

MINUTES OF THE FOREST ACRES CITY COUNCIL MEETING DECEMBER 11, 2012

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

Mayor Brunson called the meeting to order at 5:17 p.m.

1. Invocation and Pledge of Allegiance

Council member Ginger Dukes gave the Invocation and led the Pledge of Allegiance.

2. Approval of Minutes

City Council Meeting Minutes of November 13, 2012 and Special Council Meeting Minutes of November 14, 2012

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

3. Mayor's Issues & City Projects:

- a. Citadel, Idalia Parks- Administrator Williams reported that the landscaping has been installed and upon the final walk through the landscape architect did not like the look of a couple of the trees that had been planted and they were going to change them for new trees as well as one or two of the trees being moved to a new location. In Idalia Park some of the existing swings have been reused and the neighbors have objected to the look of them. A discussion may ensue later for the old swings to be replaced with new swings. With that report the parks are complete.
- b. Forest Lake Place Bridge- Administrator Williams stated that there is no update on the bridge.
- c. Responses to Community Forum Items-
 1. Traffic on Forest Dr.
Administrator Williams stated that he had heard that the opening of Trader Joes is to be around February or March of 2013, so the projected impact on traffic is not likely to occur until then.
 2. Sand coming from Olde Park S/D
Administrator Williams stated that the previously reported information was relayed to Richland County Storm Water Division but there has been no response from them to date.

4. New Business:

- a. Presentation of FY 2012 Financial Audit by Bill Hancock
Mr. Hancock stated that the audit resulted in no significant findings. In comparing the size of this municipality the City of Forest Acres is a financially healthy city and practices are in place to keep it financially healthy. In addressing the hospitality tax funds, the allocations of the monies are distributed according to guidelines which are positive.
- b. Request of Millie Lewis Agency for abatement of delinquent business license penalties
Administrator Williams stated that the representatives from Millie Lewis had asked to be deferred from last month's agenda to the current meeting, but they are again not present to mount their appeal. He asked that this item be taken off of the agenda.
- c. Issue of Rezoning 1620 Gamewell Dr. (TMS 14013-02-01) and 1700 Gamewell Dr. (TMS 14014-06-20) From Zoning Classification Residential R-1 to Institutional P-2
After a discussion as to parliamentary procedure Attorney Holloway determined that the motion to approve from the previous month's meeting had not been a final decision because of lack of a second motion to approve from the previous month's meeting only had the effect of removal of the item from the agenda for that meeting and therefore did not constitute a final action.

Council member Dukes stated that she is aware of the situation that Cardinal Newman will eventually move out of the city, however; the rezoning consideration should be based on the needs of the school at this time. Ms. Dukes is in favor of the property being rezoned to be used for school purposes. Any

future decisions will have to be made when the time comes. Council member Rye stated that he agrees with the rezoning and any future council decisions he believes will be made in the best interests in the surrounding residents. Mayor Brunson stated that with the years of experience on council they will not approve any major commercial development in residential neighborhoods and the decision should be for what is best at the current time.

On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously approved the first reading of the ordinance to rezone the two properties.

- d. Appointment of Peyton Wooldridge and Ann Marie Plyler, to the Appearance Commission; appointment of Jeff Griffin as an ad hoc advisor to the Appearance Commission
On a motion by Mr. Rye and seconded by Ms. Dukes, Council unanimously approved the appointments.
- e. Appointment of Wilson Farrell to Transportation Penny Advisory Committee (TPAC)
Administrator Williams stated that several other residents have also come forward requesting to be appointed to represent Forest Acres on the TPAC committee and recommended that Council consider all of the candidates before making their decision. A special Council meeting will be scheduled for December 19th in order to finalize selection for the TPAC appointment.
- f. City Council review of Planning Commission action to deny request to rezone 1442 Elsing Green St. (Batey) (TMS 14005-04-03) from Residential R-1 to Commercial C-1 by extending boundary of adjacent C-1 district.
Administrator Williams reported that the Planning Commission turned down the rezoning request and he just wanted Council to be aware that such a request had been made and that the Planning Commission's recommendation had been a denial. No further action was deemed necessary.

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 CHAPTER 9, SECTIONS 9-1 THROUGH 9-20 OF SAID CODE PROVIDING FOR LICENSES FOR BUSINESSES IN ORDER TO REPLACE THE CHAPTER IN ITS ENTIRETY. (CONVERSION FROM SIC TO NAICS)

On a motion by Mr. Rye and seconded by Mr. Suber, Council unanimously agreed to defer this second reading to the special meeting called for December 19th.

6. **City Administrator Report:**

- a. Temporary lease of 5209 Trenholm Rd.
Administrator Williams stated that a tenant leasing an office in the building being acquired by the city has requested to be able to stay in the building until December 31, 2012. On a motion by Mr. Rye and seconded by Mr. Suber, Council unanimously agreed to the temporary lease at a prorated rent of \$600 per month.
- b. 5209 Trenholm Rd. Purchase List
Administrator Williams asked that Council review the list of projects associated with up fitting of the building once it is acquired. Council did not act any further on the discussion. Matter will be discussed further.
- c. Use of voting machines in 2013 election
Administrator Williams noted that the city's general election is May 14, 2013 and suggested that the city may want to consider using paper ballots as opposed to the county's voting machines that have been so notoriously undependable in the last election. Mr. Williams said that he and Attorney

Holloway will discuss this further to determine if Justice Department pre-clearance is required and report to Council.

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d. Arbor Day 2012

Administrator Williams reported that Arbor Day was on December 7th and that the many trees planted in Citadel and Idalia parks during their renovation were counted as the city's contribution.

e. Vacancy in Building Dept.

Administrator Williams reported that Building Official Clark Frady has submitted his resignation and his last day with the city will be December 31st. Mr. Williams asked for Council's authorization to have Richland County assist us with commercial inspections until he decides to fill the position or make other arrangements. On a motion by Mr. Suber seconded by Mr. Rye, Council unanimously gave authorization.

f. Need for changes to FA recycling policies

Administrator Williams stated that Sonoco Recycling recently significantly expanded the variety of materials they are capable of recycling, rendering obsolete the recycling policies we recently hand distributed to all of the city's residents. That makes it necessary and desirable for the city to again send out to all residents an updated list of sanitation changes in the near future.

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

Discussion of impact of parade permits on FAPD resources

Chief Sealy stated that FAPD has been pleased to accommodate several special events such as races, etc. in the city over the last several years and has done so without charging. The road course that is typically used for 5K races is safe and easy for on-duty FAPD to provide to control. Recently however there has been resistance from some organizations to use this defined course. In particular a church group requested to initiate a race from their own location and utilize a different, more complicated course. The course they desire passes through a less safe area for traffic and more off duty officers would need to be on site to provide adequate assistance. Chief Sealy asked if Council would oppose the FAPD charging for the use of off duty resources when special courses or events are requested. It was decided that additional discussion was warranted at another time.

8. **Community Forum**

Various opponents and proponents spoke regarding the rezoning of 1620 and 1700 Gamewell Drive.

A resident of Atascadero Drive asked Council if the city will have any influence in how the penny tax in Richland County is spent or only in an advisory role. Mr. Williams said that the city has little influence in the use of road tax funds are spent now by the county and doubted that will change in the future.

Peyton Wooldridge thanked Council for her appointment to the Appearance Committee but respectfully asked to be removed from that committee due to her more committed interest in being appointed to the TPAC Advisory Committee. On a motion by Mr. Rye and seconded by Ms. Dukes, Council approved her request.

9. **Council Items**

There were no items for discussion.

10. **Executive Session**

Legal advice from City Attorney. No action taken.

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11. **Adjourn**

There being no further business, on a motion by Mr. Rye the meeting ended at 6:26 p.m.

Respectfully submitted,

Maria Queen
Administrative Assistant
City of Forest Acres