



MINUTES

FORMAL MEETING OF CITY COUNCIL

CITY HALL, 206 S. MAIN STREET, COUNCIL CHAMBERS
Monday, March 22, 2021 - 5:30 p.m.

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**
March 8, 2021; Approved as submitted
6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**
None
7. **CITIZENS WISHING TO ADDRESS COUNCIL**

Jean Fontaine, 133 Ingleoak Lane, spoke against the Open Carry Gun Bill passed by the South Carolina House of Representatives and cited her reasons for encouraging City Council to support a Resolution opposing this law. Ms. Fontaine suggested Council discuss this bill with Police Chief Howie Thompson and speak out on what is good for this community and its citizens.

Prior to individuals speaking regarding Item 15c, Mayor White referred to the proposed moratorium and acknowledged Councilmembers who wanted to address the matter.

Councilmember DeWorken stated he plans to ask to table the item because he believes the City can be more deliberate with its process, particularly with its partners, and he wants there to be full transparency.

Councilmember Stall shared the concerns of Councilmember DeWorken and stated he finds the moratorium to be rather excessive.

Councilmember Dowe stated she can support a postponement of the item with a defined period of time and commented if there is a lesson to be learned from this item, it is the lack of transparency. Councilmember Dowe referred to the neighborhoods' feeling of commercial creep and the need to consider and receive input from multiple stakeholders.

Councilmember DeWorken agreed with Councilmember Dowe's suggestion to add a time certain, and recommended staff reach out to the developers, neighborhood leaders, and GVL2040 comp plan Steering Committee members and return to Council with information in two meetings' time.

Councilmember Stall asked for the difference between a postponement and a no vote. Mayor White responded that postponing or tabling of an item means it has been deferred unless there is a time certain to return as Councilmember DeWorken is requesting. Councilmember Dowe suggested this is a good time for Planning staff to perform outreach with the stakeholder groups while waiting on the bids to rewrite the zoning code.

Councilmember Flemming stated her district has the most areas that would have a moratorium on it as well as the largest number of gentrified units. Councilmember Flemming also stated she has no issue with being open and transparent, however, she hopes there is not a large amount of multi-family complexes being approved and people becoming millionaires off of it. Councilmember Flemming suggested the need for better communication.

Councilmember Gibson stated he does not know what a delay would provide and referred to a number of areas in his district that is already affected. Councilmember Gibson also stated by not imposing the moratorium, the City runs the risk of a rash of permits getting into the pipeline which cannot be stopped. Councilmember Gibson suggested it would be more prudent to impose the moratorium, start the discussion process, and then vote to loosen the restrictions to accommodate accordingly. Councilmember Gibson commented he is all for Greenville being a place that is good for business, but he is more into it being a good place to live. Councilmember Gibson advised that amendments could be made between now and the second and final reading in two weeks.

Councilmember DeWorken thanked Councilmembers Flemming and Gibson for their input and stated after speaking with staff, he was informed that a moratorium was not the only tool available to change commercial properties, especially those next to neighborhoods. Councilmember DeWorken referred to the ability to implement text amendments as a tool and commented on being uncomfortable with the moratorium coming across a little heavy handed.

Councilmember Brasington stated he believes there is shared passion and priority among all of Council regarding neighborhood protection and preservation. Councilmember Brasington shared he has been uneasy and reluctant with a moratorium and stated he believes there are a number of ways to approach the matter.

Councilmember Gibson stated his understanding of the way that most of the codes are written is that there are no real other options in place to stem the tide of commercial growth.

Mayor White stated he thinks Laurens Road should not be zoned C-3, but rather C-2, which could be handled quicker, citing Stone Avenue and Augusta Road as examples. Councilmember Brasington responded he is not willing to rush to the extreme without fully tossing the availability of other measures and that we may be able to get more done in short term. Councilmember Dowe stated she receives as many calls on C-2 as she does for C-3 and that she is willing to give a pause to the issue to receive input from the stakeholder groups.

Councilmember Flemming stated four years ago, the City encouraged the West Greenville area to rezone as RDV (Redevelopment District), however, she believes they should have stayed Single-family residential. Councilmember Flemming recommended holding permits for 30 days to have discussions and to be transparent.

Mayor White stated there are projects in the works which the City wants, including affordable housing, and shared his concern with unintended consequences.

Frank Hammond, 95 Forest Lane, spoke in opposition to Item 15c stating the moratorium is something a government does when it has failed to plan and implement properly. Mr. Hammond also stated the City is sending the wrong message and while we are having issues with growth, a moratorium is not the answer to the problem.

Chris Bailey, Greater Greenville Association of Realtors, spoke in opposition to Item 15c stating the organization has a standing policy opposing moratoriums regarding development. Mr. Bailey also stated he fears this moratorium will be extended beyond the six-month period and offered representation from GGAR if a stakeholders group is formed.

Earle Furman, founder of NAI Earle Furman, spoke in opposition to Item 15c stating he does not believe a moratorium is a good idea and that out of town investors already have issues to deal with regarding development without facing a moratorium. Mr. Furman recommended an alternative of a PD (Planned Development) for properties adjoining private neighborhoods.

Michael Dey, Vice-President of Government Affairs for the Homebuilders Association of Greenville, spoke in opposition to Item 15c stating the group opposes moratoriums as a matter of principal because they deny property owners their rights of due process. Mr. Dey asked Council to table this item.

Mr. Dey also spoke regarding Item 15a saying the Association supports a reasonable noise ordinance, encourages its members to comply with one, and considers the ordinance being discussed a reasonable one. However, Mr. Dey referred to the number of times the noise ordinance has come before Council over the past few years and shared concern for the ordinance starting to affect construction within the City. Mr. Dey requested an opportunity to create a small group of homebuilders to meet with staff and to collaboratively address noise issues before proceeding with the matter.

8. PRESENTATION

None

9. PUBLIC HEARING

None

10. APPOINTMENTS – Boards and Commissions

None

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 Brasington moved, seconded by Councilmember Dowe, to approve second and final reading of agenda items 11a and 11c of the Consent Agenda. The motion carried unanimously.

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

- a. Ordinance to appropriate \$175,000 in funding received from the Greenville Zoo Foundation for the construction of a new holding facility for Amur Leopards and for improvements to primate row both at the Greenville Zoo, and to additionally appropriate \$2,500 in conservation funding for Texas Sea Turtle Rescue
(Presented by Deputy City Manager Eden Freeman)
- b. Ordinance to enter into a License Agreement with 1 Augusta Street Investors, LLC for purposes of outdoor seating and dining, and matters related thereto (REVISED)
(Presented by Downtown Project Manager Will Young)

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

Councilmember Dowe requested the item be pulled from the Consent Agenda to clarify the revision made since its first reading. Deputy City Manager Eden Freeman stated Council asked for the lease agreement to be amended to require any form of permanent fencing be subject to review by the Planning Department staff and review and approval from Council. Ms. Freeman stated the language has been included and the property owner is amenable to the amendment.

After discussion, the motion carried unanimously.

- c. Ordinance to appropriate \$50,000 in funding in the Miscellaneous Grant Fund from CommunityWorks and to authorize the City Manager to execute a Grant Agreement providing for the use of these funds for Home Buyer Assistance for low-to-moderate income home buyers
(Presented by Community Development Financial Manager Rebecca Edwards)

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 Chapter 16, Article III, Division 3, of the Code of Ordinances of the City of Greenville to adjust the days and times during which noise generated by construction activity is exempted
(Presented by Assistant City Manager Shannon Lavrin)

Councilmember Dowe moved, seconded by Councilmember Stall, to approve first reading. The motion carried unanimously.

- b. Ordinance consenting to a change in contracting party with respect to the Woods Crossing Project Development Agreement; and matters related thereto
(Presented by City Attorney Michael Pitts)

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

City Attorney Michael Pitts stated the item is largely a procedural matter in that Flournoy Development Group, LLC has requested to change the named contracting party to a newly created entity that is affiliated with them.

After discussion, the motion carried unanimously.

- c. Ordinance to impose a temporary moratorium on acceptance of applications for permits, licenses, certificates of appropriateness, and other approvals for a multiple-family dwelling use, commercial use, or service and industrial use, or for a development which includes any such use, for properties abutting single-family detached residential uses in all zoning districts except C-4, UPND, and PD
(Presented by Assistant City Manager Shannon Lavrin)

Councilmember DeWorken moved, seconded by Councilmember Brasington to table the matter. Councilmember Dowe asked if the motion includes a timeline, and Councilmember DeWorken amended his motion to include a timeline to receive a report from stakeholders outreach, including the development community, neighborhood association presidents, and Greenville 2040 Comp Plan committee. Council raised questions regarding the timeline to be included in the motion.

After discussions, Councilmember DeWorken amended his motion, seconded by Councilmember Dowe, to postpone the item until April 26 with a request to receive a report from staff regarding their outreach to stakeholder groups.

After discussion, the motion carried 5-2, with Councilmembers Flemming and Gibson opposing.

Mayor White stated this is a big deal and the intent was not to spring surprises on people. Mayor White stated the ordinance received numerous modifications and if there are certain areas of concern, it is likely that we want to focus on those areas and do better to protect those areas.

Councilmember Brasington asked if a contact person with the City could be offered for those interested in participating in the stakeholders discussion. City Manager John McDonough agreed with contacting Assistant City Manager Shannon Lavrin.

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

- a. Resolution to approve a Lease from the School District of Greenville County for use of the recreational facilities located at Blythe Academy commonly known as Kiwanis Park
(Presented by Business and Projects Administrator Megan Young)

Councilmember Flemming moved, seconded by Councilmember Brasington, to approve first and final reading. The motion carried unanimously.

- b. Resolution naming Chandra E. Dillard as a History and Heritage Advisor to the city of Greenville
(Presented by Mayor Knox White)

Mayor White explained Representative and former City Councilmember Chandra Dillard has agreed to assist the City because of her love of history and of telling the story of the history of Greenville.

Councilmember Flemming moved, seconded by Councilmember Stall, to approve first and final reading. The motion carried unanimously.

- c. Resolution of the Greenville City Council to adopt Fiscal Year 2022 Priorities
(Presented by City Manager John McDonough)

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

Mr. McDonough stated Council has requested that the ten adopted priorities from last year be amended and merged into five for FY2022.

After discussion, the motion carried unanimously.

17. STAFF REPORTS

Mr. McDonough provided information on the following items:

- a. Parks and Recreation Department – At the third planned tree giveaway, 200 trees were given away at Timmons Park.
- b. Falls Park East - opened to the public on March 15.
- c. COVID-19 - Staff continues to offer COVID-19 Prisma Health vaccine registration for neighborhood residents. Over 190 calls have been received to assist people with that need.

- d. Zoo – The baby giraffe has been named Providence after a winning bid by the Moore family. The contest raised over \$14,000 for projects at the Zoo.
- e. Artisphere – Over 260 volunteer slots have been filled for the event on May 7-9.
- f. Planning – Staff and the consultant team from UDA met with a West End Community Representative Group to begin the planning for the West End Small Area Plans.
- g. Zoning – Enforcement efforts continue as non-conforming signs are being removed along the corridor.
- h. Falls Park East - Final landscape inspection was approved for the east side of Falls Park in the new pedestrian section between the Grand Bohemian Hotel and Japanese Dogwood Lane.
- i. Unity Park – Earthwork is nearing completion on the north side of Reedy River and the grading contractor anticipates starting on the south side this week; landscaping will begin in early April; pedestrian bridge footer construction has begun; and the concrete is scheduled to be poured this week for the first bridge near Mayberry Field.

Mayor White asked about the timeline for Council meetings to be held live. Mr. McDonough stated a determining factor will be when all Councilmembers have had their COVID vaccines. Mr. McDonough advised that the City has vaccines available for employees.

Councilmember Flemming asked about the Wings of the City Exhibition. Ms. Freeman stated it starts April 2 with an opening ceremony.

- 18. ADJOURN.** There being no further business, the meeting adjourned at 6:37 p.m.

KNOX H. WHITE, MAYOR

CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON MARCH 19, 2021.