

City of Easley



AGENDA

City of Easley City Council Meeting
Monday, May 8, 2017
7:00 p.m. Law Enforcement Center
220 Northwest Main St. Easley, SC 29640

1. CALL TO ORDER – Mayor Larry Bagwell
2. INVOCATION: Rev. Keith Shorter, Mt. Airy Baptist Church
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES AS WRITTEN
5. REPORT FROM COUNCIL MEMBERS
6. CITIZENS WISHING TO ADDRESS CITY COUNCIL
7. PRESENTATIONS:
8. UNFINISHED BUSINESS: Ordinance Second Reading:
 - A. Ordinance No. 2017-04 to amend 94.33 (prohibition of smoking in enclosed public places) and 94.37 (where smoking not regulated) in the City of Easley’s Code of Ordinances
9. NEW BUSINESS: Ordinance – First Reading:
 - A. Ordinance No. 2017-06 to rezone approximately .48 acres of real property located 301 Pelzer Highway Easley, South Carolina 29642 from GR-10 to GC (tax map number 5018-12-95-1958).
 - B. Ordinance No. 2017-07 Approving the financing of the improvements, extension and enlargement of the Combined Utility System of the City of Easley, South Carolina, through the borrowing by the City of not exceeding \$3,500,000, including capitalized interest, if any, from the State Drinking

Water Revolving Loan Fund, by agreement with the South Carolina Water Pollution Control Revolving Fund Authority.

C. Ordinance No. 2017-08 A thirteenth supplemental ordinance providing for the issuance and sale of City of Easley, South Carolina, Combined Utility System Revenue Bonds, in one or more series, in the aggregate principal amount of not exceeding \$9,500,000.

D. Ordinance No. 2017-05 to provide for the adoption of a city operating budget, its execution and effect, for the fiscal period July 1, 2017 through June 30, 2018.

10. New Resolutions:

A. To designate May 11-17, 2017 as Peace Officers' Memorial Week

Council Meeting
April 10, 2017

Easley City Council met on April 10, 2017 at 7:00 p.m. in the court room of the LEC. All members were present. The press was notified. Lisa Chapman, City Clerk, served as the recording secretary.

Mayor Bagwell called the meeting to order at 7:00p.m. Rev. David Shorter Pastor of Calvary Hill Baptist Church gave the invocation, followed by the pledge of allegiance

The minutes from the March meeting were approved as written.

Mayor Bagwell called on council for their reports.

Ward 1: Great job Lisa on the Spring Fling it was awesome. Thanks to everyone that made the Family Unity Parade a success.

Ward 2: Councilman Dykes: Gave floor to David Lappin to talk about Easley Pride Cleanup Day which coincides with Earth Day April 22nd. This year two locations have changed, locations will be out by Wednesday. Last year about 15 tons of garbage was collected. The shred truck will be at farmers market from 8-12.

Ward 3: Councilman Mann: Last Saturday as part of Spring Fling, we had the ribbon cutting on Doodle Trail Extension, it was a great event with a lot of good comments. It is an exciting time in the city. A couple of weeks ago had the privilege of delivering meals for Meal on Wheels with Brook Steese. I encouraged people to help with this worthwhile organization. There is a high school baseball tournament that will be using our fields. Sixteen teams from Virginia, Georgia, around the south will be playing. EHS team is ranked 2nd in the State.

Ward 4: Councilman Moore: It has been a good month. Councilmen Dykes, Wright and myself packed meals for Meals on Wheels and then delivered meals. It is a great way to meet people and visit with the elderly. The farmers market was huge on opening day. It was an amazing morning. The parade this past Saturday was great. I won first place for my antique car.

Ward 5: Councilman Wright: The committee for the Family Unity Festival thanked everyone for participating and for all the help from city departments. Thanks to Lindsay Cunningham for working with the committee.

Ward 6: Councilman Robinson: Enjoyed participating in the parade riding in a 1957 Bel Air. It was a lot of fun.

Mayor Bagwell called on City Administrator Stephen Steese for his report. Opening bids for the Doodle Park will be at 2:00 tomorrow. The first budget work session will be Monday, April 17th at 5:30 in the council chambers of City Hall. If needed we will have another one on April 20th at 5:30 in the same location. May will be the first reading of the proposed budget. The Pickens County Municipal Association will meet on Monday April 24th in Liberty at 7:00 p.m.

Councilman Robinson asked for an update on finances. Mr. Steese commented we are a head of where we were last year. We have received more in local option sales tax however, property taxes were lower. This is an indication that people are out buying. Our expenses are good. The department heads are staying within or under budget. Councilman Robinson stated he saw where the general assembly passed a pension bill, are there any details on that? Mr. Steese stated that over the next six years retirement will go up 6%. It has been sent to conference committee.

Council Minutes

Page 2

Councilman Moore asked why they are penalizing the employees and cities. Why can't they take it out of the state budget? There are still a lot of unknowns at this point.

Citizens wishing to address council: None

Presentations: None

Old Business: Second Reading: Ordinance No. 2017- 04 To amend code 94.33 (prohibition of smoking in enclosed public places) and 94.37 (where smoking not regulated) in the City of Easley's Code of Ordinances. Councilman Mann made the motion to bring to floor for discussion, with a second from Councilman Moore. Mayor Bagwell called on Mr. Steese to explain. We have received letters from business owners of pubs that went private when the first ordinance went into effect. They are asking the city to revisit this so they can prohibit in their business. Our attorney David Allison has been consulted. Private establishments are referenced. This will be taking that section out. They asked for us to bring to Council for a recommendation. Mr. Steese asked Mr. Holcombe to comment. Two establishments that have inquired are the largest ones and are restaurants. We passed this to make community healthier. There are a total of five businesses this would effect. We have not heard of any objections. If we are going to have a healthy Easley this is just another step. Councilman Mann asked if it is a private club can't they set their own rules. Are we over reaching on a private club? Councilman Moore asked how you would enforce this ordinance. Councilman Mann stated the same way as it is enforced now. Councilman Robinson asked Mr. Holcombe if he could identify the establishments. Can they be notified if we pass on first reading? Councilman Mann asked if we pass on 1st reading, I would like to hear the feedback from all the clubs. There would also be a public hearing before 2nd reading, Councilman Dykes called for the question and the motion passed 7-0.

New Business: First Reading of Ordinance: None

Resolutions: Resolutions: 2017-03 to designate April as Fair Housing Month in the City of Easley. Councilman Mann made the motion to approve with a second from Councilman Garrison. Mr. Steese explained this is to recognize fair housing, and it is required for CD grant funds. Councilman Garrison called for the question and the motion passed 7-0.

Resolution: 2017-04 to support cancer awareness with Paint the Town Purple during April. Councilman Mann made the motion to approve with a second from Councilman Wright there was no discussion. Councilman Mann called for the question and the motion passed 7-0.

Mayor Bagwell presented the proclamation for Relay for Life.

Motion to adjourn at 7:40 by Councilman Garrison.

Mayor

ATTEST:

City Clerk

Council Minutes

Budget Workshop

April 17, 2017

Easley City Council met for a budget workshop on Monday, April 17, 2017 at 5:30 p.m. in the Council Chambers of City Hall. All members were present, the press was notified. Lisa Chapman, City Clerk served as the recording secretary.

Mayor Bagwell called the meeting to order at 5:30 p.m. and turned the meeting over to City Administrator Stephen Steese. Mr. Steese gave out copies of the power point presentation.

General fund revenues. The property taxes are set to go up to 65 mils. There is an increase in sales tax revenues this would offset the tax increase. The franchise fees are down with the largest decrease from Ft. Hill due to the warm winter. The \$435,000 in transfers is to payback the Stormwater fund. The increase in the Intergovernmental revenue is a new Fire contract that had a 2.5% annual increase.

Mayor Bagwell asked council how they felt about a tax increase in an election year. The ones up for re-election this year stated they felt reluctant to vote for an increase but would it be noticeable. They also commented that it would have to be simplified and explained in order for the public to understand.

The business license bill in the State Legislature did not make it out of committee so it is dead for the year.

Expenditures:

The reason for increase in City Council line item is the City's portion of Council's insurance. The increase in finance is for the new finance director. The Police has asked for the sally port to be built. Fire department needs new heavy duty turn out gear and radios. Finance department asked for a folder/sealer that was taken out of the budget last year. Municipal Court has asked for new chairs for the court room. Public Works needs a new trash truck. Planning and Developments budget for demolition was cut to \$30,000 because of the progress that was made last year. The money in general government is to replace Christmas lights for downtown.

There is a 2% COLA for employees except the Police Department and they have asked that they be on a pay scale based on performance/years of service/education. This was brought before the Police committee and they recommended it go before the full council. There was a lot of discussion about this and some council members didn't feel like it was fair to other city employees in different departments. With retirement going up employees would only net 1.7% COLA.

The TIF fund will e over in 2018. An ordinance to dissolve will have to be approved. The TIF committee gave tentative approval for staff to research the construction of a Farmers market building with remaining funds.

Council Minutes

Budget Workshop

April 17, 2017

Page 2

Hospitality fund is 1.8 mil and a lot of that goes to debt, which could be used for improvements, etc. County Councilman Chris Bowers has agreed to use his recreation funds to renovate the train cars. It cost \$14,000 to move the cars and approximately \$24,000 to renovate. The hospital is going to give \$50,000 to do the wellness stations at Doodle Park. The cars will be sand blasted and painted here, then moved to park for renovations.

Councilman Dykes asked what the \$433,000 in the law enforcement funds was for. Chief Tollison said that is seized assets. Most of it was from Sky's the Limit raid. It has to be used for drug enforcement, equipment, training. It bought one of the new dogs.

Councilman Mann thanked Stephen and the department heads for staying over and their participation in this workshop.

Mayor Bagwell thanked Stephen for his hard work and a good budget.

The meeting was adjourned at 7:30 p.m.

Mayor

ATTEST:

City Clerk

AN ORDINANCE TO AMEND §94.33 (PROHIBITION OF SMOKING IN ENCLOSED PUBLIC PLACES) AND §94.37 (WHERE SMOKING NOT REGULATED) IN THE CITY OF EASLEY'S CODE OF ORDINANCES.

WHEREAS, pursuant to S.C. Code Ann. §5-7-30 incorporated municipalities possess powers by the Constitution and laws of the State of South Carolina to regulate street, markets, and public health; and,

WHEREAS, the City of Easley passed §94.30 through §94.45 to regulate smoking in public places and places of employment; and

WHEREAS, the City of Easley has received a request from several private club establishments to remove the exemption for their businesses from §94.33 (Prohibition of Smoking in Enclosed Public Places) and §94.37 (Where Smoking Not Regulated) to protect their customers and employees from smoke as outlined in §94.30 through §94.45 of Easley's Code of Ordinances.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and the Council of the City of Easley, that §94.33 (Prohibition of Smoking in Enclosed Public Places) is amended by striking a portion of Item (M) and item §94.37 is amended by striking Item (E) as written below, effective upon final reading;

§94.33 (Prohibition of Smoking in Enclosed Public Places)

(M) Private Clubs ~~when being used for a function to which the general public is invited.~~

§94.37 (Where Smoking Not Regulated)

~~(E) Private Clubs~~

First Reading: April 10, 2017

Mayor

Second Reading: _____

Attest:

City Clerk

**AN ORDINANCE
TO PROVIDE FOR THE ADOPTION OF A CITY OPERATING BUDGET,
ITS EXECUTION AND EFFECT, FOR THE FISCAL PERIOD
JULY 1, 2017 THROUGH JUNE 30, 2018**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EASLEY, SOUTH CAROLINA:

SECTION 1. In accordance with Section 34-01 of The Code of the City of Easley, South Carolina, there is hereby adopted for the fiscal period July 1, 2017 to June 30, 2018, an operating budget for the City of Easley, South Carolina, based on budget estimates of various funds as prepared by the City Administrator and incorporated into the FY 2017-18 operating budget document, and as modified by the attached adjustment schedule.

SECTION 2. The total revenues and expenditures for the fiscal period are estimated as follows:

	<u>Revenues</u>	<u>Expenditures</u>	<u>Surplus/Deficit</u>
General Fund	\$13,458,485	\$13,458,485	0
Special Revenue Funds			
Community Development Admin.	80,500	80,500	0
Hospitality Tax / Recreation Fund	2,050,000	2,085,000	(35,000)
Accommodations Tax	80,000	80,000	0
Local Accommodations Tax	75,000	75,000	0
Victim Rights Fund	57,000	54,677	2,323
Law Enforcement Fund	10,000	50,000	(40,000)
Fire Insurance Fund	65,000	65,000	0
Enterprise Funds			
Stormwater Management	400,000	400,000	0
Debt Service Funds			
General Debt Service	298,701	298,701	0
Tax Increment Fund	500,000	612,887	(112,887)
Totals (memorandum only)	\$16,775,985	\$16,961,549	(185,564)

SECTION 3. Within each department, the City Administrator shall have the authority to transfer appropriated funds within any of the designated expenditure categories, and such transfers shall be entered on the books of account of the City.

SECTION 4. A bound copy of the budget containing detailed schedules which support the appropriations set forth in Section 2, above, shall be attested by the City Administrator and maintained as an official record in the office of the City Administrator.

SECTION 5. The sums appropriated and set forth in the detailed schedules for personnel services shall be paid in accordance with the current pay plan, or as shown in the budget for those positions not classified under the pay plan.

SECTION 6. All sums received by the City of Easley from any source whatsoever, unless by law designated for some special fund or purpose, may be used in meeting disbursements from the General Fund, as described in Section 2, above.

SECTION 7. The City Administrator is authorized to inform the County Tax Collector, or such other officer of the County as may be appropriate, to levy such ad valorem millage as will be reasonable and appropriate to raise the ad valorem revenue reflected in the approved budget, provided such millage does not exceed the millage rate of 65 mills that is levied in the operating budget document.

SECTION 8. This Ordinance shall become effective upon date of passage, designated as Ordinance No. 2017- 05 .

DONE, RATIFIED, AND PASSED this day of , 2017.

First Reading: May 8, 2017

Second Reading: June 12, 2017

MAYOR

ATTEST:

City Clerk

AN ORDINANCE

TO RE-ZONE APPROXIMATELY .48 ACRES OF REAL PROPERTY LOCATED
301 PELZER HIGHWAY EASLEY, SOUTH CAROLINA 29642 FROM GR-10 TO
GC (TAX MAP NUMBER 5018-12-95-1958)

WHEREAS, Kim F. Kelley and Tracy Medlin, owners has applied to the City
Planning Commission and City Council to rezone a piece of property at 301 Pelzer
Highway, Easley SC 29642 Tax Map Number 5018-12-95-1958, from GR-2 to GC; and
WHEREAS, the City Planning Commission pursuant to public notice held a
public hearing on April 17, 2017, to consider the proposed rezoning, and the Commission
denied the proposed zoning designation of GC; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL
OF THE CITY OF EASLEY, SOUTH CAROLINA, that the parcel of property
currently titled in the name of Kim F. Kelly and Tracy Medlin, known as Tax Map
Number 5018-12-95-1958 and located at 301 Pelzer Highway shall be rezoned from
GR-2 to GC. The attached plat shown as Exhibit A, prepared by the City of Easley
Building Official's Department, is incorporated by reference for purposes of identifying
the location of the property. This Ordinance shall be effective upon second and final
reading by City Council.

First Reading May 8, 2017

Second Reading _____

Attest:

Mayor

City Clerk

REZONING APPLICATION
City of Easley

Date Filed 4-3-17

Request No. _____

Instructions

A zoning map amendment may be initiated by the property owner (s), Planning Commission, Zoning Administrator, or City Council. If the applications on behalf of the property owner(s), all owners must sign. If the applicant is not the owner, the owner(s) must sign the Designation of Agent section. The filing fee is \$100.00

THE APPLICANT HEREBY REQUESTS that the property described below be rezoned

From GR-2 to ~~GR-2~~ G-C

APPLICANTS (PRINT): Kim F Kelley Tracy Medlin
Address: 188 Poplar Springs Dr, Easley, SC 29642 138 E. Jones Ave, Pickens, SC 29671
Telephone: 864-313-3610 (work) _____

OWNER(S) (if other than the applicant(s): _____
Address: _____
Telephone: _____ (work) _____

PROPERTY ADDRESS: 301 Pelzer Hwy Easley SC 29642
Lot # _____ Block# _____ Subdivision _____
Tax map # 5D1B-12-95-195B Plat Book 13V Page 929
Lot Dimensions: 144 E, 138.75, 142.2E, 172N Acres .48

“Subdivision Restrictions” A search has been done on this property to determine that this zoning request will meet the current subdivision restrictions.

DESIGNATION OF AGENT (Complete only if owner is not applicant):
I (we) here appoint the person named as Applicant as my (our) agent to represent me (us) in this request for rezoning.

Date: _____ Owners Signature(s) X _____

I (We) certify that the information in this request is correct.

Date: 4/1/2017 | 2:25 PM EDT

Owner Signature(s) Kim F Kelley
DocuSigned by:
Kim F Kelley
F77C840B1481AET
002C87E86C3D47F

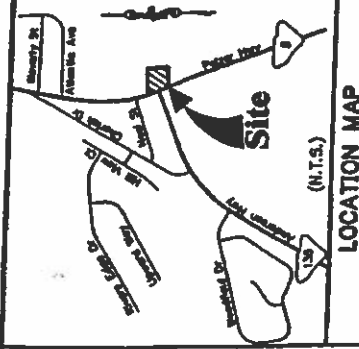
P& Z Meeting Date 4-17-17
1st Council Date _____
2nd Council Date _____

LEGAL DESCRIPTION

All that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, in the City of Easley, and being the Southwest corner of a 21.39 Acre Tract of grantor which 21.39 Acre Tract is shown on plat prepared by John C. Smith, Surveyor dated September, 1980 and according to a more recent survey of the tract of the land described herein by Thomas E. Belcher, PLS dated January 18, 2017, being more particularly described as follows:

Beginning at a point on the right of way of South Carolina Highway No. 8, said point being 38' from the center line of said highway and being the Southwest corner of the herein described tract, common corner with Saint Andrews United Methodist Church property; thence running along the right of way of South Carolina Highway No. 8 N 18° 48' 28" W for a distance of 70.68" to a point; thence continuing along the right of way of South Carolina Highway No. 8, around a curve to the right, having a radius of 2253.88', an arc distance of 74.04' and a chord of N 17° 52' 00" W 74.04' to a point; thence leaving said highway and running along the common line of property of Kim F. Kelley and Tracy Medlin, Et Al, being the remainder of the aforementioned 21.39 Acre Tract, N 86° 20' 12" E for a distance of 172.78' to a point; thence turning and continuing along property of Kim F. Kelley and Tracy Medlin, Et Al S 03° 39' 33" E 140.01' to a point on line of Saint Andrews United Methodist Church; thence turning and running along the common line with Saint Andrews United Methodist Church S 86° 20' 27" W for a distance of 136.14' to the point of beginning, and containing an area 21,683 Square Feet or 0.498 Acres.

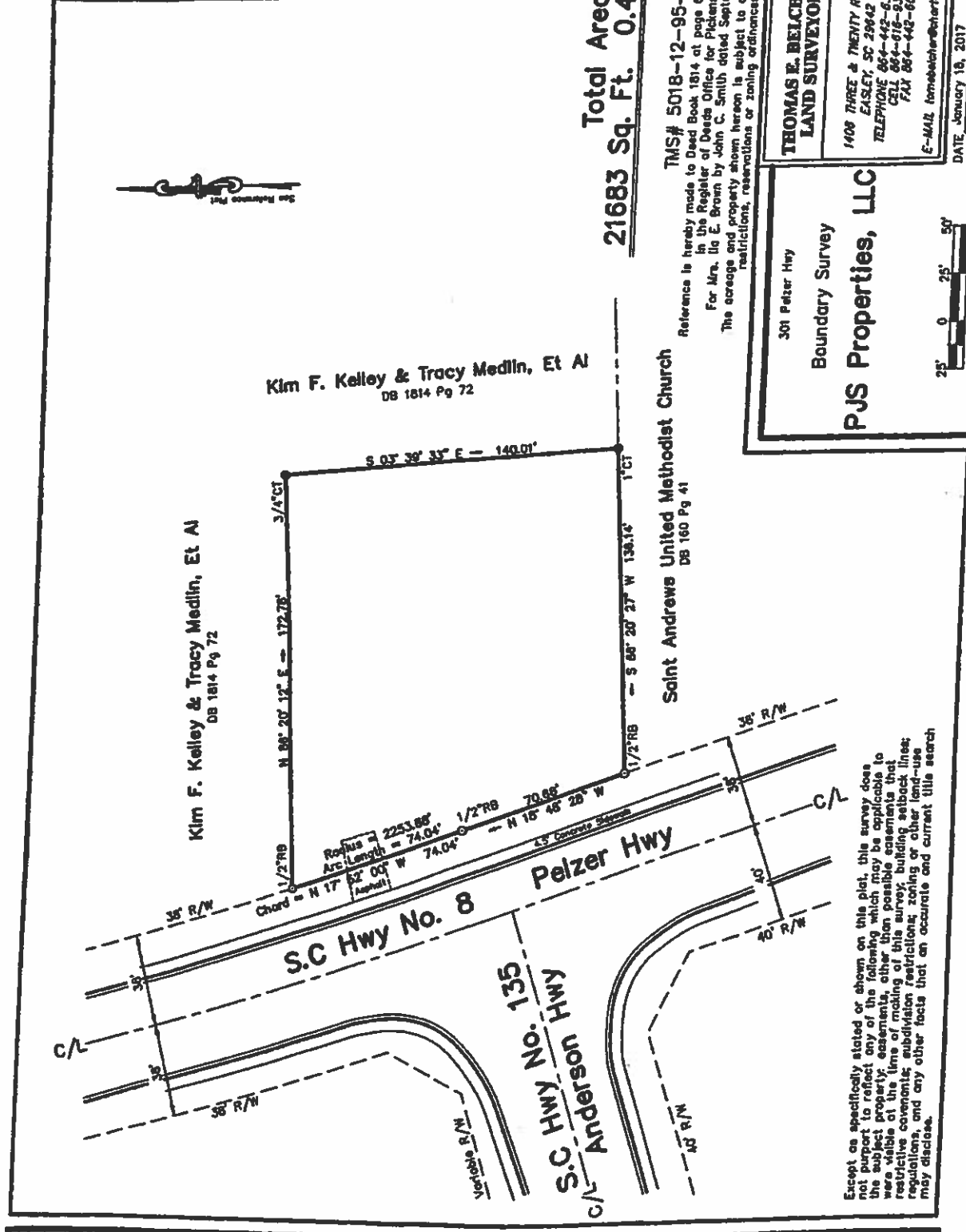
This is the same property conveyed from Ila E. Brown to Carolyn B. Fowler by deed recorded in Deed Book 13-V at page 929 in the Register of Deeds Office for Pickens County, less the 38.0' right of way for South Carolina Highway No. 8 as shown on afore mentioned plat by Thomas E. Belcher, PLS.



EXEMPTION FROM REVIEW PROCESS
 This plot is a RESURVEY of an existing lot of record.
Thomas E. Belcher
 Thomas E. Belcher SCPLS# 16126

Legend

- ⊙ BORN PIN SET
- ⊙ BORN PIN FOUND
- ⊙ WAS SET
- ▲ PIN FOUND
- COMPUTED POINT



Total Area
21683 Sq. Ft. 0.498 Acres

TMS# 5018-12-95-1958
 Reference is hereby made to Deed Book 1814 at page 62 and Deed Book 13-V at page 929 in the Register of Deeds Office for Pickens County, and to a plat for Mrs. Ila E. Brown by John C. Smith dated September, 1980 and revised 2/4/86. The acreage and property shown hereon is subject to any and all rights of way, easements, restrictions, reservations or zoning ordinances of record or on the ground.

THOMAS E. BELCHER
LAND SURVEYOR
 1408 THREE & TWENTY ROAD
 EASLEY, SC 29642
 TELEPHONE 864-442-6159
 CELL 864-616-8199
 FAX 864-442-6684
 E-MAIL tombecher@earthlink.net

DATE January 18, 2017
 JOB# 01161710

301 Pelzer Hwy
 Boundary Survey
PJS Properties, LLC



Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, and any other facts that an accurate and current title search may disclose.

Pickens County
 South Carolina

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SURVEY SHOWN HEREON IS ACCURATE AND CONFORMS WITH THE REQUIREMENTS OF THE UNIFORM LAND SURVEYING ACT, SOUTH CAROLINA AND ALL APPLICABLE STATUTES AND REGULATIONS. I AM NOT A PARTY TO ANY DISPUTE OR DISPUTES THAT MAY ARISE FROM THIS SURVEY AS SPECIFIED HEREON.

Thomas E. Belcher
 THOMAS E. BELCHER PLS# 161

A Resolution

To designate May 11-17, 2017 as Peace Officers' Memorial Week

WHEREAS; Peace Officers Memorial Day was created on October 1, 1961. At that time, Congress asked the president to designate May 15 as a day to honor peace officers. On October 1, 1962, John F. Kennedy signed the bill into law. In 1994, Bill Clinton made an amendment through Public Law 103-322 that directed the United States flag be flown at half-staff on May 15.

WHEREAS; the members of the law enforcement agencies of the City of Easley play an essential role in safeguarding the rights and freedoms of the citizens of our community; and

WHEREAS; it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and that law enforcement officers recognize their duty to serve the people of this community, by protecting them against violence and disorder; and

WHEREAS; the law enforcement officers of the City of Easley unceasingly provide a vital public service;

NOW, THEREFORE, Be it resolved, I, Larry Bagwell, Mayor of the City of Easley direct that all flags on all city buildings be flown at half staff on May 15, 2017, in recognition of Peace Officers' Memorial Week and in memory of those law enforcement officers, who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and to honor those law enforcement officers presently servicing the community.

First Reading: May 8, 2017

Mayor

ATTEST:

City Clerk