



CITY OF SPARTANBURG
SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
County Council Chambers
366 N. Church Street
Monday, October 14, 2024
5:30 PM

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes of the September 23, 2024 Meeting**
- IV. **Approval of the Agenda of the October 14, 2024 Meeting**
- V. **Public Comment**
Public Comment Forms are available inside council chambers on the front podium. Please turn in completed forms to the City Clerk prior to the start of the meeting.
- VI. **Presentation of Proclamation Declaring October as Domestic Violence Awareness Month**
Presenter: Jerome Rice, Jr., Mayor
- VII. **Award of Bid for Delray Drive Drainage Culvert Repair**
Presenter: Jay Squires, Public Works 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
 - B. **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
 - C. **A Resolution Certifying One (1) Unit as an Abandoned Building Site Pursuant to the South Carolina Abandoned Building Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 305 N. Church Street, City of Spartanburg, Spartanburg County, TMS# 7-12-06-**

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

043.00

Presenter: Robert P. Coler, City Attorney

- 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 New Vision” a Potential Mixed-Income Residential Development near 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 Core” a Potential Mixed-use Development in the Downtown Area
- 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, September 23, 2024
5:30 p.m.**

(These minutes to be approved at the October 14, 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, Erica Brown, Meghan Smith, Ruth Littlejohn and Rob Rain. City Manager Chris Story, Deputy City Manager Mitch Kennedy, Assistant City Manager, Kevin Limehouse and City Attorney Robert Coler were 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 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 September 9, 2024 City Council Meetings**
Councilmember Fulmer made a motion to approve the minutes as received.
Councilmember Smith seconded the motion, which carried unanimously 7 to 0.
- IV. Approval of the Agenda for the September 23, 2024 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.
- V. Public Comment –**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
 - 1. Charlie Proctor-Spoke regarding contract work with the City**
 - 2. LaRaven Twitty-Spoke regarding the SPARTA Transportation Center**
- VI. Presentation of Proclamation Declaring October 1, 2024 as National Night Out**
Presenter: Jerome Rice, Jr., Mayor
Sheila Dawkins, Willa Reeder, Jemar Brown and Leroy Jeter were present to accept the proclamation on behalf of their respective neighborhoods.
- VII. Presentation on Improvements at GSP and Expanded Commercial Aviation Options for the Upstate**
Presenter: David N. Edwards, Jr., President/CEO, Greenville-Spartanburg Airport District
Council received presentation as information only.

VIII. Award of Bid for West Main Street Project

Presenter: Jay Squires, Public Works Director

Mayor Pro Tem Salley made a motion to approve the bid by Sossamon Construction. Councilmember Smith seconded the motion, which carried unanimously 7 to 0.

IX. Boards and Commissions Appointment-Bicycle and Pedestrian Committee

Presenter: Christie Lindsey, City Clerk

The City Clerk presented Council with the Bike/Ped board committees' recommendation, that Brad Wright be appointed to the board. Meredith Boyce was appointed to this board during the September 9, 2024 Council Meeting, however she is unable to serve.

Councilmember Fulmer made a motion to appoint Brad Wright to the board.

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

The City Clerk presented Council the Spartanburg Housing Board's recommendation to reappoint Matthew Myers to the board.

Councilmember Brown made a motion to reappoint Matthew Myers to the board.

Mayor Pro Tem Salley seconded the motion, which carried unanimously 7 to 0.

X. Staff Updates

Chris Story gave a brief update to Council about several items and an event in the City.

He reminded Council that International Festival is coming up on October 5, 2024.

He also advised that Mark Peters will have an update soon for Council regarding the former Pepsi plant location.

XII. City Council Updates

Each Councilmember gave updates on their activities since the previous council meeting.

Councilmember Fulmer made a motion to enter into executive session at 6:52p.m.

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

XIII. Executive Session

A. An Executive Session Pursuant to Section 3-4-70(a)(5) of the South Carolina Code to Discuss Matters Relating to Economic Development "Project New Vision" A Potential Mixed-Income Residential Development near the Downtown Area.

B. An Executive Session to Discuss a Contractual Agreement Pursuant to Section 30-4-70 (a)(2) of the SC Code of Laws

XII. Adjournment – Councilmember Brown made a motion to adjourn the meeting.

Councilmember Littlejohn seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:15 p.m.


Christie B. Lindsey, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Chris Story, City Manager
FROM: Jay Squires, Public Works Director
SUBJECT: Delray Drive Culvert Repair
DATE: October 11, 2024

BACKGROUND: Staff received a bid for the emergency repair of drainage culvert on Delray Drive. The culvert and junction box were compromised when storm water over topped the road and washed the pipe and concrete junction box out of placement. The project consists of repair/installation of 6'x6'x 10' concrete junction box. Installation of 36" & 18" concrete pipe and back filling with structural material.

The following bids were received:

HRH Engineering Services, LLC.	Boiling Springs, S.C.	\$ 91,484.00
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Staff has reviewed the bids and the emergency "on call" contractor. Based on that review, staff have determined that HRH Engineering Services, LLC. is the responsive low bidder. It is anticipated that it will take 7 days to complete this project. Contractor will utilize a detour route during the construction phase.

ACTION REQUESTED:

Allow staff to accept the bids and authorize the City Manager to enter a contract with HRH Engineering Services, LLC. for the completion of the project.

BUDGET AND FINANCE DATA:

\$91,484.00 to be paid from Storm Water Construction Account. Staff will coordinate with FEMA to request reimbursement for the repair.



REQUEST FOR COUNCIL ACTION

TO: Spartanburg City Council

FROM: Chris Story, City Manager

SUBJECT: Resolution Placing Property in MCIP Relating to Baseball Stadium Financing and Project Core

DATE: October 10, 2024

The enclosed resolution is a housekeeping/clarification action relating to the implementation of the stadium financing and Project Core agreements. It does not change any of the previously approved financial commitments, obligations, or terms of the various transactions.

Please let me know if you have any questions.

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 create a joint county industrial and business park (the ***“Park”***) of Spartanburg and Cherokee Counties (together, the ***“Counties”***) which will be created pursuant to an Agreement for the Development of Joint Industrial and Business Park dated December 19, 2018, 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 and Exhibit B (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

List 1: Parcels to be Included in the Park

7-12-07-048.00	350 NORTHVIEW ST SPARTANBURG
7-12-07-147.01	245 OAKLAND AVE SPARTANBURG
7-12-10-068.01	W SAINT JOHN ST SPARTANBURG
7-12-11-075.02	404 E MAIN ST SPARTANBURG
7-12-14-002.00	227 W MAIN ST SPARTANBURG
7-12-14-003.00	314 W HENRY ST SPARTANBURG
7-12-18-048.02	100 N LIBERTY ST SPARTANBURG
7-12-20-036.01	149 W MAIN ST SPARTANBURG
7-12-21-023.01	160 E MAIN ST SPARTANBURG
7-12-21-073.00	E BROAD ST SPARTANBURG
7-12-21-074.01	E BROAD ST SPARTANBURG
7-12-21-096.01	155 E BROAD ST SPARTANBURG
7-12-21-096.02	155 E BROAD ST SPARTANBRUG

EXHIBIT B

List 2: Parcels to be Included Upon Expiration of SJDM TIF

7-12-06-061.00	400 E DANIEL MORGAN AVE SPARTANBURG
7-12-06-084.01	215 E DANIEL MORGAN AVE SPARTANBURG
7-12-06-157.03	196 SILVER HILL ST SPARTANBURG
7-12-06-157.04	192 SILVER HILL ST SPARTANBURG
7-12-06-157.05	188 SILVER HILL ST SPARTANBURG
7-12-06-157.06	184 SILVER HILL ST SPARTANBURG
7-12-06-157.07	176 SILVER HILL ST SPARTANBURG
7-12-06-157.08	172 SILVER HILL ST SPARTANBURG
7-12-06-157.09	180 SILVER HILL ST SPARTANBURG
7-12-06-157.10	130 SILVER HILL ST SPARTANBURG
7-12-06-157.11	134 SILVER HILL ST SPARTANBURG
7-12-06-157.12	138 SILVER HILL ST SPARTANBURG
7-12-06-157.13	142 SILVER HILL ST SPARTANBURG
7-12-06-157.14	146 SILVER HILL ST SPARTANBURG
7-12-06-157.15	267 MORGAN SILVER DR SPARTANBURG
7-12-06-157.16	263 MORGAN SILVER DR SPARTANBURG
7-12-06-157.17	259 MORGAN SILVER DR SPARTANBURG
7-12-06-157.18	255 MORGAN SILVER DR SPARTANBURG
7-12-06-157.19	251 MORGAN SILVER DR SPARTANBURG
7-12-06-157.20	250 MORGAN SILVER DR SPARTANBURG
7-12-06-157.21	254 MORGAN SILVER DR SPARTANBURG
7-12-06-157.22	258 MORGAN SILVER DR SPARTANBURG
7-12-06-157.23	262 MORGAN SILVER DR SPARTANBURG
7-12-06-157.24	266 MORGAN SILVER DR SPARTANBURG
7-12-06-157.25	286 MORGAN SILVER DR SPARTANBURG
7-12-06-157.26	290 MORGAN SILVER DR SPARTANBURG
7-12-06-157.27	294 MORGAN SILVER DR SPARTANBURG
7-12-06-157.28	296 MORGAN SILVER DR SPARTANBURG
7-12-06-157.29	156 SILVER HILL ST SPARTANBURG
7-12-06-157.30	160 SILVER HILL ST SPARTANBURG
7-12-06-157.31	164 SILVER HILL ST SPARTANBURG
7-12-06-157.32	168 SILVER HILL ST SPARTANBURG
7-12-06-158.00	252 MORGAN SILVER DR SPARTANBURG
7-12-07-029.00	262 N DEAN ST SPARTANBURG
7-12-07-060.00	180 RUDISAL ST SPARTANBURG
7-12-07-061.01	178 RUDISAL ST SPARTANBURG
7-12-07-061.02	176 RUDISAL ST SPARTANBURG
7-12-07-075.00	206 RUDISAL ST SPARTANBURG
7-12-07-081.01	214 WOODWARD ST SPARTANBURG
7-12-07-316.00	0 NORTHVIEW ST SPARTANBURG
7-12-10-043.00	233 N CHURCH ST SPARTANBURG
7-12-10-044.00	187 N CHURCH ST SPARTANBURG

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

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 create a joint county industrial and business park (the ***“Park”***) of Spartanburg and Cherokee Counties (together, the ***“Counties”***) which will be created pursuant to an Agreement for the Development of Joint Industrial and Business Park dated in 2024, 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

Morgan & Henry JOF ESA 11, LLC

northwestern portion of 7-12-14-005.00

Grain 1 (Office 1) Property

The northwestern portion of that certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, City and County of Spartanburg, being shown and designated as Remainder, +- 333,605 sq. ft, 7.659 acres, on a subdivision plat prepared for Morgan & Henry JOF ESA II, LLC by Tru-Line Surveying Co., Inc. dated March 11, 2024 and recorded in Plat Book 185 at Page 83 in the Office of the Register of Deeds for Spartanburg County. For a more complete and particular description, reference is hereby made to the aforesaid plat.

southeastern portion of 7-12-14-005.00

Grain 2 (Multi-Family 1 Property)

The southeastern portion of that certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, City and County of Spartanburg, being shown and designated as Remainder, +- 333,605 sq. ft, 7.659 acres, on a subdivision plat prepared for Morgan & Henry JOF ESA II, LLC by Tru-Line Surveying Co., Inc. dated March 11, 2024 and recorded in Plat Book 185 at Page 83 in the Office of the Register of Deeds for Spartanburg County. For a more complete and particular description, reference is hereby made to the aforesaid plat.

Main and Morgan, LLC

Herald Journal 1 (Office 2 Property)

western portion of 7-12-20-030.00

The western portion of that certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, City and County of Spartanburg, being Parcel 1 as described in Survey prepared by J. Jeffrey Cobb, Registration No. 9667 in the State of South Carolina, dated November 28, 2011, last revised December 22, 2011, and filed as a Plat in Plat Book 166, Page 389, Spartanburg County records. For a more complete and particular description, reference is hereby made to the aforesaid plat.

Main and Morgan, LLC

Herald Journal 2 (Hotel) Property

eastern portion of 7-12-20-030.00

The eastern portion of that certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, City and County of Spartanburg, being Parcel 1 as described in Survey prepared by J. Jeffrey Cobb, Registration No. 9667 in the State of South Carolina, dated November 28, 2011, last revised December 22, 2011, and filed as a Plat in Plat Book 166, Page 389, Spartanburg County records. For a more complete and particular description, reference is hereby made to the aforesaid plat.

Together with any additional land to the south of West Main and west of Spring Street conveyed in the future to Johnson Development Associates, Inc. or its successors and assigns by the City of Spartanburg pursuant to that certain Development Agreement between the City of Spartanburg and Johnson Development Associates, Inc. dated as of October 11, 2023.

Main and Morgan, LLC

Magnolia (Multi-Family 2) Property

7-12-20-048.00

That certain piece, parcel or tract of land lying, situate and being in the State of South Carolina, City and County of Spartanburg, being Parcel 2 as described in Survey prepared by J. Jeffrey Cobb, Registration No. 9667 in the State of South Carolina, dated November 28, 2011, last revised December 22, 2011, and filed as a Plat in Plat Book 166, Page 389, Spartanburg County records. For a more complete and particular description, reference is hereby made to the aforesaid plat.

TOGETHER WITH:

City of Spartanburg

7-12-20-050.00

Lying and being in the City of Spartanburg, Spartanburg County, South Carolina, and more particularly described as follows:

BEGINNING at a ½" iron rebar found at the intersection of the northwestern corner of the property conveyed to Thomas H. Jones by instrument recorded in Deed Book 46-S, Page 302, Office of the RMC for Spartanburg County and the western margin of the right-of-way of South Spring Street; thence running with the northern boundary of the Thomas H. Jones property (now or formerly) S 73-19-16 W 110.89 feet to a 1" iron pipe found at the northwestern corner of a twenty-foot (20') wide alley (being a portion of the A. F. McDowell estate (now or formally)); thence with the western margin of said alley S 19-19-32 E 24.91 feet to an ½" iron rebar found; thence continuing with the northern boundary of the Thomas H. Jones property (now or formerly) S 71-27-33 E 83.25 feet to the corner of a block retaining wall on the eastern side of an unopen alley; thence with said block retaining wall N 20-12-44 W 163.45 feet to the intersection of a block retaining wall and the southwestern corner of a garage building, said point also lying on the northern margin of Pollard

Stret (an unopen street) and the eastern boundary of the unopen alley, said point also being the easternmost corner of the property conveyed to Gerald Smith as shown on plat recorded in Plat Book 5, Page 45, Office of the RMC for Spartanburg County; thence with the northeastern boundary of the Gerald Smith property (now or formerly) N 20-13-27 W 143.32 feet to a corner of the garage building lying on the southern margin of the right-of-way of West Broad Street (said point lying S 12-49-25 E 1.14 feet from an "X" in concrete); thence with the southern margin of the right-of-way of West Broad Street the following two courses and distances: (1) N 69-05-39 E 94.29 feet to a ½: rebar found; and (2) N 69-05-36 E 106.25 feet to a calculated point lying at the intersection of the southern margin of the right-of-way of West Broad Street and the western margin of the right-of-way of South Spring Street; thence with the western margin of the right-of-way of South Spring Street the following two (2) courses and distances" (1) S 19-00-00 E 211.65 feet to a ½: iron rebar found; and (2) S 19-00-00 E 81.97 feet to the point and place of BEGINNING, containing 1.348 acres, more or less, as shown on survey prepared by John F. Tinsley, Professional Land Surveyor (Registration Number 16824), dated September 8, 1997, and revised September 29, 1997 (the "Survey") and identified as Project Number 2533. Be all measurements a little more or less.

TOGETHER WITH:

Downtown Partnership Committee Nonprofit Corporation

7-12-20-049.00 and 7-12-20-049.02

Parcel 1

All the certain piece, parcel or lot of land, situate, lying and being in the state of South Carolina, County of Spartanburg, being shown and designated as Lot Nos. 16, 17, 18, 19, 20, 21, 47, 48, and sixteen foot Alley (16') of Central Development Company Subdivision as shown on a survey prepared for Gerald Smith, dated June 21, 1994 and recorded in Plat Book 125, Page 796, Office of the Register of Deeds for Spartanburg County, S.C. For a more complete and particular description, reference is hereby made to the above referred to plats and records thereof.

Parcel 2

ALSO AND INCLUDING: All that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina being shown and designated as 0.203 acres, more or less, as shown on a survey prepared for Gerald Smith, dated May 13, 1999 and recorded in Plat Book 144, Page 785, Office of the Register of Deeds for Spartanburg County, S.C.

LESS AND EXCEPTING FROM THAT 0.203 ACRES: All that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina being shown and designated as 0.12 acres, more or less, as shown on survey prepared for Gerald Smith, dated October 24, 2002 and recorded in Plat Book 153, Page 592, Office of the Register of Deeds for Spartanburg County, S.C.

Parcel 3

All of my right, title and interest in and to the certain "Former Alley" as shown on a plat entitled Gerald Smith dated May 13, 1999 and recorded in Plat Book 144, Page 785 in the Resister of Deeds Office for Spartanburg County, S.C.

Parcel 4

All of my right, title and interest, if any, in and to Pollard Street which adjoins subject Property.

Morgan & Henry JOF ESA 11, LLC

Stadium Site

7-12-14-005.03

All those certain pieces, parcels or tracts of land lying, situate and being in the State of South Carolina, County of Spartanburg, being shown and designated as Tract 1 on the survey prepared for MORGAN & HENRY JOF ESA II, LLC by Tru-Line Surveying Co. Inc., dated March 11, 2024, and recorded in Plat book 185 at Page 83 in the Office of the Register of Deeds for Spartanburg County. For a more complete and particular description, reference is hereby made to the aforesaid plat.

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: Robert P. Coler, City Attorney

SUBJECT: Certification of Eligibility for Abandoned Building State Tax Credits – 305 N. Church Street

DATE: October 10, 2024

The property located at 305 N. Church Street, formerly a First Citizens Bank location, is the site for a new bank building being constructed by Fidelity Bank. This building has been vacant for more than 5 years. The developer has already presented plans to the Design Review Board and the Board approved the plans. The investment for this property is approximately \$5,000,000.00.

The attached resolution enables the developer to pursue credits against some state taxes. It has no impact on local government revenues. We recommend your approval and welcome any questions you may have.

City of Spartanburg Resolution No. _____

Certifying one (1) Unit as an Abandoned Building Site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 305 N. Church Street, City of Spartanburg, Spartanburg County TMS # 7-12-06-043.00.

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws (1976), as amended, to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees or premium taxes, or a credit against local property taxes; and

WHEREAS, Fidelity Bank is the owner and developer of certain real property located at 305 N. Church Street, Spartanburg, SC (the “Property”) and is identified by the Spartanburg County Tax Map Number 7-12-06-043.00; and

WHEREAS, the Property is located within the city limits of Spartanburg, South Carolina; and

WHEREAS, Fidelity Bank, also known as the “Taxpayer,” has requested that the City certify that the Property is eligible as an abandoned building site as defined by Section 12-67-120.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, this _____ day of _____, 2024 as follows:

Section 1. The Taxpayer has submitted to the City a request to certify that the abandoned building site was an abandoned building as defined in Section 12-67-120(1) and that the geographic area of the abandoned building site is consistent with Section 12-67-120(2), pursuant to Section 12-67-160 of the Act (the “Request to Certify”).

Section 2. The City has reviewed the Request to Certify and supporting documentation, conferred with the Taxpayer, and conducted its own review of the Property.

Section 3. The City hereby certifies that (i) the abandoned building site was an abandoned building as defined by Section 12-67-120(1) of the Act, (ii) the geographic area of the

abandoned building site is consistent with Section 12-67-120(2) of the Act; and (iii) the abandoned building site will be developed by Taxpayer as one (1) Unit as defined in the Act.

Requested By:

Mayor

Approved By:

City Manager

Approved as to Form:

City Attorney

City Clerk

Introduced:

First Reading: