



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, August 12, 2019**

**(These minutes were approved at
the September 9, 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 July 22, 2019 City Council Meeting –**
*Councilmember 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 of the August 12, 2019 City Council Meeting –**
*Mayor pro tem Jenkins made a motion to approve the agenda as received.
Councilmember Rice 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. Joanna Rose Pigate, 339 Crestview Dr. Spartanburg, SC, spoke regarding her concerns about the 5G ordinance.
 2. Emily Brock, 520 Hemlock Drive, Boiling Springs, SC, spoke regarding her concerns about the 5G ordinance.
- VI. Recognition of Retiree MPO/Police Patrol James Gardiner, Jr.**
Presentation: Mayor White
Mayor White presented the retirement plaque to MPO/Police Patrol James Gardiner, Jr. and thanked him for his many years of service to the City of Spartanburg.

VII. Resolutions

A. **Relating to the Declaration of Intent by the City of Spartanburg, South Carolina, to Reimburse Certain Expenditures Made Prior to the Issuance of Federal Tax-Exempt Bonds**

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to Council as follows:

“Recently Council approved the purchase of property for a future Fire Department Facility. We anticipate the City will seek tax exempt financing to cover the cost of the purchase and improvements to this property. IRS regulations require we have a reimbursement resolution in place to reimburse the City’s reserve funds for the cost of eligible expenses incurred prior to the permanent financing.

ACTION REQUESTED: Approve Resolution allowing City to reimburse itself from bond proceeds for the purchase of property and other expenses related to the new facility.

BUDGET AND FINANCIAL DATA: City advanced \$4,300,000 from reserves to acquire property at 450 Wofford St.”

Mayor pro tem Jenkins made a motion to approve the resolution as presented.

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

B. **Approving Donation of Property at 353 Forest Avenue (Tax Map Parcel Number 7-17-05-104.00) by Duke Energy of the Carolinas, LLC to the City of Spartanburg**

Presenter: Mitch Kennedy, Assistant City Manager

Mr. Kennedy presented the item to Council as follows:

“Duke Energy of The Carolinas, LLC (Duke), is the owner of the property located at 353 Forest Avenue and is interested in donating this property to the City of Spartanburg for the benefit of a play area adjacent to the Mary Black Foundation Rail Trail. The City has worked closely with Partners for Active Living to redevelopment the site. Duke has approved all redevelopment activities to this point. The City will cover the cost of title searches and closing cost.

ACTION REQUESTED: Approval of the Resolution accepting the donation of the property from Duke Energy of The Carolinas, LLC to the City of Spartanburg for a play area adjacent to the Mary Black Foundation Rail Trail.”

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

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

VIII. Ordinance

A. **Providing for the Issuance and Sale of City of Spartanburg, South Carolina Special Obligation Bonds (Hospitality Fee Pledge), in the Principal Amount of Not Exceeding \$15,000,000; Authorizing the City Manager to Determine Certain Matters with Respect to the Bonds; Prescribing the Form and Details of Such Bonds; and Other Matters Relating Thereto (First Reading)**

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to Council as follows:

“On September 10, 2018 council approved an ordinance authorizing the issuance of the City’s \$12,500,000 Special Obligation Bond (Hospitality Fee Pledge – Junior Lien), Taxable Series 2018 (the “Series 2018 Junior Bond”) for the purpose of providing interim construction financing for the Dr. TK Gregg Community Center (the “Project”). Since it was intended to serve as interim financing, the Series 2018 Junior Bond was issued on October 4, 2018 as a short term obligation, maturing on October 4, 2019.

Staff is now requesting that Council authorize the issuance and sale of the City’s Special Obligation Bonds (Hospitality Fee Pledge), Series 2019, in the principal amount of not exceeding \$15,000,000 (the “Series 2019 Bond”), for the purposes of refunding the Series 2018 Junior Bond, defraying a portion of the costs of the Project, and paying costs of issuance of the Series 2019 Bond. Staff is still in the process of finalizing all the costs associated with the Project which will be defrayed with a portion of the proceeds of the Series 2019 Bond in order to determine the final principal amount of the Series 2019 Bond. The Series 2019 Bond will be payable solely from, and secured by a pledge of, the City’s hospitality tax collections.

The Series 2019 Bond will be issued as part of an overall plan of finance for the Project, which includes the utilization of New Markets Tax Credits to ultimately offset a portion of the cost of the Project.

ACTION REQUESTED: Approval of the Fourth Supplemental Ordinance authorizing the issuance of the Series 2019 Bond.”

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

IX. City Comprehensive /Master Plan Process Overview, Barry Nocks, Ph.D., FAICP
Presenter: Natalia Rosario, Planner III

Ms. Rosario presented the item to Council as follows:

“As staff looks forward to the beginning of the City of Spartanburg’s first Comprehensive Planning Process since 1999, this fall (2019), that will govern our path for the next 20 years, we endeavor to provide as much information to City Council regarding the comprehensive planning process as possible. This includes, but is not limited to, the formulation of comprehensive plans, the importance of public participation, what a good comprehensive plan can do, and what it cannot do, as well as short reviews of the various topics as related to the future of the City that will be a part of the plan. These include racial equity, housing, economics, health and wellness, parks and recreation, public facilities, infrastructure, traffic, and other matters that will determine the livability of Spartanburg into the next 20 years.

The first of this series is an overview of Comprehensive Planning; what well thought out, thoroughly vetted, primarily influenced by data, public participation, and best planning practices can do for a community. Presenting will be Barry Nocks, Ph.D. and Fellow of the American Institute of Certified Planners, Professor Emeritus of the Clemson University Master of City and Regional Planning program.

BIO

Barry Nocks has 40 years of experience as a practicing planner, educator, administrator, consultant and citizen planner. He is professor emeritus in the Graduate Program in City & Regional Planning at Clemson University, having previously served as professor, Director of the MCRP program, Associate Dean for Research & Outreach of the College of Architecture, Arts and Humanities and director of the Center for Community Growth and Change during his 35 years at Clemson.

He also serves as a Fellow of the College of the American Institute of Certified Planners, member of the American Institute of Certified Planners certification exam committee, member of the Planning Accreditation Board site visitor pool, process consultant for the City of Greenville's Comprehensive Plan, and Founding Board Member of Ten at the Top. Previously, he served as Chair of the Planning Accreditation Board, the organization that accredits professional planning programs in the US as well as the Board of the Association of Collegiate Schools of Planning.

In Greenville, he has served on the City Planning Commission (2001-9), is currently chair of the Urban Panel of the City's Design Review Board and has been active in regional efforts in the Upstate since 2006, currently serving on the TATT Board of Directors. He directed the master plan for the Reedy River Corridor, which was adopted in 2002. He has also been engaged as a consultant and volunteer with a variety of public and private organizations in the Carolinas and throughout the country including: the National Rural Development Partnership, SC APA, SC Planning Continuing Education Advisory Committee, SC Planning Academy and the SC ULI Leaders Institute.

Dr. Nocks has served as a planning consultant for a variety of public and private organizations in the Carolinas and throughout the country including: the National Rural Development Partnership, SC APA, SC Planning Academy and the SC ULI Leaders Institute. He has developed facility need studies, completed strategic plans, assisted in local planning process, and conducted a number of professional training sessions. In addition, he has presented papers a numerous national and regional conferences regarding health planning, planning process, public participation and strategic planning.”

Council received Dr. Nocks report as information.

X. Boards and Commissions Interview Recommendations

Presenter: Councilmember Brown, Chair of Committee

Councilmember Brown presented the recommendations of the Boards and Commissions Interview Committee as follows:

Accommodations Tax Advisory Committee:

Reappoint Landon Cohen, Larry Mullins and Crystal Pace.

Mayor pro tem Jenkins made a motion to approve the recommendations.

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

Board of Architectural Design and Historic Review (HARB):

Reappointment of Brad Steinecke and appointment of Dr. Rhiannon A. Leebrick.

Councilmember Littlejohn made a motion to approve the recommendations.

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

Design Review Board:

Appointment of Carolyn Schoepf.

Councilmember Rice made a motion to approve the recommendation. Councilmember

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

Hospitality Tax Committee:

Reappointment of MarcheLe Garrett and Meghan Smith. *Councilmember Anderson made a motion to approve the recommendation. Councilmember Rice seconded the motion, which carried 6 to 0. Councilmember Littlejohn recused herself from the vote as Ms. Garrett is her niece.*

Housing Board of Adjustment and Appeals:

Appointment of Stephanie Dorman, Jeffrey Parks and Kathy W. Ronson.

Mayor pro tem Jenkins made a motion to approve the recommendation. Councilmember

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

Spartanburg Memorial Auditorium Commission:

Appointment of Loreta Dylgheri.

Mayor pro tem Jenkins made a motion to approve the recommendation. Mayor White seconded the motion, which carried unanimously 7 to 0.

Zoning Board of Adjustments and Appeals:

Reappointment of Jim Badger and Ryan Gaylord

Mayor pro tem Jenkins made a motion to approve the recommendation. Councilmember

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

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

XII. Executive Session – *Councilmember Littlejohn made a motion to adjourn to Executive Session. Councilmember Rice seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 7:16 p.m.*

A. 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 7:50 p.m. 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 Rice seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:51 p.m.*



Connie S. McIntyre, City Clerk