



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
County Council Chambers
366 N. Church Street
Monday, April 22, 2024
5:30 PM

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of the Minutes of the April 8, 2024 Meeting**
- IV. Approval of the Agenda of the April 22, 2024 Meeting**
- V. Public Comment**
- VI. FY25 Budget Process Overview**
Presenter: Dennis Locke, Director of Finance
Chris Story, City Manager
- VII. Consent Agenda**
 - A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land use Element, by Amending Section 206, Changes to District Boundaries, Specifically, the Property Located at 1621 John B. White Sr. Blvd, and is Further Identified as Tax Map ID: 6-21-13-060.00 on the Spartanburg County Tax Map, as a Part and Parcel of the City of Spartanburg Which is Zoned R-15, with a Land Use Designation of Single-Family Residential District to be Assigned a Zoning Designation of B-1, with a Land Use Designation of Neighborhood Shopping District and Providing for Severability and an Effective Date.**
Presenter: Martin Livingston, Community Development Director
- VIII. Resolutions**
 - A. A Resolution Pursuant to Section 4-1-170(C), Code of Laws of South Carolina 1976, As Amended, Consenting to the Placement of Certain Property Within the Corporate Limits of the City of Spartanburg in a Joint Industrial and Business Park of Spartanburg and Cherokee Counties.**
Presenter: Robert P. Coler, City Attorney

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information

- B. Resolution to Adopt the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan**
Presenter: Chris Story, City Manager
- IX. Staff Updates**
- X. City Council Updates**
- XI. Executive Session**
 - A. Executive Session Pursuant to Section 30-4-70 (a)(5) of the South Carolina Code to Discuss Matters Relating to Economic Development "Project Core" a Potential Mixed-use Development in the Downtown Area**
 - B. Executive Session Pursuant to Section 30-4-70(a)(5) of the South Carolina Code to Discuss Matters Relating to Economic Development "Project Hoist" a Potential Mixed-use Development in the Downtown Area.**
 - C. An Executive Session to Discuss a Contractual Agreement Pursuant to Section 30-4-70 (a) (2) of the SC Code of Laws**
- XII. Adjournment.**

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.



**City Council Meeting
County Council Chambers
366 N. Church Street
Monday, April 8, 2024
5:30 p.m.**

(These minutes to be approved at the April 22, 2024 Council Meeting)

City Council met this date with the following Councilmembers present: Mayor Jerome Rice, Jr, Mayor Pro Tem Janie Salley, Councilmembers Jamie Fulmer, Ruth Littlejohn, Meghan Smith and Rob Rain.

City Manager Chris Story, Deputy City Manager Mitch Kennedy, Assistant City Manager Kevin Limehouse and City Attorney Robert P. Coler were in attendance. Councilmember Erica Brown was not present. 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 live streamed/recorded. To view the video for a complete transcript, please visit <https://www.cityofspartanburg.org/city-council>

- I. Moment of Silence – observed**
- II. Pledge of Allegiance - recited**
- III. Approval of the Minutes of the March 25, 2024 City Council Meeting –**
Councilmember Fulmer made a motion to approve the minutes as received.
Councilmember Smith seconded the motion, which carried unanimously 6 to 0.
- IV. Approval of the Agenda for the April 8, 2024 City Council Meeting -**
Councilmember Littlejohn made a motion to approve the agenda as received.
Mayor Pro Tem Salley seconded the motion, which carried unanimously 6 to 0.
- V. Public Comment –**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
 - 1. Adib Kapasi-Construction Career Fair**
 - 2. Mike MacNabb-Agent for Rezoning Application on Agenda (didn't speak, reserved time For public hearing)**
- VI. Homeless Initiative Update**
Presenter: Mitch Kennedy, Deputy City Manager
Marilyn Nguyen, Equity & Inclusion Officer
Lt. Stephen McClure, Spartanburg Police Department

Council was provided an update regarding the Homeless Initiative in Spartanburg.
Council received the update as information only.

VII. Public Hearing

- A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land use Element, by Amending Section 206, Changes to District Boundaries, Specifically, the Property located at 1621 John B. White Sr. Blvd, and is Further Identified as Tax Map ID: 6-21-13-060.00 on the Spartanburg County Tax Map, as a Part and Parcel of the City of Spartanburg Which is Zoned R-15, with a Land Use Designation of Single Family Residential District to be Assigned a Zoning Designation of B-1, with a Land Use Designation of Neighborhood Shopping District and Providing for Severability and an Effective Date.**

Presenter: Martin Livingston, Community Development Director

Councilmember Fulmer made a motion to open the public hearing.

Mayor Pro Tem Salley seconded the motion, which carried unanimously 6 to 0.

Mayor Rice opened the Public Hearing asking if there was anyone to speak in favor of the rezoning. Mike McNabb, Civil Engineer on the project, spoke in favor of this item. Neighbor, Ruth Davis and Property Owner, Doris Billings, spoke in favor as well.

Mayor Rice asked if there were any in opposition, hearing none, Councilmember Fulmer made a motion to close the public hearing. Councilmember Littlejohn seconded the motion, which carried unanimously 6 to 0.

Councilmember Fulmer made a motion to approve the ordinance as presented to Council. Councilmember Smith seconded the motion, which carried unanimously 6 to 0.

VIII. Ordinance

- A. An Ordinance to Provide for and Authorize the Execution and Delivery of an Intergovernmental Agreement with Spartanburg County, South Carolina Regarding the Sharing of Costs Associate with Construction, Equipping, Financing and Maintenance of a Minor League baseball Stadium in the City, and Other Matters Related Thereto.**

Presenter: Chris Story, City Manager

Councilmember Rain recused himself from voting on this agenda item.

Councilmember Smith made a motion to approve the ordinance as presented.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

- B. An Ordinance to Provide for and Authorize the Execution and Delivery of A Stadium Sublease Agreement Between the City of Spartanburg, South Carolina and DBH Kinston, LLC; and Other Matters Related Thereto.**

Presenter: Chris Story, City Manager

Councilmember Rain recused himself from voting on this agenda item.

Councilmember Smith made a motion to approve the ordinance as presented.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

- C. An Ordinance Consenting to the Removal of Certain Property Located in The City of Spartanburg from the Joint County Industrial/Business Park (City of Spartanburg Economic Development Partnership Park) Established By and Between Spartanburg County and Cherokee County, Consenting to the Addition of Such Properties to a New Joint County Industrial/Business Park (City of Spartanburg Economic Development Partnership Park) Between Spartanburg County and Cherokee County; Authorizing the Execution and Delivery of an Amended and Restated Intergovernmental Agreement (City of Spartanburg Economic Development Partnership Park) Between the City of Spartanburg and Spartanburg County; and Other Matters Relating Thereto. Presenter: Chris Story, City Manager**

Councilmember Rain recused himself from voting on this agenda item.

Councilmember Smith made a motion to approve the ordinance as presented.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

- D. An Ordinance Authorizing the Issuance of Spartanburg Stadium Facilities Corporation Installment Purchase Revenue Bonds (City of Spartanburg Project), Taxable Series 2024, In the Aggregate Principal Amount of Not Exceeding \$67,500,000, by Spartanburg Stadium Facilities Corporation to Provide Funding to Finance the Costs of Design, Acquisition, Construction and Equipping of a Multi-Use Municipal Stadium Intended for Use Principally as a Minor League Baseball Venue; Authorizing the Execution and Delivery of a Ground Lease Agreement By and Between the City and Johnson Development Associates, Inc., Or an Affiliate or Subsidiary Thereof; Authorizing the Execution and Delivery of a Base Lease Agreement By and Between the City and the Corporation, and the Conveyance of Certain Property of the City to the Corporation Thereunder; Authorizing the Execution and Delivery of an Installment Purchase and Use Agreement By and Between the City and the Corporation; consenting to the Form of a Trust Agreement to be Entered Into by the Corporation and the Trustee for the bonds; and Making Provision for all Other Matters Relating to The Foregoing.**

Presenter: Chris Story, City Manager

Councilmember Rain recused himself from voting on this agenda item.

Councilmember Smith made a motion to approve the ordinance as presented.

Councilmember Littlejohn seconded the motion, which carried unanimously 5 to 0.

IX. Staff Updates

Mr. Story advised of the upcoming event season that includes Music on Main, Hog Fest and Spring Fling.

He also spoke to Council about communication that City Staff has with Robert Smalls' property owner and developer weekly regarding resident's concerns.

Mr. Story provided an update to Council about the progress of demolition at City Hall.

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

XI. Executive Session-

A. Executive Session Pursuant to Section 30-4-70(2) of the South Carolina Code to Receive Legal Advice.

Councilmember Fulmer made a motion to adjourn to executive session at 7:35p.m. Councilmember Littlejohn seconded the motion, which carried unanimously 6 to 0.

XVI. Adjournment – Councilmember Smith made a motion to adjourn the meeting, Mayor Rice seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:56p.m.


Christie B. Lindsey, City Clerk



REQUEST FOR CITY COUNCIL ACTION

TO: Mayor and Members of City Council

FROM: Robert Coler, Attorney

SUBJECT: Resolution to place two new properties in an existing Multi-County Industrial Park (MCIP)

DATE: April 22, 2024

BACKGROUND: Tax Map Parcel 7-12-13-024.00, located at 500 W. Main Street (former Coca-Cola Building), is the subject of an executed Development Agreement between the City and Developer. Placing said parcel into an MCIP, so that it may achieve tax benefits, is part of said Development Agreement. Also, Tax Map Parcels 7-16-06-222.00 and 7-16-06-238, located at 729 S. Church Street (former Pepsi Plant) are the subject of an executed Development Agreement between the City and Developer. Placing said parcels into an MCIP, so that they may achieve tax benefits, is part of said Development Agreement.

ACTION REQUESTED: City Council to approve the attached Resolution placing the noted parcels into a Multi-County Industrial Park pursuant to Development Agreements previously approved by Council and executed by the City Manager.

BUDGET AND FINANCIAL DATA: No direct costs to accomplish placing the parcels into an MCIP.

RESOLUTION NO. _____

A RESOLUTION PURSUANT TO SECTION 4-1-170(C), CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, CONSENTING TO THE PLACEMENT OF CERTAIN PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF SPARTANBURG IN A JOINT INDUSTRIAL AND BUSINESS PARK OF SPARTANBURG AND CHEROKEE COUNTIES.

WHEREAS, Spartanburg County desires to enlarge the boundaries of a joint county industrial and business park (the ***“Park”***) of Spartanburg and Cherokee Counties (together, the ***“Counties”***) created pursuant to an Agreement for the Development of Joint Industrial and Business Park dated as of April 20, 2009, as amended, delivered pursuant to Section 4-1-170, Code of Laws of South Carolina 1976, as amended (the ***“Code”***), in order to locate certain parcel(s) of real property in Spartanburg County therein; and

WHEREAS, the parcels described in the attached Exhibit A (the ***“City Parcels”***) are located within the corporate limits of the City of Spartanburg (the ***“City”***) and is among the parcels of land that the Counties desire to include within the Park; and

WHEREAS, pursuant to Section 4-1-170(C) of the Code, the City must consent to the inclusion of the City Parcels in the Park prior to such inclusion;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spartanburg, South Carolina, in meeting duly assembled, that the inclusion of the City Parcels in the Park is hereby consented to by the City pursuant to all requirements of South Carolina law, including Section 4-1-170(C) of the Code.

This Resolution shall become effective immediately. All orders, resolutions and parts thereof in conflict herewith are, to the extent of the conflict, hereby repealed.

Done in meeting duly assembled this ____ day of _____, 2024.

CITY OF SPARTANBURG, SOUTH CAROLINA

(SEAL)

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

EXHIBIT A

Bottle Works South, LLC, LLC

7-16-06-222.00 and 7-16-06-238.00

All that certain piece, parcel or tract of land lying, being situate in the City of Spartanburg, State of South Carolina being shown as 5.91 acres on the Combination Survey for “Bottle Works South, LLC” by Arrow North Surveying, LLC, dated September 21, 2023 and recorded in the Register of Deeds Office for Spartanburg County in Plat Book 184 at Page 454 and having said plat, the metes and bounds shown thereon.

Palmetto Operating Company, LLC

7-12-13-024.00

All those certain pieces, parcels or lots of land situate, lying and being in the State of South Carolina, County of Spartanburg, being shown and designated as PARCEL A, containing 7.35 acres, more or less, and PARCEL B, containing 0.10 acres, more or less, on a plat prepared for RMR Development, LLC by HBU Surveying & Planning, LLC and recorded in the Office of the Register of Deeds for said County in Plat Book 175 at Page 56; reference to said plat being hereby made for a more complete metes and bounds description thereof.

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

I, the undersigned City Clerk of the City of Spartanburg, South Carolina, do hereby certify that the foregoing is a true, correct and verbatim copy of resolution duly adopted at a meeting of said City Council held on _____, 2024, at which meeting a quorum was at all times present.

WITNESS MY HAND this ____ day of _____, 2024.

City Clerk, City of Spartanburg,
South Carolina



REQUEST FOR COUNCIL ACTION

TO: Spartanburg City Council

FROM: Chris Story, City Manager

SUBJECT: Resolution

DATE: April 18, 2024

Every five years, per Federal Emergency Management Agency requirements, Spartanburg County prepares a Multi-Jurisdictional Hazard Mitigation Plan which is then reviewed and approved by the SC Emergency Management Division and FEMA. We are then asked to adopt this plan to confirm that the City of Spartanburg is a participating jurisdiction. This ensures our ability to receive state and federal assistance in the event of a declared disaster. Thus we recommend your approval of the attached resolution.

The full three hundred plus page plan is available at the link below. City staff, including importantly our Fire and Police Departments, have reviewed and concur with this action.

<https://www.dropbox.com/scl/fo/d57gkn8yn2ibk3p0fjz0w/h?rlkey=ghdyrq1nau5y1yb68jbww7fd0&dl=0>

We recommend your approval. Please let me know if you have any questions.

**RESOLUTION TO ADOPT THE
SPARTANBURG COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN**

WHEREAS, the City of Spartanburg is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Spartanburg desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Spartanburg City Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Spartanburg City Council to fulfill its obligation under Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Spartanburg; and

WHEREAS, the City of Spartanburg, in coordination Spartanburg County has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the South Carolina Emergency Management Division and the Federal Emergency Management Agency have reviewed the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Members of Council of the City of Spartanburg, South Carolina, in Council assembled:

1. Adopts the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

DONE AND RATIFIED THIS _____ DAY OF _____ 2024.

Jerome Rice, Mayor

ATTEST:

Christie Lindsey, City Clerk

APPROVED AS TO FORM:

Robert P. Coler, City Attorney