



**City Council Meeting
Via Videoconference
Monday, May 11, 2020
5:30 p.m.**

**(These minutes were approved
at the May 26, 2020 City Council meeting.
The full content of the meeting can be found at
<https://www.cityofspartanburg.org/city-council>)**

City Council met this date with the following Councilmembers present via Zoom: 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 - recited**
- III. Approval of the Minutes from the April 27, 2020 City Council Meeting**
*Mayor pro tem Littlejohn made a motion to approve the minutes as received.
Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of the Agenda for the May 11, 2020 City Council Meeting**
*Councilmember Rice made a motion to approve the agenda as received.
Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*
- V. Public Comment - None**
Refer to above instructions regarding Public Comment
- VI. Proclamation Declaring the Week of May 10 – 16, 2020 as National Police Week**
Presenter: Mayor Junie White
Mayor White presented the proclamation to Police Chief Alonzo Thompson.
- VII. Public Hearing**
 - 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 #7-12-08-028.00, 029.00, and 030.00 Located on 638 and 644 East Main Street, and 129 N. Fairview Avenue, Which are Zoned LOD, With a Land Use Designation of Limited Office District; to Zone LOD/Infill PDD, with a Land Use**

Designation of Limited Office Infill Planned Development District and Providing for Severability and an Effective Date (First Reading)

Presenter: Natalia Rosario, Senior Planner

Ms. Rosario presented the item to Council as follows:

“On April 16, 2020, a Virtual Zoom Public Meeting was held by City Staff regarding a rezoning request to be held the next week before the Planning Commission would review the request. The public had a chance to be informed and provided their comments, although only 3 members of the public attended. Subsequent communications with nearby neighbors include providing the Planning Commission Packet to those who requested it, and walking through details of the project with concerned residents via phone call. Staff has not received any verbal or written opposition to the request at this time.

This rezoning is intended to overlay a planned development district site plan over the existing Limited Office District Zoning. Under the new qualifications for infill PDD projects, this project qualifies at a little over an acre of land for residential development. The proposed homes will be custom build, pre-sold, and the developer expects them to sell for \$250.00/sq ft and upwards, anywhere from 2500sqft-3200sq ft. There will be a total of 8 units in 7 structures, one of which is a duplex style in order to maintain the area where there is an existing alleyway that is utilize by adjacent property users for rear access. The owner and developer are working with adjacent properties to customize buffer specifications in order to preserve existing tree canopy, and potentially upgrade existing buffer/barriers as part of the construction of the project. For reference to a similar project that Mr. Croft developed in neighboring Greenville City, please see the attached information about McBee Park, the closest representation to what is planned for this project in his portfolio.

The Planning Commission held a public hearing on the proposal on April 23, 2020. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcels from LOD to LOD/PDD. Please note that the original packet was mislabeled as a rezoning from LOD to R6/PDD; the correct rezoning is from LOD to LOD/PDD.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on April 23, 2020 by a vote of 4 to 0. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Draft Transcript from Rev.com of this portion of the Planning Commission Meeting from April 23, 2020 and Staff Report with attachments are included. In addition, enclosed is a proposed Ordinance in the event that Council approves the rezoning request.”

Mayor White opened the public hearing asking if there was anyone to speak in favor of the proposed ordinance. Hearing none, *Mayor White* asked if there was anyone to speak in opposition to the proposed ordinance.

Hearing none, Councilmember Rice made a motion to close the public hearing. *Mayor pro tem Littlejohn* seconded the motion, which carried unanimously 7 to 0. *Mayor pro tem Littlejohn* made a motion to approve the ordinance as presented on first reading. *Councilmember Fulmer* seconded the motion, which carried unanimously 7 to 0.

VIII. Ordinance

A. **Approving a Development Agreement Between the City of Spartanburg and Montgomery Development, LLC; Spartanburg RE Investments, LLC; Spartanburg RE Investments II, LLC; and Spartanburg RE Investments III, LLC (First Reading)**

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“We recommend your approval of the attached ordinance which would authorize a development agreement, also attached, for a unique multi-phase townhome development on the Northside. The three phase project would ultimately total over 135 units and total investment of over \$28 million. This project is the result of significant negotiations between the Northside Development Group (the landowner), the City, and Montgomery Development (developer). The 43 unit first phase will be located on Raindrop and Milan Streets. This project is consistent with the vision outlined in the Northside Transformation Plan.

We consider this project to be strategically significant for a number of reasons including the fact that it will be our first with “floating” affordable units mixed among market rate units. The developer will master lease 25% of the units to the Northside Development Group (“NDG”) at below market rents. NDG will then lease them to tenants at or below 80% of area median income at affordable rents. The units subject to the NDG master lease will not be for specific predetermined units – a particular unit may be subject to the affordability master lease for one tenant but not for the next. There will be no difference in physical characteristics of the affordable units in comparison to the market rate units. Tenants and visitors will be unaware of which of their neighbors are paying market rents and which are paying restricted rents.

Having successful developments with this seamless mixed income management structure has been a goal for us for some time. We hope this project will perhaps serve as a model for addressing a portion of our affordability challenges in the long term.”

After discussion, Mayor pro tem Littlejohn made a motion to approve the ordinance as presented on first reading. *Councilmember Brown* seconded the motion, which carried unanimously 7 to 0.

IX. Consent Agenda

A. To Enter into a Development Agreement with Equity Plus, LLC (Second Reading)

Presenter: Chris Story, City Manager

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

X. Award of Transit Management Contract

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to Council as follows:

“As you know, SPARTA, our fixed route bus service, is managed by a third party transit management firm. In anticipation of the expiration of our current management contract, we sent an RFP for Transit Management Services on February 28, 2020 to several vendors who provide this service. We advertised in our local newspaper and the South Carolina Business Opportunities website in addition to the city’s website. Besides the primary function of managing the daily operations of the bus system we had several significant objectives we were looking for.

- A company who would assist with implementation of our Comprehensive Operational Analysis Plan.
- Respond to the City’s request for service changes and recommend service changes which will increase ridership.
- Adhere to all FTA regulations and guidelines as it pertains to grants management.

We only received one response from our advertisements. This was from our current provider First Transit. The terms listed in the RFP were for a five (5) year contract with five (5) one year options by mutual agreement. The fee per year is listed below.

Year One - \$139,329

Two - \$143,462

Three - \$147,731

Four - \$152,142

Five - \$156,698

Contract amounts include the salary and benefits of the system’s General Manager as well as legal, operational, and purchasing oversight and support. We believe the terms are reasonable. The five one (1) year options continue to increase at 3% annually if the decision is made to exercise the options.

ACTION REQUESTED:

Staff is requesting we authorize the City Manager to award the bid to First Transit Inc.

BUDGET AND FINANCIAL DATA: We receive grant funds from FTA and SCDOT to cover at least 50% of the annual fee to manage our system.

After discussion, Councilmember Rice made a motion to approve the award of contract to First Transit Inc. Mayor White seconded the motion, which carried unanimously 7 to 0.

XI. Declaration of 2020 Boards and Commissions Vacancies

Presenter: Connie Kellner, City Clerk

Ms. Kellner presented the following boards and commissions vacancies:

Accommodations Tax Advisory Committee	1 vacancy 1 served max term
Airport Advisory Committee	4 vacancies 1 served max term 3 eligible to serve another term
Board of Architectural Design and Historic Review	4 vacancies 2 served max terms 2 eligible to serve another term
Bicycle and Pedestrian Committee	4 vacancies 1 served max term 3 eligible to serve another term
Civil Service Commission	1 vacancy Served max term
Construction Board of Adjustments and Appeals	6 vacancies 2 served max term 4 eligible to serve another term
Design Review Board	2 vacancies 1 served max term 1 eligible to serve another term
Hospitality Tax Committee	3 vacancies 3 eligible to serve another term
Spartanburg Housing Authority	3 vacancies 1 resignation 2 do not want to serve another term
Planning Commission	3 vacancies 2 resignations 1 eligible to serve another term
Public Safety Committee	5 vacancies 2 eligible to serve another term

Storm Water Appeals Board

4 vacancies
2 served max term
2 eligible to serve
another term

Zoning Board of Adjustments and Appeals

2 vacancies
1 eligible to serve
another term
1 served max term

Ms. Kellner suggested that Council use June 10 as the deadline for citizen applicants for the vacancies.

Council received the report as information.

XII. Budget Discussion

Presenter: Chris Story, City Manager

Dennis Locke, Finance Director

Mr. Story and Mr. Locke began discussion of the FY20-21 budget with Council.

Council received the report as information.

XIII. Staff Update on Coronavirus COVID19 Related Activities

Presenter: Chris Story, City Manager

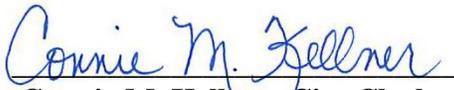
City Manager Story updated Council on city efforts and activities concerning COVID19.

Council received the report as information.

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

XV. Adjournment – Mayor pro tem Littlejohn made a motion to adjourn the meeting.

Councilmember Rice seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:18 p.m.



Connie M. Kellner, City Clerk

