



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC 29306  
Monday, January 14, 2019  
5:30 p.m.**

**(These minutes were approved  
at the January 28, 2019 City Council meeting.)**

**City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Jerome Rice, Councilmembers Erica Brown, Sterling Anderson, Alan Jenkins, Ruth Littlejohn and Jamie Fulmer. 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 of the December 10, 2018 and December 19, 2019 City Council Meetings – *Councilmember Jenkins made a motion to approve the minutes as received. Councilmember Littlejohn seconded the motion, which carried unanimously 7 to 0.***
- IV. Approval of the Agenda of the January 14, 2019 City Council Meeting – *Councilmember Brown made a motion to approve the agenda as received. Mayor pro tem Rice seconded the motion, which carried unanimously 7 to 0.***
- V. Public Comment - None**  
*\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk*
- VI. Recognition of City of Spartanburg Retirees**  
**John Moreton – Storm Water Department**  
**Sgt. Timothy Garner – Fire Department**  
**Captain Heath Henderson – Fire Department**  
**Presenter: Mayor Junie White**  
Mayor White presented retirement awards to each of the retirees.
- VII. Election of 2019 Mayor Pro Tempore**  
**Presenter: Mayor Junie White**

*Councilmember Anderson made a motion to elect Councilmember Alan Jenkins as Mayor pro tempore for 2019. Councilmember Littlejohn seconded the motion, which carried unanimously 7 to 0.*

## **VIII. Public Hearings**

**A. Ordinance Accepting the Property Owned by Adam Montgomery and Ronald Montgomery, and Being Located at 1445 Grant circle, and that Portion of Grant Circle Abutting Said Property, and is Further Identified on Spartanburg County Tax Map as 7-13-03, Parcel 041.00 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: Natalia Rosario, Planner III**

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

“Staff received a request for Annexation Agreement Covenant and Restriction from Adam Montgomery and Ronald Montgomery, owners of 1445 Grant Circle for annexation of the property into the City of Spartanburg on December 17, 2018. Because this property will be zoned R-15, Single Family Residential upon Annexation, there is no need to obtain zoning designation by the Planning Commission.

Since the parcel is contiguous to the City Limits, the property owner has submitted an annexation petition under the 100 percent Petition and Ordinance method. Since the zoning designation for the contiguous parcel is R-15, Single Family Residential; Staff is requesting Council to designate the parcel as R-15. ACTION REQUESTED: Staff recommends that the City Council take the following actions:

- a) Approve the Annexation Agreement Covenant and Restriction of 1445 Grant Circle (TMS#7-13-03-041.00).
- b) Designate the zoning for this property as R-15 (Single Family Residential) upon annexation.

BUDGET AND FINANCE DATA: The parcel will generate property tax after annexation. Additional service costs will be minimal.”

*Mayor White opened the public hearing asking if there was anyone to speak in opposition to the proposed annexation ordinance. Hearing none, he asked if there was anyone to speak in favor of the proposed annexation ordinance. No one came forward.*

*Mayor pro tem Jenkins made a motion to close the public hearing.*

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

*Mayor pro tem Jenkins made a motion to approve the annexation ordinance as presented on first reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*

**B. Ordinance Accepting the Property Owned by Susan E. Yeomans & Deanne Yeomans, Trustees, Property Owners, Under Contract to be Purchased by Rick Thoennes, Manager on Behalf of Hotchkiss Development Group, LLC, Proposed Buyer and Developer, and Being Located at 110 & ‘0’ Franklin**

**Avenue, and that Portion of Franklin Avenue Abutting Said Properties, and is Further Identified on Spartanburg County Tax Map as 6-20-03, Parcels 090.00 & 089.00 as a Part and Parcel of the City of Spartanburg and Declaring Said Properties Annexed to and a Part and Parcel of the City of Spartanburg (First Reading)**

**Presenter: Natalia Rosario, Planner III**

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

On Thursday, December 20, 2018, The Planning Commission held a public hearing and reviewed an annexation and zoning designation request submitted by Rick Thoennes, Manager, on behalf of Hotchkiss Development Group, LLC, proposed Buyer/Developer, on behalf of Susan E Yeomans and Deanne Yeomans, Trustees, Owners to annex parcels #6-20-03-090.00 & 089.00 into the City of Spartanburg and to zone said parcels as R-6 PDD: General Residential Planned Development District upon annexation, in order for proposed Buyer/Developer to construct a multi-family apartment development consisting of twelve, three-story buildings totaling 288 units. The purchase of the property is contingent upon the zoning designation being approved.

On Thursday, February 15<sup>th</sup> of 2018, the Planning Commission held a public hearing and reviewed this annexation and zoning request and voted to recommend the request favorably to City Council. At that time the original developer of the project decided not to continue with the development, and the item was pulled from Council's agenda. At this time a new developer (Hotchkiss Development Group, LLC) has taken on the project and is proposing to move forward with the development.

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 proposed property is adjacent to single-family homes as well as being bounded by I-26 to the East.

**PLANNING COMMISSION RECOMMENDATION:** The request was endorsed by the Planning Commission on February 15, 2018 by a vote of 3 to 1 and on December 20<sup>th</sup>, 2018 by a vote of 4 to 0.

**ADDITIONAL INFORMATION:** Minutes from the February 15, 2018 and December 20<sup>th</sup>, 2018 Planning Commission Meetings and Staff Reports with attachments are included.”

**Mayor White** opened the public hearing asking if there was anyone to speak in favor of the proposed annexation ordinance. Hearing none, he asked if there was anyone to speak in opposition to the proposed annexation ordinance. The following people came forward to speak against the proposed annexation ordinance:

1. Rebecca Bersaglia – 123 Franklin Avenue
2. Laurie Koszarek – 115 Franklin Avenue

3. Kevin Koxzarek – 115 Franklin Avenue. He also read a letter from residents of 109 Franklin Avenue, Richard and Patricia Scott, voicing their concerns against the annexation.

*Councilmember Rice made a motion to close the public hearing. Mayor pro tem Jenkins seconded the motion, which carried unanimously 7 to 0.*

*After a lengthy discussion, Mayor pro tem Jenkins made a motion to approve the annexation ordinance on first reading. Councilmember Brown seconded the motion. The motion passed with a vote of 4 to 3. Mayor pro tem Jenkins, Councilmember Rice, Councilmember Brown, and Councilmember Fulmer voted in favor of the proposed annexation ordinance. Mayor White, Councilmember Anderson, and Councilmember Littlejohn voted against the proposed annexation ordinance.*

## **IX. Consent Agenda**

- A. Authorizing and Providing for the Issuance and Sale of a Not Exceeding \$3,000,000.00 Aggregate Principal Amount Federally Guaranteed Note of the city of Spartanburg South Carolina Pursuant to Section 108 of the Housing and Community Development act of 1974, as Amended, and Section 6-1-30, Code of Laws of South Carolina, 1976, as Amended; the Application of the Proceeds of Said Note to Provide Financing for the Northside Commons Project; the Entering into of Certain Covenants and Agreements and the Execution and Delivery of Certain Instruments Relating to the Issuance of the Aforesaid Note, Including a Contract for Loan Guarantee Assistance Between the City and the Secretary of Housing and Urban Development (“HUD”); Appropriating Funds to Pay Certain Fees to HUD; and Other Matters in Connection with the Foregoing (Second Reading)  
Presenter: Martin Livingston, Neighborhood Services Director**

*Mayor pro tem Jenkins made a motion to approve the Consent Agenda on second reading. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*

## **X. Other Business**

- A. FY 2018 Comprehensive Annual Financial Report (CAFR)  
Presenter: Dennis Locke, Finance Director**

**Mr. Locke** introduced David Phillips of Greene Finney, LLP, the city’s external auditors, who reviewed the audit his firm conducted. He informed Council that the city had received the highest rating from their audit.

Mr. Locke then reviewed the highlights of the 2018 CAFR with Council.

*Councilmember Rice made a motion to approve the 2018 CAFR. Mayor pro tem Jenkins seconded the motion, which carried unanimously 7 to 0.*

- B. **2018 Crime Data Review**  
**Presenter: Alonzo Thompson, Police Chief**  
Chief Thompson presented crime data from 2018. (PowerPoint available upon request.)  
*Council received the report as information.*
- C. **Update of Freedom of Information Act (FOIA)**  
**Presenter: Robert Coler, City Attorney**  
Mr. Coler updated Council on the most recent changes to FOIA.  
*Council received the report as information.*

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

**XII. Executive Sessions** – *Mayor pro tem Jenkins made a motion to adjourn to Executive Sessions for the stated reasons. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*

- A. **Executive Session Pursuant to Section 30-4-70 (a) (2) to Discuss Matters Related to the Potential Location of Future Government Facilities**
- B. **Executive Session Pursuant to Section 30-4-70 (a) (2) (5) to Discuss Matters Related to the Development of Downtown**
- C. **Executive Session Pursuant to Section 30-4-70 (a) (1) to Discuss a Personnel Matter**  
**Council may take action on matters discussed in Executive Session after exiting Executive Session.**

*Council reconvened to regular session. Mayor White stated that discussion was held with no decisions made.*

**XIII. Adjournment** – *Mayor pro tem Jenkins made a motion to adjourn the meeting. Councilmember Littlejohn seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 8:55 p.m.*



**Connie S. McIntyre, City Clerk**