



MINUTES

FORMAL MEETING OF CITY COUNCIL

Monday, September 28, 2020 - 5:30 p.m.

Greenville City Hall - Closed to the Public

Virtual Meeting Viewing: <https://www.greenvillesc.gov/meeting>

Remote Viewing Location:
Greenville Convention Center, 1 Exposition Drive – Room 102

1. **CALL TO ORDER**
Mayor Knox H. White
2. **INVOCATION** (Suspended)
3. **PLEDGE OF ALLEGIANCE** (Suspended)
4. **ROLL CALL**
The following members of City Council were in attendance: Mayor Knox White, John DeWorken, Lillian Flemming, Ken Gibson, Wil Brasington, Russell Stall, and Dorothy Dowe
5. **APPROVAL OF THE MINUTES**
September 14, 2020; Approved as amended
6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**
7. **CITIZENS WISHING TO ADDRESS COUNCIL**
None
8. **PRESENTATION**
None
9. **PUBLIC HEARING**
None
10. **APPOINTMENTS – Boards and Commissions**
 - a. **Accommodations Tax Advisory Committee**

Councilmember Brasington recommended reappointment of Lindsey Davis (At-Large representative) to a full term ending September 30, 2022, and Mary Hipp as representative from the Metropolitan Arts Council and David Berger as representative from VisitGreenvilleSC each to an annual term ending September 30, 2021. There being no further nominations, Ms. Davis, Ms. Hipp, and Mr. Berger were appointed by unanimous consent.

CONSENT AGENDA

There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.

Councilmember Flemming moved, seconded by Councilmember DeWorken, to approve second and final reading of agenda items 11a, 11b, 11c, 11d, 11e, 11f, and 11g of the Consent Agenda. The motion carried unanimously.

11. UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)

- a. Ordinance to annex approximately 1.927 acres located at 601 Airport Road and to rezone S-1, Service district (Tax Map Numbers 0259000103100, 0259000101100, 0259000103200) (AX-5-2020)
(Presented by Senior Development Planner Kevin Howard)
- b. Ordinance to annex approximately 1.470 acres located at 3315 Augusta Street and to rezone from county zoning C-2, Commercial District, to city zoning C-2, Local Commercial District, (Tax Map Numbers M015010101402 and M015010100101 (AX-6-2020)
(Presented by Senior Development Planner Kevin Howard)
- c. Ordinance to appropriate \$88,510 in the Utility Undergrounding Fund for undergrounding of the AT&T Communication line along Rutherford Road in front of the Arby's and the Gateway House Projects
(Presented by Engineering Services Manager Dwayne Cooper)
- d. Ordinance to prohibit the operation of trucks on Ridge Road between East Parkins Mill Road and Duvall Drive
(Presented by Engineering Services Manager Dwayne Cooper)
- e. Ordinance to abandon a portion of Mohawk Drive (AB-4-2020)
(Presented by Engineering Services Manager Dwayne Cooper)
- f. Ordinance to abandon Poplar Street, a portion of Chestnut Street, and a portion of Nassau Street within Unity Park (AB-6-2020)
(Presented by Engineering Services Manager Dwayne Cooper)
- g. Ordinance approving a First Amendment to the Development Agreement between the City of Greenville and CAP Camperdown, LLC
(Presented by Real Estate Development Manager Mary Douglas Hirsch)

12. NEW BUSINESS – (Ordinance – First Reading)

None

13. NEW BUSINESS – (Resolutions – First and Final Reading)

None

REGULAR AGENDA

14. UNFINISHED BUSINESS – (Ordinances – Second and Final Reading)

None

15. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance amending Section 36-136 of the Code of Ordinances of the City of Greenville to expand the availability of certain public space for special events on a limited basis and to allow the City Manager to deny a special event permit for reasons of public health
(Presented by Deputy City Manager Eden Freeman)

Councilmember Stall moved, seconded by Councilmember Dowe, to approve first reading.

Deputy City Manager Eden Freeman referred to the proposed changes for the Code of Ordinances regarding special event permits. Councilmember Dowe asked if the change would give the City Manager extended authority in issuing permits. City Attorney Michael Pitts responded the information was included in the Code previously and is being located to its own section to make its intent clearer.

After discussion, the motion carried unanimously.

- b. Ordinance amending Chapter 19, Land Management, and Chapter 36, Streets, Sidewalks and Other Public Places, of the Code of Ordinances of the City of Greenville to provide for the regulation of small wireless facilities
(Presented by City Attorney Mike Pitts)

Councilmember Stall moved, seconded by Councilmember Brasington, to approve first reading.

Mr. Pitts explained the changes to the Code of Ordinances are being driven by a state bill which was just passed by the South Carolina state legislation. Mr. Pitts stated the amendments are being made to comply with the changes in this state bill and are now being considered part of the right of way section of the Code. Mr. Pitts added this Ordinance creates two design districts to address esthetic considerations: the Central Business District and any property within a Preservation Overlay District.

Councilmember Dowe asked if a neighborhood subsequently has an historical overlay, would it fall underneath this overlay district. Mr. Pitts replied yes, but Council would have to take action to designate it as a design district for the purposes of the state bill. Councilmember Dowe also inquired about the excessive number of polls in the City with nothing attached to them and asked who has responsibility for reporting them. Public Works Director Mike Murphy responded the polls typically belong to Duke

Energy and as long as the polls have some type of utility on the poll, the City cannot touch the polls. Mr. Murphy stated the City has an abandoned poll program which Engineering Services Manager Dwayne Cooper and Civil Engineer Nancy Sue oversee and the City works with Duke Energy on removing or undergrounding polls when possible. Councilmember Dowe asked if residents should report the polls, similar to how they report street lights which are not working. Mr. Murphy responded once the City is aware of an abandoned poll, it contacts Duke Energy to inform them.

Mayor White stated the City has an aggressive program of observing and acting on redundant poll issues and suggested Councilmember Dowe meet with Ms. Sue to see the amount of information she has regarding the polls.

After discussion, the motion carried unanimously.

- c. Ordinance to convey surplus city property in the vicinity of Unity Park to the Greenville Housing Fund, LLC for purposes of affordable housing
(Presented by Economic and Community Development Director Merle Johnson)

Item was postponed.

16. NEW BUSINESS – (Resolution – First and Final Reading)

- a. Resolution to appoint a judicial position in Municipal Court under Chapter 22, Municipal Court, of the Code of Ordinances of the city of Greenville
(Presented by Municipal Court Judge Matthew Hawley)

Councilmember Brasington moved, seconded by Councilmember Gibson, to approve first and final reading.

Municipal Court Judge Matthew Hawley introduced Andrew “Drew” MacKenzie as the new part-time judge being hired with the retirement of Judge Pam Fulbright. Mr. MacKenzie thanked Council for the opportunity to serve the City.

After discussion, the motion carried unanimously.

- b. Resolution to enter into an Agreement with the Greenville Housing Fund, LLC, and the Greenville Affordable Housing Trust for affordable housing initiatives and services
(Presented by Economic and Community Development Director Merle Johnson)

Councilmember DeWorken moved, seconded by Councilmember Dowe, to approve first and final reading.

Economic and Community Development Director Merle Johnson referred to the Greenville Housing Fund becoming a non-profit corporation, which required a new agreement with the group. Greenville Housing Fund, LLC Executive Director Bryan Brown stated he had been working with the City to get the agreement into place and advised the group has investment opportunities for affordable housing with plans for using those resources in the community.

Councilmember Dowe referred to the \$2 million allocated for affordable housing in the City budget and wanted to clarify if that amount included city property that was contributed to the Housing Fund. Councilmember Dowe stated she is sensitive to language concerning affordable housing and workforce housing and wanted to distinguish between those categories. Mr. Brown responded the City acted as an intermediary for the Housing Fund in acquiring surplus land for the Greenville Housing Authority and the purchase price for the land is deducted from the \$2 million. Mr. Brown stated affordable housing is inclusive of workforce housing and noted workforce is a higher level of rent than affordable.

Councilmember Dowe added she wants to stress to the community the meaning of affordable housing and workforce housing. Mr. Pitts stated that information can be inserted into the Resolution.

After discussion, the motion carried 5-0, with Councilmember Stall and Councilmember Flemming abstaining (*See attached statements*).

17. STAFF REPORTS

City Manager John McDonough provided information on the following items:

- a. The Webcam in Unity Park is live now and progress on the project can be viewed.
- b. The speed hump installation in the Hampton-Pinkney and Frank Street neighborhood is expected to begin this week.
- c. Tree Ordinance Update. Assistant City Manager Shannon Lavrin provided an update on the Tree Ordinance, discussed the Tree Ordinance Meeting being held virtually Tuesday, September 29, at 5:30 p.m., and related information about a survey which will become available after the meeting and continue through October 13. Ms. Lavrin stated information about the current Ordinance, proposed changes, and upcoming dates related to the Ordinance can be found on the City Website.

Councilmember Brasington commented on the way the survey will be conducted. Ms. Lavin responded the City's Communications Department will be handling the survey.

- d. Census Update. Assistant City Manager Shannon Lavrin provided an update on the current Census numbers. Ms. Lavrin thanked the City departments and staff members for their involvement in making residents aware of the Census and commented on the many ways the Census had been publicized throughout the City.

Mayor White commented on a video about public-private partnerships which Council received from the City Manager and recommended all Councilmembers view it.

18. **ADJOURN.** There being no further business, the meeting adjourned at 6:06 p.m.



KNOX H. WHITE, MAYOR



CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON SEPTEMBER 25, 2020.



STATEMENT OF POTENTIAL CONFLICT OF INTEREST

TO: Mayor, or Presiding Officer of Greenville City Council

FROM: Mayor Knox H. White

Pursuant to the Code of Ordinances of the City of Greenville, Section 2-266, "I make this statement concerning the matter described below, action or decision upon which will directly affect an economic interest as contemplated by the Ethics, Government Accountability and Campaign Reform Act of 1991:"

A. The matter requiring action or decision is as follows:

FORMAL AGENDA

Agenda Item No. 16b

Resolution to enter into an Agreement with the Greenville Housing Fund, LLC, and the Greenville Affordable Housing Trust for affordable housing initiatives and services

B. The nature of my potential conflict is as follows:

- I have an economic interest which will be affected by the action.
- A member of my immediate family has an economic interest which will be directly affected.
- An individual with whom I am associated has an economic interest which will be affected.
- A business (either for profit or not for profit) with whom I am associated has an economic interest which may be affected directly or indirectly.
- A member of my immediate family, or by marriage relationships, is recommended for appointment to a municipal Board or Commission creating a conflict.

C. As a result of my potential conflict:

- I hereby withdraw/abstain/recuse from any votes, deliberations or other actions on this matter and request that my disqualification and the grounds therefore be noted in the minutes.
- I hereby left the meeting during the vote, deliberation or other action on this matter and request that my absence and the grounds therefore be noted in the minutes.

Date: September 28, 2020

Signature: *Lillian Brock Flemming*

Print Name: Lillian B. Flemming

Accepted: *[Signature]*
Mayor

The City Clerk attests the above action has been noted and is reflected in the Minutes.

Camille H. Pitman

City Clerk



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FORMAL AGENDA

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- I hereby left the meeting during the vote, deliberation or other action on this matter and request that my absence and the grounds therefore be noted in the minutes.

Date: September 28, 2020

Signature: _____

Print Name: _____

Russell H. Stall

Accepted: _____

Mayor

The City Clerk attests the above actions have been noted and are reflected in the Minutes.

City Clerk