

**MINUTES OF THE
FOREST ACRES CITY COUNCIL
July 25, 2023**

Mayor Tom Andrews, Mayor Pro-tem David Black, Council members Haskell Kibler, Ryan Newton, and Stephen Oliver were present, along with City Administrator Shaun Greenwood, Assistant City Administrator/Finance Director Andy Smith, Police Chief Don Robinson, and City Attorney Will Dillard.

Mayor Tom Andrews called the meeting to order at 6:00 p.m.

1. Invocation and Pledge of Allegiance

Council member Haskell Kibler led the invocation and the Pledge of Allegiance.

2. Swearing in Mayor Thomas Andrews, Councilman Steven Oliver, and Councilman Ryan Newton

Honorable Zack Atkinson swore in Mayor Thomas Andrews and Councilman Steven Oliver. Former Mayor Frank Brunson swore in Councilman Ryan Newton.

3. PUBLIC HEARINGS

1. 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 21 (ZONING), PROVIDING FOR ESTABLISHMENT OF THE CREEK ACCESS WEST OVERLAY DISTRICT; AND FURTHER BY REVISING SECTION 21.4.2 (ZONING MAP), PROVIDING FOR A CHANGE IN THE CITY ZONING MAP TO INCLUDE 4831/4825 FOREST DRIVE, 5210 TRENHOLM ROAD, AND 4801 FOREST DRIVE (TMS R16701-02-19, - 20, AND -35) IN THE CREEK ACCESS WEST OVERLAY DISTRICT

City Attorney Will Dillard opened the hearing at 6:04 pm stating that the purpose of the public hearing is to entertain public comments on a proposed zoning change City of Forest Acres. The change would make the entire property in the creek access west overlay district. The purpose would be to facilitate construction of an improved marked public road from the recently rebuilt bridge through the parking lot to N. Trenholm Road. The overlay would not change the underlying zoning of the properties or add any new uses, instead it would be to preserve the status quo in terms of zoning issues across the board after the road is constructed. The Planning Commission recommended approval of the overlay district.

With there being no questions or concerns either in favor or opposition to the rezoning request from either Council or the public, Mr. Dillard closed the public hearing at 6:13 pm.

2. 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 303 LAUREL SPRINGS ROAD, RICHLAND COUNTY TAX MAP NUMBER 16802-06-27

City Attorney Will Dillard opened the hearing at 6:13 pm stating that the purpose of the public hearing is to entertain public comments on a proposed annexation into the City of Forest Acres.

With there being no questions or concerns either in favor or opposition to the rezoning request from either Council or the public, Mr. Dillard closed the public hearing at 6:14 pm.

4. 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 5804 PINEBRANCH ROAD, RICHLAND COUNTY TAX MAP NUMBER R14113-05-07

City Attorney Will Dillard opened the hearing at 6:14 pm stating that the purpose of the public hearing is to entertain public comments on a proposed annexation into the City of Forest Acres.

With there being no questions or concerns either in favor or opposition to the rezoning request from either Council or the public, Mr. Dillard closed the public hearing at 6:15 pm.

2. Approval of Minutes

- a. City Council Meeting June 13, 2023
On a motion by Mr. Black seconded by Mr. Kibler, Council unanimously approved the minutes.
- b. Special City Council Meeting June 27, 2023
On a motion by Mr. Black seconded by Mr. Kibler, Council unanimously approved the minutes.

3. Mayor's Issues & City Projects

- a. Responses to Community Forum Items:
Chief Don Robinson

4. Public Comment Related to Items on the Agenda:

Citizens that wish to speak about an item specifically listed on the agenda must call 803-782-9475 by 5 pm the day before the meeting to be added to the list of speakers.
No items to report.

5. New Business:

- a. Presentation and introduction of new FAPD Officers
Chief Robinson introduced newly certified officer Treyvon Warren and promoted Officer Ryan Gause to the rank of Corporal.
- b. Presentation by Representative Heather Bauer and Tony Magwood from SCDOT
Mr. Greenwood introduced Representative Heather Bauer and SC DOT Resident Maintenance Engineer Tony Magwood for a question and informational session with Forest Acres residents. Approximately twelve residents and one non-resident expressed concerns regarding potholes, neighborhood speed signs, and vegetation that causes site hindrances on city streets. Mr. Magwood reported on SCDOT's 10-year and \$5 million plan for state roads in South Carolina. Mayor Andrews asked what the most efficient way for the city and its residents would be to report problems or concerns'. Magwood reiterated to Council and the audience the importance of reporting concerns and problems on the DOT website. Council member Oliver asked about how SC DOT handles necessary repairs caused by utility companies. Mr. Greenwood expanded conversation on vegetation hindering views at intersection. Council member Black asked about speeding problems on the college avenues in Forest Acres. Following the question/discussion, Mr. Greenwood let the audience know that in the lobby were forms for residents to fill out with their questions and concerns and that all the information will be forwarded to Tony Magwood.
- c. Htax Committee Recommendations and Staff Request:
 - a. Request by The Therapy Place: Therapalooza \$15,000
On a motion by Mr. Kibler seconded by Mr. Black, Council unanimously approved the Htax request. Council member Steven Oliver recused himself from the vote and left Council Chambers for the discussion and vote.
 - b. Request by Towne Theater: Picnic in the Park \$4,945
On a motion by Mr. Kibler seconded by Mr. Black, Council unanimously approved the Htax request.
 - c. Request by Staff: Best of Columbia Advertising \$1,750
On a motion by Mr. Black seconded by Mr. Oliver, Council unanimously approved the staff request.
- d. First 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 4, ANIMALS AND FOWL, TO ADOPT BY REFERENCE THE RICHLAND COUNTY ANIMAL CONTROL ORDINANCE AND FEES SET FORTH THEREIN AND TO FURTHER PROVIDE REVISED PROVISIONS REGARDING ANIMAL CONTROL AND ADOPT FEES TO BE

ASSESSED FOR VIOLATIONS; AND FURTHER BY REVISING SECTION 13-10, TO PROVIDE FOR DECLARATION OF NUISANCES OFFENDING PUBLIC DECENCY, PEACE AND ORDER RELATING TO ANIMAL CONTROL VIOLATIONS

On a motion by Mr. Kibler seconded by Mr. Black, Council unanimously approved the ordinance.

- e. First 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 303 LAUREL SPRINGS ROAD, RICHLAND COUNTY TAX MAP NUMBER 16802-06-27
On a motion by Mr. Black seconded by Mr. Oliver, Council unanimously approved the annexation.
- f. First 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 5804 PINEBRANCH ROAD, RICHLAND COUNTY TAX MAP NUMBER R14113-05-07
On a motion by Mr. Oliver seconded by Mr. Kibler, Council unanimously approved the annexation.
- g. Appointments and Reappointments
 - a. Election of Mayor Pro-tem
On a motion by Mr. Kibler seconded by Mr. Oliver, Council unanimously elected Council member David Black for a two-year term as Mayor Pro-tem.
 - b. Appointment of Senior Municipal Judge
 - i. Honorable Zack Atkinson
On a motion by Mr. Oliver seconded by Mr. Black, Council unanimously agreed to defer the appointment until after Executive Session.
 - c. Representative to the Central Midlands Council of Government
On a motion by Mr. Black seconded by Mr. Oliver, Council unanimously appointed Mr. Kibler as representative for the duration of his term.
 - d. Chair of the Public Safety Foundation
On a motion by Mr. Kibler seconded by Mr. Black, Council unanimously appointed Mr. Oliver as Chair of the Public Safety Foundation.
 - e. Representative to the COMET Board
On a motion by Mr. Black seconded by Mr. Oliver, Council unanimously reappointed Assistant City Administrator/Finance Director Andy Smith to COMET Board.
 - f. Representative to the TPAC
 - g. Zoning Board of Appeals 2 Vacant Seats:
 - i. Tony Dukes
 - ii. Matthew Morrison
 - iii. Will Owens
 - iv. Roger "Craig" AugensteinOn a motion by Mr. Black seconded by Mr. Kibler, Council unanimously agreed to defer this item to the August 8, 2023, City Council meeting.

6. Old Business:

- h. 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 21 (ZONING), PROVIDING FOR ESTABLISHMENT OF THE CREEK ACCESS WEST OVERLAY DISTRICT; AND FURTHER BY REVISING SECTION 21.4.2 (ZONING MAP), PROVIDING FOR A CHANGE IN THE CITY ZONING MAP TO INCLUDE 4831/4825

FOREST DRIVE, 5210 TRENHOLM ROAD, AND 4801 FOREST DRIVE (TMS R16701-02-19, - 20, AND -35) IN THE CREEK ACCESS WEST OVERLAY DISTRICT

On a motion by Mr. Oliver seconded by Mr. Kibler, Council unanimously agreed to defer the vote to after Executive Session.

- i. Second Reading: AN ORDINANCE FOR THE CITY OF FOREST ACRES, STATE OF SOUTH CAROLINA, APPROVING THE SALE OF PROPERTY LOCATED AT THE JUNCTION OF WOODLEIGH ROAD AND WITTERING DRIVE AND IDENTIFIED AS NX4329 WOODLEIGH ROAD, RICHLAND COUNTY TAX MAP NUMBER R13912-02-14
On a motion by Mr. Black seconded by Mr. Oliver, Council unanimously approved the sale of the property.

c. **City Administrator Report:**

a. GCMP Update

Mr. Greenwood reported that the contractor is waiting for materials to be delivered so that construction can commence. The park project remains on target for opening in October 2023.

b. Falcon Drive Speed Hump update

We received no bids from the public notice. We were able to obtain quote of \$37,000 through another avenue. We are looking into other ways of getting bids for installation. Construction will have to happen when school is not in session. At this time, it may be the Christmas holidays that the speed humps might be installed.

c. Richland Mall Park update

Mr. Greenwood said that he is arranging a meeting with the mall owners and the new Council members. The next step after that would be the publication of an RFQ to begin getting construction numbers.

d. Council Planning Session

A session is scheduled for August 7, 2023, from 9 am to 1 pm.

e. Zoning Ordinance update

We anticipate Module II to be ready from the consultants for Mr. Greenwood and Attorney Will Dillard to review and return comments. It will then go to Planning Commission. The new code will hopefully go live in Spring 2024.

f. Entryway Signage

We are working with Lexington Medical Center to have a sign that says Forest Acres installed at their current location that is being build on Forest Drive at the old Steak & Ale location. They are accommodating and have no problem with a sign if it does not interfere with their parking area or the right of way.

g. Code Enforcement position

The position is still open, and we will continue to work on filling it as soon as possible.

d. **Finance Director Report: Monthly Financial Report**

Assistant City Administrator/Finance Director Smith reported we are now in the beginning of a new fiscal year and are waiting for a few more payments to the city to close the 2022-2023 fiscal year. We do anticipate some additional accruals in revenue and accounts payables. We've expended 93% of our budget and have still have some ARPA funds to spend. We are not running any massive surpluses or deficits.

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

Chief Robinson reported the June 2023 crime and traffic statistics to Council.

FAPD has had more training in mental health, de-escalation, and leadership.

Recruitment of new officers continues under the difficult hiring market.

f. **Community Forum:**

No items to report.

g. Council Items:

No items to report.

h. Executive Session:

On a motion by Mr. Kibler seconded by Mr. Black, Council unanimously agreed to go into Executive Session at 9:00 pm.

- a. Receipt of legal advice related to claims and potential claims by and against the City and other matters covered by Attorney-Client Privilege
- b. Discussion of contractual matters related to the Forest Lake Place Bridge and Park Project and Forest Lake Place Extension
- c. Discussion of contractual matters related to Forest Lake Place Extension right-of-way agreements and easements
- d. Discussion of contractual matters related to an Intergovernmental Agreement with Richland County for Animal Control Services
- e. Discussion of contractual matters related to environmental consulting services
- f. Discussion of contractual matters related to the Senior Municipal Judge
- g. Discussion of the Police Chief's annual evaluation

NOTE: Items discussed in Executive Session may result in action by City Council upon its return to general session

On a motion by Mr. Kibler seconded by Mr. Oliver, Council unanimously agreed to go back to regular session.

On a motion by Mr. Black seconded by Mr. Kibler, Council unanimously agreed to defer agenda item 6h to the August 8, 2023, City Council meeting.

On a motion by Mr. Kibler seconded by Mr. Oliver, Council unanimously reappointed Zack Atkinson to Senior Municipal Judge for a two-year term.

13. Adjourn

On a motion by Mr. Kibler seconded by Mr. Black, Council adjourned at 10:00 pm.

Respectfully submitted,

Maria Queen
Administrative Coordinator
City of Forest Acres