



**City Council Meeting  
City Council Chambers  
145 W. Broad Street  
Spartanburg, SC 29306  
Monday, January 27, 2020  
5:30 p.m.**

**(These minutes were approved  
at the February 10, 2019 City Council meeting.)**

**City Council met this date with the following Councilmembers present: Mayor White, Mayor pro tem Ruth Littlejohn, Councilmembers Erica Brown, Jerome Rice, Jamie Fulmer, Meghan Smith and Rob Rain. City Manager Chris Story and City Attorney Robert Coler were also in attendance. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are recorded for a complete transcript.**

- I. Moment of Silence** - observed
- II. Pledge of Allegiance** – Boy Scouts from several different Troops lead everyone in the Pledge of Allegiance.
- III. Approval of the Minutes from the January 13, 2020 City Council Meeting** – *Councilmember Brown made a motion to approve the minutes as received. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of the Agenda for the January 27, 2020 City Council Meeting** – *Councilmember Fulmer made a motion to approve the agenda as received. Councilmember Smith seconded the motion, which carried unanimously 7 to 0.*
- V. Public Comment**
  - \*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
  - 1. Joyce Harrison, 332 St. James Drive, Spartanburg, SC, spoke in opposition to State Senate Bill 5-394.
  - 2. Emily Brock, 520 Hemlock Drive, Boiling Springs, SC, spoke in opposition to 5G technology.
- VI. Recognition of Retiring Assistant Fire Chief Pierre Brewton**

**Presenter: Mayor Junie White**  
**Mayor White** congratulated Assist. Chief Brewton on his many accomplishments while at the City of Spartanburg, and wished him well in his new position as Fire Chief of Albemarle County, NC. He presented Assist. Chief Brewton with his retirement award and thanked him for his service to the City of Spartanburg.

## VII. Ordinance

### A. Ordinance to Establish the Standards for the Placement of Small Wireless Facilities in Covered Areas in the City of Spartanburg, South Carolina; and for Other Purposes (Second Reading)

**Presenter: Robert P. Coler, City Attorney**

**Mayor pro tem Littlejohn** made a motion to untable the ordinance for second reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

**Mr. Coler** presented the item to Council as follows:

“The next generation of broadband wireless services by telecommunication providers will likely include small cell wireless facilities (SWF’s). SWF’s are transmitters intended to supplement traditional cell towers to provide broadband wireless services in densely populated areas. SWF’s are much smaller than traditional cell towers and are intended to transmit higher, yet much weaker, radio frequencies. Therefore, a network of SWF’s would be necessary to service an area like our downtown. SWF’s, like all telecommunications, are regulated by federal law, as administered by the Federal Communications Commission (FCC). In late 2018, the FCC issued an Order (FCC Order) reiterating the 1996 Telecommunication Act’s prohibition on local government impeding any entity from providing interstate and intrastate telecommunications. Additionally, the FCC Order imposed time limits in which a local government, presented with an application for the installation of SWF’s, must act. The FCC Order did recognize a local government’s right minimize the potential negative visual impact of SWF’s and the right to charge fees for the use of its rights of way.

To date, city staff has been contacted by two providers of broadband wireless services, Verizon and AT&T, expressing an interest in installing SWFs in the City. As a result of those conversations, the City Attorney’s Office prepared a proposed ordinance to regulate the implementation of SWFs in the City. First reading occurred on June 24, 2019. At second reading on July 8, 2019, Council, in response to public comment, tabled the matter and recommended city staff meet with concerned citizens. A public meeting occurred on Tuesday, October 22, 2019. At that meeting citizens, residents and non-residents of the City, expressed concerns about 1) the long-term health effects of radio frequency on the human body and the environment, 2) the threat to personal privacy, and 3) the potential negative visual impacts of SWFs, particularly with regard to historic trees. As a result of that meeting, the City’s proposed process for the implementation of SWFs will allow city staff to factor into the permit decision the proposed locations for SWFs, will regulate radio frequency, will provide notice to owners and residents within a certain distance of proposed SWFs, will protect historic trees, and will minimize negative visual impacts of SWFs through concealment requirements.

**ACTION REQUESTED:** City Council remove second reading from the “table” for discussion, City Council approve the amendments to the Ordinance, and City Council approve the Ordinance.

BUDGET AND FINANCIAL DATA: City anticipates being reimbursed by the applicant for a SWF permit for any “make ready work” conducted by city staff to implement particular SWF’s. City anticipates collecting nominal fees to process applications and nominal rates for the use of public rights of way.”

*Councilmember Fulmer made a motion to approve the ordinance as presented for second reading. Mayor pro tem Littlejohn seconded the motion, which carried 5 to 2. Councilmember Brown and Councilmember Rice voted against the ordinance.*

## **VIII. Other Business**

### **A. Presentation of Comprehensive Operational Analysis (COA) – SPARTA**

#### **Presenter: Dennis Locke, Finance Director**

**Mr. Locke** presented the item to Council as follows:

“In November 2018, City Council approved AECOM to conduct a Comprehensive Operational Analysis of the City’s bus system known as SPARTA. City Staff worked with several community leaders who were a part of our Steering Committee to provide input to the project along with soliciting input from the bus riders. In addition, the following organizations were also a part of the committee -- Partners for Active Living, SC Works, Upstate Forever, United Way of Piedmont, Spartanburg Housing Authority, Spartanburg Chamber and others. We also met with representatives of the various Neighborhood Associations.”

*Council received the report as information.*

### **B. Approval of Contract with Comprehensive Planning Firm TPUDC**

#### **Presenter: Natalia Rosario, Senior Planner**

**Ms. Rosario** presented the item to Council as follows:

“Throughout the fall, on City Council’s request, staff undertook the process of issuing a request for proposals for comprehensive planning firms to assist the City in creating a new Comprehensive Master Plan, the first since 2004. The selection committee consisted of 3 City Staffers; Martin Livingston, Neighborhood Services Director, Natalia Rosario, Senior Planner, and Rachel Grothe, Associate Planner, as well as 2 community partners - Jansen Tidmore; EVP of Corporate and Urban Development for the Spartanburg Chamber of Commerce, Hannah Jarrett; Director of Financial Stability Strategy for the United Way of the Piedmont, and two neighborhood leaders, Wesley Hammond, Chair of the Citizens Advisory Committee, and Toni Sutton; President of the South Converse Neighborhood Association.

After several rounds of review and interviewing of the following firms: Pond CO., MKSK, Design Workshop, Stantec, and TPUDC, TPUDC received the highest score total after all committee members submitted their reviews and has been selected for City Council’s review and approval. The committee assessed each submittal utilizing the following criteria: Approach, Qualifications and Experience, Outreach Approach, Proposed fee schedule and cost proposal, City of Spartanburg Context, and Innovation/Creativity.

ADDITIONAL INFORMATION: Selection committee scores and proposed budget

breakdown attached.

BUDGET AND FINANCE DATA: \$250,000.00”

*Councilmember Brown made a motion to approve a contract with Comprehensive Planning Firm TPUDC. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.*

**IX. Consent Agenda**

**A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcels #7-12-09-111.00; 113.00; 114.00; 119.00; 120.00; 130.00; 131;00; 141.00; 143.00; 143.01; 143.02; &169.00; Located on 571 Wofford Street; 561 Wofford Street; ‘0’ Hines Street; 288 Hines Street; 276 Hines Street; 531 Wofford Street; 523 Wofford Street; 480 Pilgrim Street; 484 Pilgrim Street; 263 Hines Street; 253 Hines Street; 243 Hines Street; and 242 N. Thompson Street, Which Are Zoned I-1 and/or R-6, With a Land Use Designation of Light Industrial and/or General Residential District to Zone R-6 PDD, with a Land Use Designation of General Residential Planned Development District and Providing for Severability and an Effective Date (Second Reading)  
Presenter: Natalia Rosario, Senior Planner**

**B. Authorizing the City Manager to Execute an Agreement for the Transfer of Several Properties Located in the Northside Neighborhood (Second Reading)  
Presenter: Martin Livingston, Neighborhood Services Director**

**C. Authorizing the City Manager to Execute Agreements for the Purchase and Sale of 300 Marion Avenue, Block Map Sheet 7-16-03, Parcel 290.00 (Second Reading)  
Presenter: Martin Livingston, Neighborhood Services Director**

*Councilmember Rice made a motion to approve the consent agenda on second reading. Mayor pro tem Littlejohn seconded the motion, which carried 7 to 0.*

**X. City Council Updates - Each Councilmember gave updates on their activities since the previous council meeting.**

**XI. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to an Economic Development Project**

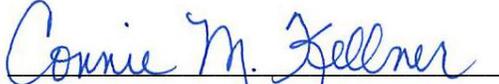
*Mayor pro tem Littlejohn made a motion to adjourn to Executive Session.*

*Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*

*Council adjourned to Executive Session at 7:22 p.m.*

*Council reconvened at 7:44 p.m. Mayor White stated that discussion was held with no decisions made.*

**XII. Adjournment** – *Councilmember Brown made a motion to adjourn the meeting. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:46 p.m.*

  
\_\_\_\_\_  
**Connie M. Kellner, City Clerk**