



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, June 24, 2019**

**(These minutes were approved
the July 8, 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 June 10, 2019 City Council Meeting –**
Mayor pro 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 June 24, 2019 City Council Meeting –**
Mayor White stated that Item VI.A needed to be removed from the agenda and moved to a later date. Councilmember Rice made a motion to approve the agenda as amended. 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) Crystal D. Miller, 1806 Habersham Place, Spartanburg, SC, spoke regarding her concerns about 5G cell tower dangers.
- VI. Ordinances – **This item was removed from the agenda.****
 - A. To Authorize and Direct Execution and Delivery of a Quitclaim Deed From the City of Spartanburg to Omnific Spartanburg LLC for the Alleyway Located Behind Omnific Spartanburg LLC at 638 E. Main Street (First Reading)**
Presenter: Robert P. Coler, City Attorney

VII. Resolution

- A. **Authorizing the Inclusion of Certain Property in a Multi-County Industrial Park within the City Limits of the City Pursuant to Section 4-1-170 of the Code of Laws of South Carolina, 1976, As Amended**

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“At your May 28th City Council meeting you authorized the City Manager to enter into a Development Agreement with Arlington Properties to facilitate a \$20 million investment on Parcels 7-12-01- 184.00 and 7-12-01- 183.00 located at the northeast corner of N. Church Street and Asheville Highway. A component of executing that development agreement involves passage of the attached resolution which authorizes Spartanburg County to place the property in a business park.

We recommend your approval and look forward to any questions you may have.”

Councilmember Rice made a motion to approve the resolution as presented.

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

VIII. Consent Agenda

- A. **Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance, by Amending Section 206, Changes to District Boundaries, Specifically Parcels 7-12-01-184.00 located on 728 North Church Street that is Currently Zoned R-15 with a Land Use Designation of Single Family Residential District, and Parcel 7-12-01-183.00 Located on “0” Asheville Highway that is Currently Zoned LOD with a Land Use Designation of Limited Office District to Zone B-3, with a Land Use Designation of General Business District in Order to Allow Proposed Owner/Developer to be Able to Develop a Class A Multifamily Community on the Two Parcels. Danny Balon, Seamon Whiteside Engineering, on Behalf of Proposed Owner/Developer Mark Stuermann, Arlington Properties, Inc. on behalf of the Property Owners (Second Reading)**

Presenter: Natalia Rosario, Planner III

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

IX. Executive Sessions

Councilmember Brown made a motion to adjourn to Executive Session for the reasons stated. Mayor pro tem Jenkins seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 5:42 p.m.

- A. **Executive Session Pursuant to Section 3-4-40(2) Concerning a Personnel Matter Related to Annual Review of Municipal Judge**
- B. **Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to Real Estate**

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

Council reconvened to regular session at 7:40 p.m. Mayor White stated that discussion was held with no decisions made.

X. Resolution to Authorize the City Manager to Enter into an Employment Contract for Municipal Judge

Presenter: Chris Story, City Manager

Councilmember Brown made a motion to approve the resolution as presented. Mayor pro tem Jenkins seconded the motion, which carried unanimously 7 to 0.

XI. Ordinances

A. Ordinance to Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2019 Through June 30, 2020 (Second Reading)

Presenter: Chris Story, City Manager

Councilmember Fulmer made a motion to approve the ordinance as presented on second reading. Councilmember Anderson seconded the motion, which carried 6 to 1. Councilmember Rice voted against the motion.

B. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2019-2020 to Levy Taxes on all Real Estate and Personal Property, Except Such as is Exempted by Law, in the Corporate Limits of the City of Spartanburg for Corporate Purposes for the Fiscal Year 2019-2020 and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided for (Second Reading)

Presenter: James Kennedy, Budget Director

Councilmember Anderson made a motion to approve the ordinance as presented. Councilmember Fulmer seconded the motion, which carried 6 to 1. Councilmember Rice voted against the motion.

C. 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 (First Reading)

Presenter: Robert P. Coler, City Attorney

Mr. Coler presented the item to Council as follows:

“Small Cell Wireless Facilities are relatively small electronic transmitters used by telecommunication providers to increase the distribution of WiFi in a particular area like downtown Spartanburg. They are intended to supplement the use of traditional cellular towers (such as the one near City Hall’s parking lot). They are generally attached to existing utility poles or mounted on top of a newly constructed pole. The newly constructed pole often resembles a traditional street lamp pole and contains a cylindrical apparatus on top to transmit WiFi. Wireless

providers, such as Verizon and AT&T, place several small cell wireless facilities in an area and they transmit wifi to one another to increase wireless service in a particular area.

The proposed ordinance is intended to create an application process for wireless providers to follow, to regulate the aesthetics of the new apparatus, and to collect fees from wireless providers. The Federal Communications Commission has already issued guidelines on the application process and fees municipalities may employ. The proposed Ordinance follows those guidelines. Furthermore, the General Assembly considered a bill last year that would provide statewide regulation of small cell wireless facilities. It failed to make it out of committee but it likely will be reconsidered again next year. This proposed Ordinance is necessary to regulate this field unless or until the General Assembly passes statewide legislation.

ACTION REQUESTED: Approval of the proposed Ordinance.

BUDGET & FINANCIAL DATA: No cost to City. Will generate modest amount of revenue for City.”

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

XII. Adjournment –

Mayor pro tem Jenkins made a motion to adjourn the meeting. Councilmember Rice seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:50 p.m.


Connie S. McIntyre, City Clerk