REZONE 1912 EAST CALHOUN STREET FROM R-5, SINGLE-FAMILY RESIDENTIAL TO RM-10, MULTI-FAMILY RESIDENTIAL

Planning Director, Maurice McKenzie said the subject property was annexed into the City in 2018 and the owner intended to construct 14 single-family houses. Ownership has since changed, and the new proposal is to construct duplexes (approximately 9 buildings/18 units). Based on this information, RM-10 zoning will allow this density on the 3.56-acre parcel.

A vacant single-family dwelling currently exists on the property. On either side of the subject property are high-density single-family residential subdivisions zoned PDD, Planned Development District (Cobblestone East and Cobblestone West).

Concerns have been raised regarding the potential for excessive site drainage/runoff from the property. Through the site plan review process, the City will ensure that the site is well engineered to handle any potential water runoff issues from the development and during constructions.

The City Council approved this request on first reading at their September 14<sup>th</sup> meeting. The Planning Commission also recommended approval.

A motion by Councilman Chapman seconded by Councilman Jeff Roberts carried unanimously (8-0) to approve Ordinance 20-27 to rezone 1912 East Calhoun Street from R-5, Single-Family Residential to RM-10, Multi-Family Residential on Second Reading.

REQUEST SECOND READING OF ORDINANCE 20-28 TO REZONE 503 COLLEGE AVENUE FROM R-15, SINGLE-FAMILY RESIDENTIAL TO RM-18, MULTI-FAMILY RESIDENTIAL

Planning Director, Maurice McKenzie said the applicant is seeking to rezone the subject property to RM-18, Multi-Family Residential, which allows university-related uses. Most of the main campus is designated with this zoning. A single-family house that Anderson University uses for student housing is situated on the site, and it has been in the institution's ownership since 2006.

This request originally come before the City Council in 2018, but no action was taken. Instead, more information was requested, primarily to obtain a better understanding of the overall campus master plan to see how this parcel of land fits into the plan. Based on the campus master plan that was shared by the applicant, the property is slated to become part of a larger parking area. By rezoning it to RM-18, any university-related use, including parking will be permitted on the property.

The property is bordered to the east by a single-family dwelling that is owned by Anderson University. The university's library parking area is directly across the street. Both properties are zoned RM-18, Multi-Family Residential. R-15, Single-Family Residential zoning abuts the subject property on the remaining sides.

As part of Anderson University's campus master plan, they plan to create a boundary by closing a portion of Summit Avenue and College Avenue, thus allowing the larger parking area to be created. Landscaping/screening will act as the visible border, if the streets are removed from the SCDOT's system. Closing the streets is a separate legal process but it is a factor in considering the rezoning from a comprehensive perspective. If closed, this effectively cuts off a point of access to the University, which should reduce school-related traffic in the Springdale Road neighborhood.

The City Council approved this request on first reading at their September 14<sup>th</sup> meeting. This approval was based on the applicant's revised plan of reducing a curb cut onto Ridgecrest Avenue and the incorporation of a multi-use path to encourage neighborhood connectivity.

A motion by Councilman Chapman seconded by Council Member Thompson carried unanimously (8-0) to approve Ordinance 20-28 to rezone 503 College Avenue from R-15, Single-Family Residential to RM-18, Multi-Family Residential on Second Reading.

REQUEST SECOND READING OF ORDINANCE 20-29 TO REZONE 1226 SPRINGDALE ROAD FROM R-15, SINGLE-FAMILY RESIDENTIAL TO RM-18, MULTI-FAMILY RESIDENTIAL

Planning Director, Maurice McKenzie said Anderson University requests to rezone the subject property in order to convert the single-family dwelling into their business/accounting office. This property has been in the ownership of Anderson University since 1997 and has been used primarily for university-related housing. The requested RM-18 zoning allows university-related uses and most of the main campus is designated with this zoning.

Requests to rezone this property have been considered over the years, most recently in 2018. At that time, the City Council made no decision on the rezoning, but requested to see the campus master plan to better understand how this property fits into the plan. Based on the campus master plan that was shared by the applicant, a more comprehensive view can be seen in how the subject property is situated with the creation of a campus boundary.

Surrounding properties on Springdale Road are zoned R-15, Single-Family Residential. The campus, abutting the rear of the subject property is zoned RM-18 Multi-Family Residential.

The applicant states that the proposed office will be oriented in a manner to minimize any intrusion into the Springdale Road neighborhood. Only handicapped parking is planned for the site, so the main parking and access to the building will be from the rear. The residential nature of the house will be preserved and will not take on an office-like appearance.

As part of the campus master plan, the creation of a boundary between the school and neighborhood is planned by closing a portion of Summit Avenue and College Avenue. Landscaping/screening will act as a visible border, if the streets are removed from the SCDOT's system. Closing the streets is a separate legal process but it is a factor in considering the rezoning from a comprehensive perspective. If closed, this should further discourage the potential for university-related vehicular/pedestrian traffic accessing Springdale Road and the subject property.

The City Council considered this request at their September 14<sup>th</sup> meeting and approved it on first reading by a 6-2 vote.

Councilman Laughridge can not support this Ordinance. He would like to keep business out of the neighborhood.

Councilman Chapman is in support of the residents of the neighborhood.

A motion by Councilman Harbin seconded by Councilman Newton carried (6-2) with Councilman Chapman and Mayor Pro Tem Laughridge opposed, to approve Ordinance 20-29 to rezone 1226 Springdale Road from R-15, Single-Family Residential to RM-18, Multi-Family Residential on Second Reading.

City Manager, David McCuen and City Attorney, Frankie McClain requested to move into Executive Session.

#### EXECUTIVE SESSION

A motion by Councilman John Roberts seconded by Mayor Pro Tem Laughridge carried unanimously (8-0) to move into Executive Session:

Section 30-4-70(a)(2) – Discussion of negotiations incident to proposed contractual arrangements and the receipt of legal advice relating to matters covered by the attorney-client privilege.

A motion by Councilman Chapman seconded by Councilman Harbin carried unanimously (8-0) to move out of Executive Session.

#### REQUEST CONSIDERATION OF A REFERRAL TO THE PLANNING COMMISSION A PETITION TO ANNEX AND ZONE TO R-20, SINGLE-FAMILY RESIDENTIAL A 10-FOOT-WIDE STRIP LOCATED AT 1415 OAK HILL DRIVE

Planning Director, Maurice McKenzie said the application has been made to extend the city limits boundary in order to become contiguous to future annexation targets. This 10-foot-wide strip is proposed to be zoned R-20, Single-Family Residential, which is very similar to the existing R-20 zoning in the County.

The Planning Commission will consider this request at their October 6<sup>th</sup> meeting.

A motion by Council Member Thompson seconded by Councilman John Roberts carried unanimously (8-0) to approve a referral to the Planning Commission a petition to annex and zone to R-20, Single-Family Residential a 10-foot-wide strip located at 1415 Oak Hill Drive.

#### REQUEST CONSIDERATION OF ORDINANCE 20-30 AMENDING SECTION 42-64 AND 42-65 OF THE ANDERSON CITY CODE PROVIDING FOR PENALTIES FOR FAILURE TO COMPLY WITH A NOTICE TO ABATE NUISANCE

City Manager, David McCuen said based upon the provisions of the code dealing with nuisances, violators are given a 14-day courtesy summons within which to comply with the notice. Failure to do so may result in the issuance of a Uniform Summons to appear before the Municipal Court

and be subject to a fine of no more than \$500.00. Under this procedure, compliance may be delayed for long periods of time without consequences. By charging a daily penalty for each day the violation is not corrected, it is the opinion of the staff that owners will be more compliant.

The City will benefit by having a more prompt correction of nuisance code violations

A motion by Council Member Thompson seconded by Mayor Pro Tem Laughridge carried unanimously (8-0) to approve Ordinance 20-30 amending Section 42-64 and 42-65 of the Anderson City Code providing for penalties for failure to comply with a notice to abate nuisance on First Reading.

#### ADJOURNMENT

A motion by Councilman Newton seconded by Councilman Chapman carried unanimously (8-0) to adjourn at 7:10 p.m.

*Notice of this meeting was posted on the City of Anderson's website and the Anderson Independent Mail newspaper was notified of the meeting at least 24 hours in advance of the meeting in accordance with the S.C. Freedom of Information Act.*

ATTEST:

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Terence V. Roberts  
Mayor

\_\_\_\_\_  
Margot B. Martin  
City Clerk Treasurer

**Date:** October 12, 2020

**Agenda Item No:** A-1

**City of Anderson  
Council Agenda**

**Title/Description:** Old Business

Request second reading of Ordinance 20-30 amending Section 42-64 and Section 42-65 of the Code of the City of Anderson.

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**Executive Summary:**

Background: Based upon the provisions of the code dealing with nuisance, violators are given a 14-day courtesy summons within which to comply with the notice. Failure to do so may result in the issuance of a Uniform Summons to appear before the Municipal Court and be subject to a fine of no more than \$500.00. Under this procedure, compliance may be delayed for long periods of time without consequences. By charging a daily penalty for each day the violation is not corrected, it is the opinion of the staff that owners will be more compliant.

Benefit: The City will benefit by having a more prompt correction of nuisance code violations.

Funding: N/A

Recommendation: Staff recommends approval of the Ordinance.

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**Action Requested**

Ordinance 1<sup>st</sup> reading

Information Only

Ordinance 2<sup>nd</sup> reading

General Approval

Resolution

Other

ORDINANCE NO. 20-30

AN ORDINANCE OF THE  
MAYOR AND COUNCIL OF  
THE CITY OF ANDERSON  
TO AMEND SECTION 42-64  
AND SECTION 42-65 OF  
THE CODE OF THE CITY  
OF ANDERSON

WHEREAS, Section 42-64 and 42-65 provides for penalties and fines for failure to comply with a notice to abate nuisance, and

WHEREAS, it is the desire of the City of Anderson to add to the penalties for failure to abate a nuisance after notice.

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

1. Section 42-64 and 42-65 are hereby amended and after amended shall provide as follows:

Section 42-64. Failure to comply with notice.

- (a) If the owner, tenant or person in charge of any real property fails to comply with the courtesy summons, the building department staff shall serve or cause to be served a uniform ordinance summons to appear before the municipal judge at Anderson City Hall. If the owner, tenant or person in charge of any real property does not abate the nuisance after receiving the courtesy summons, the city may institute proceedings to have the municipal court enforce the penalties provided in Section 42-65.
- (b) If the owner, tenant or person in charge of any real property has been through the courtesy summons and uniform summons process for the same real property during the same calendar year, then such owner, tenant or person in charge of the premises shall be issued a uniform summons to appear before the municipal judge at Anderson City Hall for violations of sections 42-61 through 42-63.



Section 42-65. Penalty for failure to abate nuisance.

- (a) For compliance with a notice to correct violations within the time frame given on the first notice of violation, no penalty shall be charged.
- (b) If a violation is not corrected within the specified time on the notice of violation, a penalty shall be added as follows:

For the next 30 days, a \$10.00 penalty shall be added for each day of continuing violation.

For each additional day, a \$25.00 penalty shall be added for continuing violation until the violation is corrected.

- (c) The owner, tenant or person in charge of the property shall notify the building official when the violation has been corrected. The building official will assess the total penalties and the owner shall pay the amount due within 30 days. Failure to pay may result in the issuance of a Uniform Summons.
- (d) For a second offense of the same violation within one year, a \$25.00 penalty per day of continuing violation beginning with the first day of violation.
- (e) For the third offense of the same violation within one year, a \$50.00 penalty shall be assessed for each day of continuing violation beginning with the first day of violation.
- (f) For continuing violations, separate citations need not be written for each day they occur in order to establish separate violations, provided the single citation identifies reasonably the dates of each continuing violation.
- (g) The total amount of unpaid penalties and/or fines shall constitute a lien against the property and may be added to the tax notice on said property and be collected in the same manner as city taxes.

The city manager or his designee may waive or abate the penalties outlined in this section for good cause shown. However, upon conviction of an offender for one or more violations, no penalty assessed by the city manager or his designee or the code administrator can be waived or abated by the municipal court, it being the intent of the city council to secure prompt compliance and consistency in the administration of these code provisions by ensuring mandatory penalties for delays and repeated occurrences.

Date: October 12, 2020

Agenda Item No: A-2

**City of Anderson  
Council Agenda**

**Title/Description:** Old Business

**Request:** Consideration of an ordinance to annex and zone to R-20, Single-Family Residential a 10-foot-wide strip located at 1415 Oak Hill Drive.

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**Executive Summary:**

**Background:** Application has been made to extend the city limits boundary in order to become contiguous to future annexation targets. This 10-foot-wide strip is proposed to be zoned R-20, Single-Family Residential, which is very similar to the existing R-20 zoning in the County.

**Benefit:** N/A

**Funding:** N/A

**Recommendation:** Approval. The Planning Commission considered this request at their October 6<sup>th</sup> meeting and unanimously recommended approval.

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**Action Requested:**

Ordinance 1<sup>st</sup> Reading

Information Only

Ordinance 2<sup>nd</sup> 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 ANNEXING AND ZONING A 10-FOOT WIDE STRIP LOCATED AT 1415 OAK HILL DRIVE TO R-20, SINGLE-FAMILY RESIDENTIAL.

WHEREAS, the City of Anderson has been petitioned by Daniel Scott to annex and zone a 10-foot wide strip located at 1415 Oak Hill Drive to R-20, Single-Family Residential which is more specifically described as follows:

LEGAL DESCRIPTION PENDING

WHEREAS, the City of Anderson Planning Commission considered this request and recommended approval.

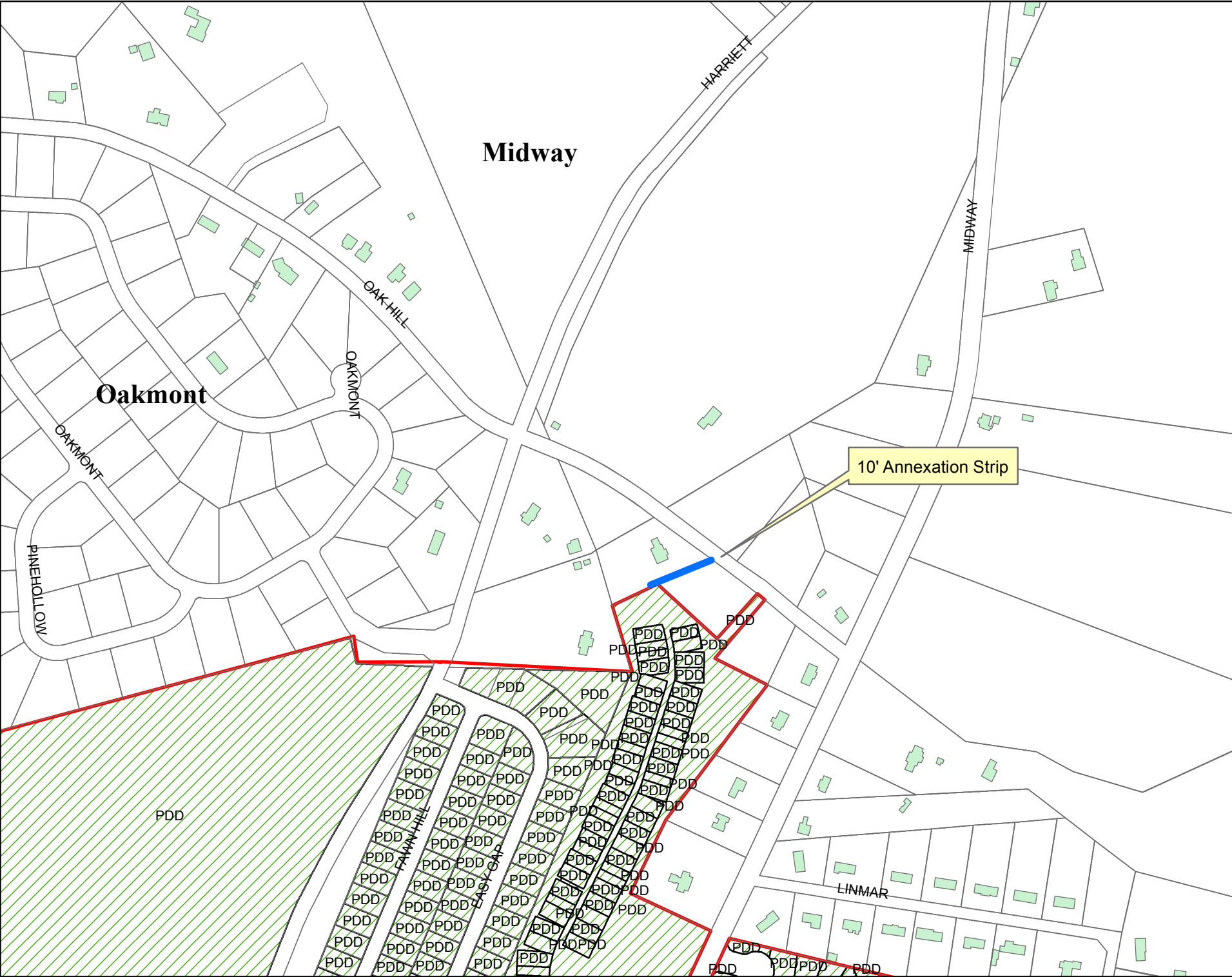
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ANDERSON THAT:

1. The Zoning Ordinance of the City of Anderson, dated January 12, 1998, and amendments thereto, be amended by annexing and zoning a 10-foot wide strip located at 1415 Oak Hill Drive to R-20, Single-Family Residential.
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.

# Midway

# Oakmont

10' Annexation Strip



Date: October 12, 2020

Agenda Item No: B-1

**City of Anderson  
Council Agenda**

**Title/Description:** New Business

Request approval to purchase a van for the Transit Department.

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**Executive Summary:**

**Background:** The City Transit system currently has one Ford Transit Van in its fleet. The van is more efficient and effective for the deviation service and meets our ADA requirements for FTA. The van has nine passenger seats and one position for a wheelchair passenger.

**Benefit:** By purchasing an additional Transit Van, we will be able to offer the same deviation service and support to our urban and rural routes equally. Fuel costs will be reduced by using the vans for deviation service instead of using an additional bus.

**Funding:** The total cost of the van is \$62,394. Federal Transit Administration (FTA) CARES ACT grant funds through SCDOT will pay 100% of \$62,394. There will be no local cost to the City. All FTA CARES ACT grant funds through SCDOT have been approved and are available for use.

**Recommendation:** Staff recommends approval to purchase one new Ford Transit Van off State Contract from Palmetto Bus Sales.

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**Action Requested:**

Ordinance 1st Reading

Information only

Ordinance 2nd Reading

General Approval

Resolution

Other

Date: October 12, 2020

Agenda Item No: B-2

**City of Anderson  
Council Agenda**

**Title/Description:** New Business

Request consideration to purchase a water booster pump for the utility system.

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**Executive Summary:**

**Request:** The Utilities Division requests consideration to purchase a water booster pump system to supply pressure and flow requirement for the parking garage and hotel water system requirements.

**Background:** The City water system is designed to provide adequate pressure and ample fire protection within the City service area. The basis of the pressure and flow design is ground elevation where higher pressures do not exceed 100 pounds per square inch (psi) at lower elevations and do not drop below 35psi at the higher elevations. The static pressure at the ground elevation of the site is approximately 42psi.

This booster pump station will provide 600 gallons per minute (gpm) at 70psi in order to meet our system requirements at the top level of the parking garage and hotel.

**Benefit:** Moving forward with this purchase will provide adequate pressures and ample fire protection (two of our water systems goals) to the parking garage and hotel.

**Funding:** Water Fund - Special Projects Budget

**Recommendation:** Staff recommends the purchase of the Grundfos BoosterpaQ system from Daparak, Inc. at \$70,288.00 plus taxes and freight.

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**Action Requested:**

X General Approval

Date: October 12, 2020

Agenda Item No: B-3

**City of Anderson  
Council Agenda**

**Title/Description:** New Business

Request consideration of a resolution to enter into a Development Agreement between the City of Anderson and Project South Pole.

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**Executive Summary:**

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

A developer has requested financial assistance from the City of Anderson in return for a redevelopment opportunity that will include the redevelopment of two existing buildings for commercial and residential tenants, as well as the construction of a public plaza and streetscape. The estimated investment is \$1.5 million.

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

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

**Benefit:** Revenues resulting from the proposed development are estimated to exceed \$319,000 over a five-year period. The development will result in the creation of 45 new jobs and 8 new residents, with an annual economic impact of \$426,400 dollars.

**Agreement Terms:** To be discussed in executive session.

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

**Recommendation:** Staff recommends approval of the resolution.

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**Action Requested:**

X  Resolution