



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, October 28, 2019

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes of the October 14, 2019 City Council Meeting**
- IV. **Approval of the Agenda of the October 28, 2019 City Council Meeting**
- V. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Presentation of Key to the City to Dr. Hoda Mahmoudi**
Presenter: Mayor Junie White
- VII. **Swearing in of Municipal Substitute Judge Kate Kendall**
Presenter: Municipal Judge Erika McJimpsey
Oath of Office Administered by:
Associate Probate Judge David Anderson – Father of Ms. Kendall
Assisted by Former Family Court Judge Georgia Anderson – Mother of Ms. Kendall
- VIII. **Recognition of City of Spartanburg Police Department Retiree MPO Sonja McCullough**
Presenter: Mayor Junie White
- IX. **Consent Agenda**
 - A. **Authorizing the City Manager to Execute an Agreement for the Sale of Several Properties Located in the Mid-Towne Heights Neighborhood (Second Reading)**
Presenter: Chris Story, City Manager
 - B. **To Amend Chapter 16, Streets and Sidewalks, Article I, in General, Section 16-12, Picketing or Patrolling, of the Code of the City of Spartanburg, South Carolina, 1988, to Modify Requirements for and Advance Notice of Pickets of a Certain Size, to Prohibit Certain Items in the Location of Pickets, and to Regulate the Size and Material of Signs Utilized During Picketing Activities (Second Reading)**
Presenter: Robert Coler, City Attorney

X. City Council Updates

XI. Executive Sessions

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

B. Executive Session Pursuant to Section 3-4-40(2) Concerning a Personnel Matter Related to Annual Review of City Manager

Council may take action on matters discussed in Executive Session after exiting Executive Session.

XII. Adjournment

** Non-Agenda Items*

City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.

**Agenda Items*

City Code Sec. 2-56. Addressing Council, Comments or Remarks to Council on Agenda Items Not Requiring Public Hearing. On agenda items not requiring a Public Hearing, please provide to the City Clerk prior to the opening of the meeting, your desire to speak on an agenda item. Remarks shall be limited to five (5) minutes and total remarks on any agenda item shall not exceed twenty (20) minutes.



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, October 14, 2019**

**(These minutes are subject to approval at
the October 28, 2019 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor White, Mayor pro tem Alan Jenkins, Councilmembers Erica Brown, Jerome Rice, Ruth Littlejohn, Sterling Anderson 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 September 23, 2019 City Council Meeting –**
Mayor pro tem Jenkins 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 of the October 14, 2019 City Council Meeting –**
Mayor pro tem Jenkins made a motion to amend the agenda to include presentation of a proclamation to Kiwanis Club members recognizing 100 years of service to the community. Councilmember Brown 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. Annie Kerns, 293 S. Converse St., Spartanburg, SC, spoke regarding her concerns involving her neighbors fence.
 2. Matt Spencer, 712 Brown Arrow Circle, Inman, SC, spoke thanking Council for listening to citizen concerns regarding Spartan Water.
- VI. Recognition of Graduates of City of Spartanburg Citizens Academy**
Presenter: Kathy Hill, Community Services Coordinator
Mayor White presented graduation certificates to each of the City of Spartanburg Citizens Academy participants.

VII. Presentation of Proclamation Recognizing 100th Anniversary of Kiwanis Club

Presenter: Mayor Junie White

Mayor White presented a proclamation to Susan Dunlap, President of the Spartanburg Kiwanis Club, recognizing the 100th Anniversary of the Kiwanis Club.

VIII. Ordinances

A. Authorizing the City Manager to Execute an Agreement for the Sale of Several Properties Located in the Mid-Towne Heights Neighborhood (First Reading)

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“Staff is requesting approval for the City Manager to enter into an agreement for the sale of the 10 properties totaling approximately 25 acres located in the Mid-towne Heights Neighborhood at Wofford Street, subject to the completion of due diligence on the property. EquityPlus, LLC intends to purchase the Norris Ridge Apartments in the Highland Neighborhood from a private owner for the redevelopment of the site. EquityPlus, LLC will prepare development estimates and a concept for development prior to entering into a development agreement with the City of Spartanburg to replace 190 units that will be moved from Norris Ridge Apartments. EquityPlus, LLC is expected to complete due diligence within a year to develop the Mid-towne Heights property for affordable housing to serve families previously residing in the Norris Ridge Apartments. EquityPlus, LLC is expected to work with the Spartanburg Housing Authority to assist in relocation of tenants. The demolition of Norris Ridge Apartments, like the Oakview Apartments for the Northside, will accomplish one of the Highland Neighborhood goals.

The Mid-towne Heights development is one of three phases that will be completed over the next five years. The City will also request an easement for the extension of the Daniel Morgan Trail through the development.

ACTION REQUESTED: Staff is requesting approval for the City Manager to enter into a property sale agreement that will allow EquityPlus, LLC to complete due diligence of the Mid-towne Heights properties, subject to a development agreement.

BUDGET AND FINANCIAL DATA:

Transfer Fees per property / Survey / Appraisal: \$10,000”

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

B. To Amend Chapter 16, Streets and Sidewalks, Article I, in General, Section 16-12, Picketing or Patrolling, of the Code of the City of Spartanburg, South Carolina, 1988, to Modify Requirements for and Advance Notice of Pickets of a Certain Size, to Prohibit Certain Items in the Location of Pickets, and to Regulate the Size and Material of Signs Utilized During Picketing Activities (First Reading)

C. Presenter: Robert Coler, City Attorney

Mr. Coler presented the item to Council as follows:

“Upon review of the City’s current Picketing and Patrolling Ordinance, I am recommending an update to provide a more comprehensive process to better inform and assist those wishing to express their First Amendment rights, citizens in general, and city staff (including Spartanburg Police Department) of their respective rights and obligations regarding picketing and associated activities. The proposed Ordinance reflects current case law and trends across the country pertaining to pickets, protests, free expression of speech, and the like.

ACTION REQUESTED: Council is being asked to provide first reading approval of the proposed Ordinance to amend Chapter 16, Article 1, Section 12 in its entirety.”

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

IX. Declaration of Vacancies on Planning Commission and Design Review Board

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre informed Council of a vacancy on the Planning Commission and a vacancy on the Design Review Board.

Council received the report as information.

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

XI. Executive Sessions – Mayor pro tem Jenkins made a motion to adjourn to Executive Session for the reasons stated. Councilmember Rice seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 6:52 p.m.

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

B. Executive Session Pursuant to Section 3-4-40(2) Concerning a Personnel Matter Related to Annual Review of City Manager

Council may take action on matters discussed in Executive Session after exiting Executive Session.

Council reconvened to regular session at 7:30 p.m. Mayor White stated that discussion was held with no decisions made. Mayor pro tem Jenkins asked that the matter related to annual review of the City Manager be placed on the agenda for October 28, 2019.

XII. Adjournment – Mayor pro tem Jenkins made a motion to adjourn the meeting. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:35 p.m.


Connie S. McIntyre, City Clerk