

MINUTES OF THE FOREST ACRES CITY COUNCIL MEETING June 9, 2015

Mayor Frank Brunson and Council members, Ginger Dukes, Curt Rye, Jr., Beau Powell, and Shell Suber were present, along with City Administrator Mark Williams, Assistant City Administrator Jake Broom, Finance Director Andy Smith, Police Chief Gene Sealy 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.

PUBLIC HEARING—2015-2016 FISCAL YEAR BUDGET

Attorney Holloway called the public hearing to order at 5:15 p.m.

Attorney Holloway stated that the public hearing was to entertain questions, comments or concerns regarding the 2014-2015 Fiscal Year Budget. Mr. Holloway asked Administrator Williams to communicate his presentation of the budget to Council and the audience. Mr. Williams reported that FY 2015-2016 is the seventh consecutive year that the millage rate remains at forty-seven mills, but described that there has been a consistent decline in current year revenues from 2007-2014. He said the loss was attributable to a number of factors, including underfunding of the Local Government Fund by the General Assembly, decline in the value of the tax base due to reassessment, and giving 100% LOST tax credit against declining property tax income. Williams stated that there is a need to increase revenue in the city to avoid a continued draw on reserves and to bring the FY2015-16 into balance at \$6,340,731. Williams also noted current and short-term capital needs that the city needs to be addressed over the next eighteen months as well as accommodating routine increases in utilities and insurance premiums. Council Member Suber asked about the trend of FAPD budgetary needs in the last seven years. Williams and Finance Director Andy Smith illustrated that the city's increase in expenditures over time was less than increases in the Consumer Price Index. Chief Sealy addressed his department's needs. Resident William Brantley expressed concerns on the decline of income in the city, commenting that the city must do what is necessary to remain viable. With nothing further Attorney Holloway closed the public hearing on the 2015-2016 FY Budget at 5:38 p.m.

PUBLIC HEARING—FRANCHISE ADOPTION WITH SCE&G

Attorney Holloway called the public hearing to order at 5:40 p.m.

Council member Curt Rye recused himself and left the chambers to avoid any potential of conflict of interest since he is employed by SCANA. Attorney Holloway stated that the public hearing was to entertain questions, comments or concerns regarding adoption of a new Franchise Agreement. The adoption would include raising the franchise fee from three to five percent and be in force for a period of twenty years. Administrator Williams said that the increase (in combination with other revenue enhancement) is estimated to generate total revenue of \$1.2 million per year, some \$600,000-\$700,000 more than at present, which in turn would enable the city to address capital items that are needed. Several residents asked for general clarification; Administrator Williams and Attorney Holloway offered clarification. Resident Gene Reeder spoke in favor of the franchise fee adoption. With nothing further Attorney Holloway closed the public hearing on the franchise adoption at 5:47 p.m.

2. Approval of Minutes:

a. City Council Meeting held May 12, 2015

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

3. Mayor's Issues & City Projects

a. TPAC Report- No report

b. Citadel Park-

Administrator Williams said the signs advertising other parks have been completed and will be installed on a freestanding post as soon as possible.

c. Pinetree Park- Architects needed updated survey to include trees and utilities; awaiting DOT permit

Administrator Williams said that the city remains in discussion on parking with SC DOT and will update as soon as possible.

- d. Quinine Hill Park- Tree root repairs to rubber walking trail
Administrator Williams said the repairs are necessary due to tree roots and will be approximately \$6,000.
- e. Responses to Community Forum Items- Forest Lake Fabrics/Zoes- creek buffer ordinance; stormwater booster pump
Administrator Williams said at the moment any discussion will have to be a cooperative arrangement amongst the property owners as no political or public agency has chosen to get involved.

4. New Business:

- a. First Reading, ORDINANCE (“FRANCHISE ORDINANCE” OR “AGREEMENT”) TO GRANT TO SOUTH CAROLINA ELECTRIC & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE NON-EXCLUSIVE RIGHT, POWER AND AUTHORITY TO ERECT AND TO INSTALL, MAINTAIN, AND OPERATE ON, ALONG, ACROSS, IN, OVER, ABOVE UPON AND UNDER THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF THE CITY: (1) ELECTRIC LINES, POLES, WIRES, GUYS, PUSH BRACES, TRANSFORMERS AND APPURTENANT FACILITIES; (2) GAS MAINS, PIPES AND SERVICES AND OTHER APPURTENANT FACILITIES; AND (3) COMMUNICATION LINES AND FACILITIES FOR ANY PURPOSE AND ANY USE BY THE COMPANY OR ANY DESIGNEE, TOGETHER WITH ANY NECESSARY RIGHT OF ACCESS THERETO, FOR SUCH PERIOD AS THE SAME IS NEEDED BY THE COMPANY TO RENDER SERVICE TO ITS CUSTOMERS IN THE CITY OF FOREST ACRES, SOUTH CAROLINA FROM THOSE FACILITIES; TO SET THE AMOUNT OF FRANCHISE FEE TO BE PAID BY SOUTH CAROLINA ELECTRIC & GAS COMPANY TO THE CITY; IF SO REQUIRED, TO LEVY FRANCHISE FEES ON THIRD PARTIES SELLING ELECTRICITY OR GAS USING SCE&G'S ELECTRIC OR GAS SYSTEMS; TO ALLOW FOR THE ESTABLISHMENT OF A FUND AND UNDERGROUND UTILITY DISTRICTS FOR ELECTRIC NON-STANDARD SERVICE; BE IT ORDAINED BY THE MAYOR AND COUNCIL OF FOREST ACRES IN CITY COUNCIL ASSEMBLED
(Deferred to the Special City Council meeting on June 23, 2015.)
- b. SCE&G-power line easement request for Robert Springs Road to serve cell tower site on City’s Public Works property. Administrator Williams stated he and Attorney Holloway agreed that only a resolution of council is needed to authorize the power line easement and there is little or no impact on city owned property.
On a motion by Mr. Suber seconded by Ms. Dukes, Council approved the easement. Councilmember Rye abstained from voting as he is employed by SCE&G.

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 ADDING SECTION 21.215 TO THE ZONING ORDINANCE OF SAID CODE, PROVIDING FOR WATER QUALITY BUFFER REQUIREMENTS.
On a motion by Mr. Rye seconded by Ms. Dukes, Council unanimously approved the ordinance.
- b. Second Reading, (Deferred until special council meeting, June 23 2015) 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 ADDING A SECTION PROVIDING FOR THE BUDGET FOR THE CITY OF FOREST ACRES FOR THE FISCAL YEAR 2015-2016.
Deferred to the Special City Council meeting on June 23, 2015.

- c. 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 ADDING A SECTION OF SAID CODE; PROVIDING FOR THE ANNEXATION OF 4666 PAMLICO CIRCLE, TMS R-14116, BLOCK 10, LOT 03
On a motion by Ms. Dukes seconded by Mr. Rye, Council unanimously approved the annexation.

6. City Administrator Report:

a. 2015 Forest Acres Festival

Administrator Williams reported that the festival was successful and well attended. The location of the 2016 festival may be in question due Richland County School District One considering field improvements that include putting artificial turf on the field at A.C. Flora.

b. Report on analysis by Segal Revenue and Expense Specialists

Administrator Williams said that the results of the analysis show some underpayment in business license and hospitality tax payments and that Segal is beginning an attempt to collect the amounts in dispute.

7. Police Chief's Report

Chief Sealy reported on new legislation mandating that police officers will be required to wear body cameras. If/when Governor Haley signs the bill there will be a several steps that police departments will have to follow in order to comply. Chief Sealy said he estimates the initial cost to FAPD to be \$50,000 and whether or not the state will fund the implementation is still in doubt. He will keep Council updated as information becomes available.

8. Community Forum

Resident Rod Dalton expressed his concerns for the parking regulations surrounding Citadel Park. Administrator Williams reported that the apparent majority of the neighbors were opposed to the city regulating parking in the manner discussed and that the SC DOT has responded that they will contact Chief Sealy and determine what parking FAPD is authorized to regulate under local authority without going to a parking permit system.

Resident Kathy Davis asked if Forest Acres has an evacuation plan. Chief Sealy responded that there is not one per se, but the city has a master plan naming Forest Drive as an evacuation route in case of natural disaster. Ms. Davis reported that there is again a pile of televisions and tires on the corner of Valleybrook and Satchelford in unincorporated Richland County, but that it detracts from their city neighborhood. Administrator Williams said he would be glad to again contact Richland County for some assistance in dealing with this problem.

Ms. Davis said there are drainage issues being caused on the back of Brenthaven Road due to a property owner having trees removed and shifting around dirt. Administrator Williams said that situation is being monitored by Code Enforcement in Forest Acres and by the Richland County Stormwater Division. Resident William Brantley asked if the overgrowth of trees at Valleybrook and Satchelford could be cut back. Administrator Williams said he would contact SCDOT to ask them to resolve the sight distance problem.

Resident Ralph Bailey reported that there is a problem with drivers running the stop sign at Bethel Church and Satchelford Roads.

9. Council Items

Council member Dukes asked that the city recognize the sports teams in Forest Acres that have won State Championships this past school year.

10. Adjourn

On a motion by Mr. Rye at 6:25 p.m., seconded by Mrs. Dukes, the meeting was adjourned.

Respectfully submitted,

Maria Queen
Administrative Assistant
City of Forest Acres