



**City Council Meeting
CC Woodson Recreation Center Gym
210 Bomar Avenue
Spartanburg, SC
Monday, September 14, 2020
5:30 p.m.**

**(These minutes were approved
at the September 28, 2020 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, Meghan Smith, Jamie Fulmer 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 August 24, 2020 City Council Meeting -**
Councilmember Rice made a motion to approve the minutes as received. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.
- IV. Approval of the Agenda for the September 14, 2020 City Council Meeting –**
Councilmember Rice made a motion to approve the agenda as received. Mayor pro tem Littlejohn 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
The following people spoke:
 - 1. Charles Mann 355 Faulkner Drive, Moore, SC
 - 2. James Young, 111 Elliot St., Spartanburg, SC
 - 3. Tamika Thompson, 124 Dogwood Lane, Spartanburg, SC
 - 4. Jason Spencer, 179 Grady Avenue, Tryon, NC
 - 5. Tracey Kabal, 101 Coventry Court, Spartanburg, SC
 - 6. Tyquian English, 357 IV Sunflower Way, Moore, SC
 - 7. Annie Kerns, 293 S. Converse St., Spartanburg, SC
 - 8. Jennifer O’Shields, 705 Dupre Drive, Spartanburg, SC
 - 9. Carrie Steele, 353 Amherst Dr., Spartanburg, SC

VI. Update on Census Participation Efforts

Presenter: Kathryn Harvey, Principal & Founder Neue South Collective

Ms. Harvey and Andy Flynt, Director of Information Services for the Spartanburg County Library updated Council on the progress and ongoing efforts regarding the 2020 Census.

Council received the report as information.

VII. Public Hearing

A. ORDINANCE ACCEPTING THE PROPERTY OWNED BY MARK III PROPERTIES, LLC, AND NVR INC. BEING LOCATED AT THE INTERSECTION OF CEDAR SPRINGS ROAD AND OLIVIA SPRINGS DRIVE, AND THAT PORTION OF CEDAR SPRINGS ROAD AND OLIVIA SPRINGS DRIVE ABUTTING SAID PROPERTIES, AND IS FURTHER IDENTIFIED ON SPARTANBURG COUNTY TAX MAP AS : 7-21-00; 025.01, 025.02, 025.03, 025.04, 025.05, 025.06, 025.07, 025.08, 025.09, 025.10, 025.11, 025.12, 025.13, 025.14, 025.15, 025.16, 025.17, 025.18, 025.19, & 025.20 AS A PART AND PARCEL OF THE CITY OF SPARTANBURG AND DECLARING SAID PROPERTY ANNEXED TO AND A PART AND PARCEL OF THE CITY OF SPARTANBURG (First Reading)

Presenter: Martin Livingston, Neighborhood Services Director

Mr. Livingston presented the item to Council as follows:

“On Thursday, August 20, 2018, The Planning Commission held a public hearing and reviewed an annexation and zoning designation request submitted by Mark III Development Owner/Developer, to annex parcels #7-21-00; 025.01, 025.02, 025.03, 025.04, 025.05, 025.06, 025.07, 025.08, 025.09, 025.10, 025.11, 025.12, 025.13, 025.14, 025.15, 025.16, 025.17, 025.18, 025.19, & 025.20 into the City of Spartanburg and to zone said parcels as R-8 PDD: General Residential Planned Development District upon annexation, in order for proposed Buyer/Developer to construct a single-family home development consisting of 144 units.

On Thursday, August 20 of 2020, the Planning Commission held a public hearing and reviewed this annexation and zoning request and voted to recommend the request favorably to City Council. Please note that the property is currently vacant, and the developer has provided preliminary civil site plans, and intends to meet or exceed City of Spartanburg buffer, open space, and walkability standards. Please note that Phase 1 of the project was reviewed and accepted by the Spartanburg County Planning Department, and subsequent phases of the project will undergo review by the City of Spartanburg Planning Department; however the site was discussed with the City prior to beginning development with the intent of eventually being annexed to the City, and the Phase 1 portion of the site as well as expectations for the subsequent phases were tailored to the City Land Development Regulation specifications.

The 2004 Comprehensive Plan does not speak on the proposed future use and zoning of this parcel, as it has never been located within City Limits. However, the surrounding area consists of single family neighborhoods and neighborhood commercial shopping, so the proposed use is consistent with the area land-use.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on August 20, 2020 by a vote of 5 to 0. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the August 20, 2020 Planning Commission Meeting and Staff Report with attachments are included. In addition, enclosed is a proposed Ordinance in the event that Council approves Annexation and Zoning Designation."

After discussion, Mayor White asked if there was anyone present to speak in favor of or in opposition to the proposed annexation.

Hearing none, Councilmember Fulmer made a motion to close the public hearing. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

Councilmember Rice made a motion to approve the annexation ordinance as presented on first reading. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

VIII. Consent Agenda

- A. **Adopting and Enacting a New Code for the City of Spartanburg, South Carolina; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing a Penalty for the Violation There of; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective (Second Reading)**

Presenter: Robert P. Coler, City Attorney

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

IX. Resolutions

- A. **To Authorize the City Manager to Develop the Organizational Plan for Establishing a Non-Profit Affordable Housing Trust Fund and Execute an Agreement with CommunityWorks for its Operation**

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“As we continue to advance a number of strategies to improve housing affordability, one important step is the establishment of the Spartanburg Housing Fund, an additional tool to support affordable housing supply in the City. One of the positive aspects of our complex arrangement to replace Norris Ridge is that it

will provide the initial capitalization of such a fund. This fund will be used exclusively to fill gaps in development projects that build, preserve, or improve affordable housing units in the City. We envision much of the activity will be in the form of loans to provide gap financing, but it also may involve some grants or even a limited number of equity investments. The activities will be conducted according to goals and policies determined by the City.

For a variety of reasons, these goals require that we partner with another entity to hold and administer the funds. We are recommending that we establish an agreement with CommunityWorks (see <https://communityworkscarolina.org/>). CommunityWorks is a non-profit community development financial institution with whom we have partnered many times. They are experienced in the financing and underwriting of affordable housing. Our funds would be segregated from their other funding and used solely for projects approved by a committee comprised of Mitch, Martin, and me (with prior consultation from City Council). CommunityWorks would perform financial analysis, underwriting, loan administration, financial reporting and other related tasks. CommunityWorks successfully performed the same function in collaboration with the City of Greenville in recent years. They would be compensated for this work through appropriate transactional and administrative fees. We consider this to be more efficient and effective than other alternatives for managing this new fund.

Tammie Hoy Hawkins, the former Director of the Northside Initiative here, is now the CEO of CommunityWorks. She is very familiar with our community, our needs, and our goals. She is a trusted colleague.

The enclosed action enables us to establish this relationship. We recommend your approval.”

After discussion, Councilmember Erica Brown made a motion to approve the resolution as presented. Councilmember Smith seconded the motion, which carried unanimously 7 to 0.

B. To Authorize the City Manager to Execute an Agreement with South Carolina Family Entertainment, LLC and National Sports Services, LLC for the Use of Duncan Park for a Summer Baseball League

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“In recent years the City’s Duncan Park Stadium has been home to the Spartanburg High School Viking Baseball program. During that time, we have continued to maintain the playing field and the stadium grounds, while our partner School District Seven has made significant structural improvements to the facility making it a much more functional and attractive venue. Although there are more improvements necessary to fully restore the facility, the renovations to date have positioned the facility to be able to host more use.

Attached is a proposed agreement that would allow the stadium to become the home to a Coastal Plain League team each summer. The Coastal Plain League is a collegiate summer league, featuring top-notch college players from across the nation (more information below).

This arrangement would facilitate a new family entertainment offering for our community while increasing the likelihood of additional physical improvements to our historic ballpark. As proposed, our costs are limited to modest increase in field maintenance man-hours which we believe is manageable and appropriate. We recommend your approval and look forward to any questions you may have.

Today's Coastal Plain League (from CoastalPlain.com):

The new and revived Coastal Plain League is a collegiate summer league, featuring top-notch college players from across the nation. The CPL returned in 1997 to fill a void in summer baseball. While there were many summer leagues in operation at the time, there wasn't really one located in the Southeastern United States.

Former league president Pete Bock first got the idea for the CPL in the early 1990's when his son, Jeff, a pitcher for Barton College, was spending his summers playing in the Valley League. After making several long trips to see his son play, Bock, a long-time minor league sports executive, began wishing there was a summer league closer to home. A few years later, he partnered with league Chairman and CEO Jerry Pettit to form the new Coastal Plain League.

Since then, the Coastal Plain League has rapidly grown to be among the premier summer collegiate baseball leagues in the country. The CPL prides itself on creating a professional, minor league-like atmosphere for all its players, coaches, umpires, and fans each and every summer!

Celebrating its 24th season in 2020, the CPL proudly features 15 teams across Georgia, North Carolina, South Carolina and Virginia. Many of the CPL teams play in former minor league stadiums and cities, as well as in newly constructed stadiums that meet Class A standards. Teams in the CPL play in front of large crowds of passionate fans throughout the summer months - as league attendance has averaged above 550,000 fans over the last five seasons. Players come from all over the country to take part in the best summer collegiate baseball experience each year. Our teams and league office work closely with each player and school to ensure a positive and long-lasting relationship, as well as helping to secure host families and summer employment for our players if desired.

With a 52-game schedule (running from late-May to mid-August), annual Pro Scout Day and All-Star Game, and championship playoffs system, the Coastal Plain League prides itself in returning players to their respective schools as

better, well-rounded individuals who can instantly help their program succeed on and off the field; as well as be successful at the next level of baseball.

Highly ranked and thought of by players, coaches, and baseball publications and scouting notebooks such as Baseball America, Perfect Game Crosschecker, and Ballpark Digest, the Coastal Plain League also ranks high in the eyes of Major League Baseball and its scouts. In fact, heading into the 2020 summer season, the Coastal Plain League has seen over 1,650 alumni drafted by Major League teams; and even more impressive is that we have had 131 alums who have made it to the Majors. Some of our most notable alumni include former AL MVP, Cy Young winner and 2017 World Series champion Justin Verlander, Ryan Zimmerman, Chris Taylor, Mark Reynolds, Kevin Youkilis, and NFL Super Bowl XLVIII champion quarterback Russell Wilson.”

After discussion, Councilmember Fulmer made a motion to approve the resolution as presented. Councilmember Smith seconded the motion, which carried unanimously 7 to 0.

**C. Accepting the Donation of Property Located at Heywood Avenue
(Block Map Sheet 7-12-04-100.00)**

Presenter: Robert Coler, City Attorney

Mr. Coler presented the item to Council as follows:

“Property located at Heywood Avenue (Block Map Sheet 7-12-04-100.00) is owned by co-trustees of the Effie Lloyd Allen Beattie Revocable Trust. The owners would like to donate the property to the City of Spartanburg. The City of Spartanburg will partner with Partners For Active living to use a portion of this property to create and extend the trail system in the City.”

ACTION REQUESTED: Council to approve the donation of the property.”

Mayor White made a motion to approve the resolution as presented.

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

X. Award of Engineering Services for Mary Black Rail Trail Extension

Presenter: Tim Carter, Engineering Administrator

Mr. Carter presented the item to Council as follows:

“The City of Spartanburg advertised Request for Qualifications (RFQ) statements from professional engineering firms for construction administration, construction engineering, quality assurance and acceptance and testing as required by SCDOT guidelines. Partial funding for this project is from the Federal Highway Administration through the South Carolina Department of Transportation (SCDOT) and the project is being managed locally by the City of Spartanburg through the SCDOT as a local Public Agency Project (LPA).

Qualification statements were submitted by four engineering firms October 1, 2019:
Infrastructure Consulting & Engineering (Greenville, SC)
KCI Technologies (Rock Hill, SC)
ECS Southeast, LLP (Greenville, SC)
Dennis Corporation (Columbia, SC)

Staff formed a consultant selection committee to review each consultant’s proposal and interview the team who would be working on our project, to evaluate strengths and weaknesses for each firm. The committee ranked ECS as the most responsive and qualified firm to perform these services for this project. Staff then submitted a scope of work to ECS for a cost proposal for the services needed, after negotiations Staff and ECS agreed to the scope of work and the hourly rate for these services. SCDOT reviewed and was in concurrence with the scope of work and the rates for the required services that ECS will be providing for this project.

ACTION REQUESTED: Allow staff to accept the proposal from ECS Southeast, LLP for these services and authorize the City Manager to enter into a contract with ECS Southeast, LLP for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 581,141 Palmetto Trail / Hub City Connector

\$ 500,000 ARC Grant

\$ 250,000 City Funding”

Mayor pro tem Littlejohn made a motion to approve award of engineering services for Mary Black Rail Trail Extension to ECS Southeast, LLP. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

XI. Boards and Commissions – Spartanburg Housing Authority

Presenter: Connie Kellner, City Clerk

Ms. Kellner presented applications of Drake Jackson and Mike Fowler for Council’s consideration to appoint one of the applicants to fill the Spartanburg Housing Authority vacancy.

Councilmember Rice made a motion to appoint Drake Jackson to the Spartanburg Housing Authority. Mayor White seconded the motion. Councilmember Brown asked if both of the candidates were going to be interviewed. Councilmember Smith stated that, as chairman of the interview committee, she had spoken to SHA Director Shaunte Evans. Ms. Evans shared that she and the SHA board had agreed that Mr. Jackson was the most qualified candidate. Mayor White amended his motion to waive the rules of interview and appoint Mr. Jackson to fill the vacancy. Councilmember Rice seconded the motion. Councilmember Rain objected to both candidates not being interviewed before a vote by council. Both motions failed.

Mayor White asked the interview committee, consisting of Councilmembers Smith, Rice and Fulmer, to interview the candidates and come back to Council with a recommendation. He appointed Councilmember Rice as chairman of the committee for the interviews.

XII. Approval of Hospitality Tax Discretionary Grants

Presenter: Christopher George, Communications Manager

Mr. George presented the item to Council as follows:

“The Hospitality Tax Committee initially met on April 2 to discuss potential changes to the fiscal year 2020-2021 grant making process in response the COVID-19 pandemic. During that meeting, the Committee voted unanimously to postpone the process until after approval of the

FY 2020-2021 budget, citing uncertainty regarding the feasibility of funding largescale events as well as uncertainty regarding available City Hospitality Tax funds.

During the budget process, funding for Hospitality Tax Grants was been reduced from a total of \$392,000 in FY 2019-2020 to \$200,000 in FY 2020-2021, owing to reduced projected Hospitality Tax revenue. After this figure was approved, the Hospitality Tax Committee met on June 23 and gave unanimous approval to changes to the fiscal year 2020-2021 process as follows:

- No Hospitality Tax funding would be given for event support in FY 2020-2021.
- No application process would be initiated for new funding requests.
- All organizations that received operational support funding in FY 2019-2020 were made eligible to receive a percentage of available Hospitality Tax Grant funding in FY 2020-2021 proportional to the percentage of the total amount each received the previous year.
- All organizations that received event support funding in FY 2019-2020 were made eligible to receive a percentage available Hospitality Tax Grant funding in FY 2020-2021 proportional to the percentage of the total amount each received the previous year, provided those organizations were able to demonstrate that such funding could be used solely for organizational support in accordance with Hospitality Tax Grant funding goals.

Organizations wishing to be considered then submitted a letter by July 24 detailing how their organizations have been impacted by the COVID-19 pandemic and how funding could be used for organizational support in line with stated Hospitality Tax Grant funding goals of increasing visitors and improving quality of life in the City of Spartanburg.

After reviewing the letters received from organizations requesting funding, the Hospitality Tax Committee met again on August 24, giving unanimous approval to the funding formula now presented for Council's authorization.

ACTION REQUESTED: City Council to approve fiscal year 2020-2021 Hospitality Tax Grant allocations.

BUDGET AND FINANCIAL DATA: \$200,000 previously allocated by City Council for Hospitality Tax Grants”

Councilmember Smith made a motion to approve the proposed Hospitality Tax Grants as presented. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.

Organization	2019 Total	2019 Percentage	2020 Adjusted Percentage	2020 Allocations
Ballet Spartanburg	\$12,000	3%	3%	\$6,789
Chamber of Commerce / CVB	\$41,250	11%	12%	\$23,338
Chapman Cultural Center	\$110,000	28%	31%	\$62,235
College Town Consortium	\$15,000	4%	4%	\$8,487
Hatcher Gardens	\$17,500	4%	5%	\$9,901
Hub City Farmer's Market	\$14,000	4%	4%	\$7,921
Hub City Writers Project	\$20,000	5%	6%	\$11,315
Partners for Active Living	\$17,500	4%	5%	\$9,901
Proud Mary Theatre Company	\$3,000	1%	1%	\$1,697
SC Restaurant & Lodging Association	\$6,000	2%	2%	\$3,395
Spartanburg Art Museum	\$7,500	2%	2%	\$4,243
Spartanburg Memorial Auditorium	\$20,000	5%	6%	\$11,315
Spartanburg Philharmonic	\$13,500	3%	4%	\$7,638
Spartanburg Science Center	\$7,500	2%	2%	\$4,243
Trees Coalition	\$7,500	2%	2%	\$4,243
Melting Pot Music Society	\$10,000	3%	3%	\$5,658
National Railway Historical Society	\$1,250	0%	0%	\$707
Spartanburg Area Conservancy, Inc.	\$15,000	4%	4%	\$8,487
West Main Artists Co-op	\$15,000	4%	4%	\$8,487
2019 Taste of Black Upstate	\$5,000	1%		
Hub City Hog Fest, Inc.	\$5,000	1%		
Panther Training Party	\$10,000	3%		
Shrine Bowl of the Carolinas	\$17,500	4%		
Spartanburg Fringe Arts Festival	\$1,000	0%		
Total:	\$392,000	100%	100%	\$200,000.00

XIII. Staff Covid19 Update

Presenter: Chris Story, City Manager

Mr. Story updated Council on procedures currently used and others that have been implemented during the pandemic.

Council received the report as information.

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

XV. Executive Session to Discuss Appointments by a Public Body Related to a Commission of the City of Spartanburg Pursuant to SC Code of Laws Section 30-4-70(a)(1)

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

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

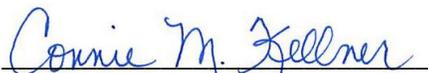
Council adjourned to Executive Session at 7:39 p.m.

Council reconvened to regular session at 8:58 p.m. Mayor White stated that discussion was held with no decisions made.

XVI. Adjournment – Councilmember Rice made a motion to adjourn the meeting.

Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.

The meeting adjourned at 9:00 p.m.


 Connie M. Kellner, City Clerk