

MINUTES OF THE FOREST ACRES CITY COUNCIL MEETING APRIL 10, 2012

Mayor Frank Brunson and Council members, Ginger Dukes, Charlie Fetner, Curt Rye, Jr. and Shell Suber, Jr. were present, as were City Administrator Mark Williams, Assistant City Administrator Jake Broom, Police Chief Gene Sealy, Finance Director Bob Massa, and City Attorney Lee Holloway.

Mayor Brunson called the meeting to order at 5:15 p.m.

1. Invocation and Pledge of Allegiance

Ms. Dukes gave the Invocation and led the Pledge of Allegiance.

2. Approval of Minutes:

- a. City Council Meeting Minutes of March 13, 2012

On a motion by Mr. Rye and seconded by Mayor Brunson, Council unanimously approved the minutes as presented.

3. Mayor's Issues & City Projects:

- a. Noree Boyd-Wicks, Richland/Lexington Cultural Council

Ms. Boyd-Wicks announced that the recent FAMFEST concert cancelled due to inclement weather has been rescheduled for October 20, 2014. She also reported that Backstage Pass begins at the Columbia Children's Theatre in Richland Mall on April 30, 2012 and the Color the Arts event will take place on April 20, 2012.

- b. Citadel, Idalia Parks

Administrator Williams reported bids are due by April 24, 2012 at 2 p.m. and stated there had been a pre-bid meeting held at Citadel Park on April 3, 2012 at which 6-7 contractors expressed interest in the project. One topic of discussion was the necessity of the closing the parks to the public during the approximate 90-days of construction. Bids should be ready for consideration at the May City Council meeting.

- c. Responses to Community Forum Items-

1. Tree at 3420 Hanson Avenue

Assistant City Administrator Broom said he took pictures of the tree in question and forwarded them to SCDOT as the tree is in the right of way. There has not been a response to date from SCDOT.

2. Gills Creek Walking Trail Project

Administrator Williams recounted that at the last Council meeting Carol Kososki had spoken in favor of Council moving forward with development of the Gills Creek Walking Trail. Mr. Williams said that the continuation of the project hinges on the City's relationship with Yancey McLeod and his (foundation's) willingness to convey the land to the city or dedicate an easement for the walking trail. There has been no further communication with Mr. McLeod since the last Council meeting.

4. New Business:

- a. Assistance of MASC in converting business licensing system from SIC to NAICS \$6,000

Administrator Williams explained that municipalities in South Carolina assess a business license fee under a general state statute that requires licenses to be based on the business' reported gross income. He discussed the methodology in licensing under which business license fees are based on an ascending scale from Class 1 to Class 7, determined by businesses' relative profitability as established by federal data. The Standard Industrial Classification (SIC) system under which business activities are coded was created in the 1940s and has been replaced by the newer North American Industrial Classification System (NAICS) classification system that incorporates many businesses that did not exist under the SIC.

Updating the city's ordinance will be time consuming as each of the city's 1,400 business license accounts will have to be individually analyzed for proper coding under the NAICS and appropriate rating as to fees. The technical assistance to be provided by the MASC is \$6,000 due to the detail of work necessary for the updating. Administrator Williams said the city would provide MASC with the data and they will do the rest of the work. The project fee will be put in the July 1 budget if possible. For consideration by council prior to December, 2012.

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously agreed that the street light be installed.

- b. Status of Willingham Drive bridge replacement project
Administrator Williams said the project has been postponed. SCDOT solicited bids on the project and the low bid came in 25% higher than anticipated. There is not enough time currently to rebid the project and coordinate the bridge's construction before school begins in the fall. The project will be rebid in February 2013 with the intent of completing the project between May and August 2013.
- c. First Reading, An Ordinance to Annex 6714 Eastbrook Road in to the City of Forest Acres
Administrator Williams stated that the annexation signed petition had not been returned by the meeting and will be put on the May 2012 agenda. This property has been purchased by First Presbyterian and they will probably be applying for tax exempt status.

5. **Old Business:**

- a. Second Reading, AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF FOREST ACRES, BE AMENDED BY REVISING SECTION 8-5 OF THE GARBAGE AND TRASH ORDINANCE, PROVIDING FOR COMMERCIAL PROPERTIES

On a motion by Mr. Rye and seconded by Ms. Dukes, the ordinance was approved unanimously.

- b. Second Reading, AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF FOREST ACRES, BE AMENDED BY REVISING SECTION 21.4.2 (ZONING MAP) OF SAID CODE; PROVIDING FOR: (1) AN AMENDMENT TO THE CITY ZONING MAP AND (2) PROVIDING FOR A CHANGE IN THE DISTRICT ZONING BOUNDARIES FOR RICHLAND MALL

On a motion by Mr. Rye and seconded by Mr. Dukes, the ordinance was approved unanimously.

6. **City Administrator Report:**

- a. Discussion of amending bonding requirements for contractors
This item will be carried over to the May 2012 meeting.

- b. Report on recent credit card processing problem

Administrator Williams stated that in September 2011 that the city began using the same credit card processing service used by the State of South Carolina. In March 2012, when a court defendant questioned why her ticket payment had not shown up on her statement we discovered that one court employee had been using the card processor's test mode internet link instead of the live mode, which from appearances to the employee are identical. Affected payments appeared to process correctly, even generating appropriate receipts to the payer, but the money never was deposited in the city's account. There is no way to distinguish Test from Live. Upon auditing the credit card activity some \$4,800 in payments were not deposited. The payers were contacted by the court and over half of the

improperly processed payments have been collected. Safeguards have been established at both the city's and the processor's computer systems to prevent this from happening again.

c. Surplus loaders and truck trade-in

Administrator Williams stated that he and Joey Paschal would like to trade in some of the department's equipment that was acquired in 2007 as they are not providing the level of dependability needed. Two garbage trucks are both 2007 International 7400's. There has been a lot of down time with these two vehicles and one has had costly repairs. The local Mack truck dealer is offering to broker the sale of the trucks for 4% commission on the more valuable truck and 6% commission on the lesser valuable truck. Mack is estimating the full truck will sell for approximately \$119,000 and the chassis for approximately \$59,000. There are also two John Deere loaders that are being retired for the same reasons and the Mack truck dealer has offered to broker these as well.

On a motion by Mr. Fetner and seconded by Mr. Suber, the sale was approved as they equipment has been rendered surplus by newer replacements.

d. Request for traffic signal at Sunnyside Dr & Forest Drive

Administrator Williams stated that a resident called and requested the city to contact SCDOT about asking for a traffic signal at Sunnyside and Forest Drive. With the other light being about 50 feet away it is unlikely that this request would be approved. Council did not request any further action on the matter other than noting that the request will be on record.

7. **Police Chief's Report:**

Chief Sealy reported that the new AED's that Council approved in March 2012 have been ordered and training will be scheduled for June 2012.

Chief Sealy reported that Sgt. Tumlin attended a meeting for Richland County Sheriff's Dept. that looked at designated evacuation routes from the coast and said that Forest Drive has been designated as a alternate route. In the event of declared emergency and evacuation Forest Acres can anticipate heavy traffic.

Chief Sealy reported that in March 2012 there were 44 traffic accidents/with no fatalities, generated 185 traffic tickets, 52 criminal arrests, and 21 parking tickets.

8. **Community Forum:**

There were no items brought forward for discussion.

9. **Council Items:**

Council had no items for discussion.

10. **Executive Session- Legal Briefing by City Attorney re: contracts**

11. **Adjourn:**

There being no further business, on a motion by Mr. Rye, seconded by Mayor Brunson, the meeting ended at 5:50 p.m.

Respectfully submitted,

Maria Queen
Administrative Assistant
City of Forest Acres