



MINUTES

FORMAL MEETING OF CITY COUNCIL

Monday, August 23, 2021 - 5:30 p.m.
Greenville Convention Center, 1 Exposition Drive, Room 102

1. **CALL TO ORDER**

Mayor Knox H. White

2. **INVOCATION**

Councilmember Ken Gibson

3. **PLEDGE OF ALLEGIANCE**

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**

August 9, 2021; Approved as submitted

6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**

7. **CITIZENS WISHING TO ADDRESS COUNCIL**

Jack Logan, 5051 Augusta Road, Greenville, requested SLED and the FBI investigate the Police Department and the City Manager. Mr. Logan referred to incidents which have occurred in the City and stated those instances go back to structure in the Police Department and to the City Manager's inability to lead the Police Department. Mr. Logan requested City Council review a recent ruling by the Public Safety Citizen Review Board.

Bob Lloyd, 14 Pinckney Street, spoke regarding Item 14a and expressed support for the notice requirements adopted. Mr. Lloyd urged two other text additions allowing the reader to know that attendance by city staff may be requested and stating the applicant's report will be available for public inspection after the meeting. Mr. Lloyd asked to extend the coverage of the very robust downtown design guidelines to the footprint of the downtown master plan.

Kate Deveix, 10 Darden Way, spoke regarding Item 14a and encouraged Council to vote yes. Ms. Deveix asked for the Planning Commission to continue to review the neighborhood meeting ordinance for other potential changes including the timing of a neighborhood meeting eight days before a public hearing. Ms. Deveix stated the eight days does not provide meaningful opportunity for that meeting to bear fruit.

David Gerhard, South Carolina Governor's School of the Arts and Humanities, spoke in support of the Wings of the City statues and referred to the economic impact the statues have brought to the community. Mr. Gerhard referred to the artistic content of the statues and stated it is important to be inclusive of the diverse cultures that lives in the community.

Councilmember Stall recognized representatives with the Hispanic Alliance in attendance.

Suzanne Woolf, 200 Perry Avenue, thanked City Council for delaying the vote on Z-13-2020, Mosaic Project, and commented on actions taken by the neighborhood with the developer since their comments before Council on July 12. Ms. Woolf referred to the areas of focus in their discussions and thanked Council for allowing the West End residents to engage with the Mosaic team for a satisfactory outcome.

Lois Ordway, 213 Perry Avenue, thanked Council for their support of public art and for its commitment to the Wings of the City.

8. PRESENTATION

a. COVID Update

Dr. Brannon Traxler with the South Carolina Department of Health and Environmental Control provided a COVID summary update presentation sharing information regarding the current numbers in the State. Dr. Traxler also provided the recent daily case counts and advised the total case count to date is 695,489. Dr. Traxler advised the State is in its third surge and that ongoing transmission is occurring again in each age group. Dr. Traxler stated Greenville County is doing slightly better than the statewide average and advised the FDA has approved today the Phizer vaccine for ages 16 and up. Dr. Traxler encouraged all eligible people to get vaccinated and everyone two years and older to wear masks when indoors.

Councilmember Stall recognized an increase with individuals age 35 and under and asked if there is a point when Council should react. Dr. Traxler responded it is trends that disturb her most and that from a public health standpoint, they know that masks and vaccines work. Councilmember Brasington asked what the forecast looks like with approximately 50% percent vaccinated. Dr. Traxler responded there is not enough data to confirm whether somebody still has immunity from that natural infection and that they cannot predict how quickly the virus will mutate or work effectively. Councilmember DeWorken asked if data is available on individuals who have had the virus and have not been vaccinated. Dr. Traxler responded they do not know how long the immunity lasts, so they are unsure how far back to calculate.

Councilmember Dowe asked about current capacity at the two major hospital providers. Dr. Traxler responded she does not have that information, however, the number of COVID patients and ventilated patients have continued to increase across the state daily. Councilmember Dowe referred to the current mask policy involving city facilities and stated she takes great exception to those who are attending the meeting and not conforming to the policy. Councilmember Dowe thanked her fellow Council members for being vaccinated and for leading by example.

b. Artisphere

Artisphere Executive Director Kerry Murphy thanked the City's Special Events staff for their support and assistance with Artisphere and announced the results for this year's event. Ms. Murphy stated that due to COVID, the event allowed for only 20,000 attendees, however, there were a total of 104 artists representing 28 states with \$1.15 million total artist sales raised creating an estimated economic impact of \$2.1 million in the community.

9. PUBLIC HEARING

None

10. APPOINTMENTS – Boards and Commissions

- a. Planning Commission
Councilmember Dowe recommended Pamela Adams to an unexpired term ending April 30, 2023. There being no further nominations, Ms. Adams was 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 Stall moved, seconded by Councilmember DeWorken, to approve second and final reading of agenda items 11a, 11b, and 11c of the Consent Agenda. The motion carried unanimously.

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

- a. Ordinance to amend Section 19-1.11, Definitions, and Section 19-6.1, Off-street parking and loading, of the Code of Ordinances of the City of Greenville to define the term “adaptive reuse,” recreate eligibility criteria for adaptive reuse projects, and to reduce minimum parking requirements for eligible adaptive reuse projects (Z-28-2021)
Presented by Planning Administrator Courtney Powell)
- b. Ordinance to appropriate \$3,000,000 in funding in the Miscellaneous Grant Fund for affordable housing support
(Presented by Office of Management and Budget Director Matt Efir)
- c. Ordinance to enter into a Second Amendment to the Development Agreement between the city of Greenville, Grand Bohemian Greenville, LLC, and the Kessler Enterprise, Inc. for certain enhancements to the civic improvements adjacent to the Grand Bohemian Hotel, to provide for the usage of same, and to appropriate an additional \$163,000 for the project
(Presented by City Attorney Mike Pitts)

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)

- a. Ordinance to amend Section 19-2.2.4, Neighborhood meetings, and Section 19-2.2.7, Preparation of staff report, of the Code of Ordinances of the City of Greenville to update the neighborhood meeting standards and requirements for public hearing applications (Z-29-2021) (REVISED)
(Presented by Assistant City Manager Shannon Lavrin and Planning Administrator Courtney Powell)

Councilmember Flemming moved, seconded by Councilmember Dowe, to approve second and final reading.

Councilmember Brasington moved, seconded by Councilmember Flemming, to amend Section 19-2.2.4(E)(3), Conduct of meetings, to include the following sentence at the end of the paragraph, *“The summary report filed by the applicant becomes a part of the application record and may be obtained by interested parties upon receipt by the City staff.”* The motion to amend carried unanimously.

Councilmember Brasington moved, seconded by Councilmember Dowe, to amend Section 19-2.2.4(E)(4), Attendance, to include the following sentence at the end of the paragraph, *“Any part involved in a neighborhood meeting shall have the ability to request staff attendance.”*

Councilmember Brasington stated the intent is to know that the opportunity is there and then upon request, staff can schedule to attend. Councilmember DeWorken responded he believes it is being redundant because we already know staff can be requested. Councilmember Flemming responded everyone does not know it, especially individuals moving into the City. Councilmember DeWorken stated he would like a little more teeth in the amendment, however, he is in favor of it.

After discussion, the motion to amend carried unanimously.

Councilmember Stall asked how many permits from last year would have been affected by a change in the distance requirement and how many of the projects would have garnered high visibility. Assistant City Manager Shannon Lavrin responded approximately 20% percent of the items before the Planning Commission, Board of Zoning Appeals and Design Review Boards on a monthly basis garner high visibility. Regarding distance requirements, Ms. Lavrin stated that staff studied each of the distance requirements and reviewed five recent projects, and staff determined if you increase to 750 feet, the delta is about two times and to 1,000 feet, the delta is about three times more as it relates to neighborhood meeting notices. Ms. Lavrin presented a graphic showing how the process works with a developer led neighborhood meeting. Ms. Lavrin thanked the Planning Commission team for all of their efforts. Councilmember Dowe stated she would rather go big with 1,000 feet at this time in notifying the neighborhoods.

Councilmember Stall asked if the Planning Director or Department has the power to take special exception and increase the footage further. Ms. Lavrin responded they do not, however, there is section in the City Code requiring a neighborhood meeting prior to a public hearing under certain conditions. Ms. Lavrin stated the City strongly

encourages and recommends a neighborhood meeting for any application that requires a public hearing.

After discussions, the motion, as amended, carried unanimously.

15. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance to annex approximately 0.536 acre of real property located at Gladys Drive (In front of Tax Map Number 0260000100400) (AX-3-2021)
(Presented by Planning and Development Services Director Jay Graham)

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

Planning and Development Services Director Jay Graham stated the annexation is for an apartment complex which will have approximately 340 units and that the PD zoning requires on street parking. Councilmember Dowe asked about the condition of Congaree Road, and Interim Engineering Services Manager/City Engineer Clint Link responded the County paved the road approximately three years ago.

After discussion, the motion carried unanimously.

- b. Ordinance to rezone approximately 13.97 acres of real property located at North Pleasantburg Drive, Skyview Drive, and Winterberry Court from C-3, Regional Commercial District, to OD, Office and Institutional District (Tax Map Numbers 00267000100306, 0269000101104, 0269000101107, 0269000101102, 0269000103101, 0269000103601, 0269000108800, AND 0269000101109) (Z-26-2021)
(Presented by Planning and Development Services Director Jay Graham)

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

- c. Ordinance to enter into a Developer's Agreement between Merrill Gardens at Greenville, LLC and the city of Greenville for public improvements
(Presented by Interim Engineering Services Manager/City Engineer Clint Link)

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

Councilmember Dowe asked what the risks might be with this matter. Mr. Link responded the contract language is common and that some sub-surface exploration work was performed on the site with some rock located, but no unsuitable or hazardous materials discovered.

After discussion, the motion carried unanimously.

- d. Ordinance to amend Chapter 36, Article V, of the Code of Ordinances of the City of Greenville to provide for the issuance of picketing permits and to provide for a

prohibition of the open carry of firearms during pickets and other permitted events on public property
(Presented by City Attorney Mike Pitts)

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

- e. Ordinance to authorize the acquisition of land consisting of approximately 0.54 acre located between Perry Avenue and Branwood Street, and to appropriate \$1,150,000 in the Parking Fund for property acquisition and construction of new parking in the Village of West Greenville (Tax Map Numbers 0120000200601, 0120000200600, 0120000200700, 0120000200800, 0120000200900, 0120000201000)
(Presented by Deputy City Manager Eden Freeman)

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

Councilmember Stall stated in reviewing the numbers, he is uncomfortable with the amount the City is paying as well as with the City developing the parking for the private property owner and then buying the property. Councilmember Dowe asked if there were any discussions with the property owner. Deputy City Manager Eden Freeman responded the property owners would like to sell the properties which include three structures which are vacant. Ms. Freeman provided an overview of the property ownerships in the area and stated that 1242 Pendleton Street which currently provides for 38 spaces has an active building permit. Ms. Freeman advised the proposed property purchase anticipates 48 parking spaces.

Ms. Freeman provided the acquisition cost of \$850,000 and estimated construction cost of \$300,000 including demolition, for a total estimated cost of \$1,150,000. Ms. Freeman stated it will take approximately three months to have the available parking. Councilmember DeWorken asked if the City has the ability to build up, and Ms. Freeman responded that the air rights are included in the contemplated transaction.

Councilmember Brasington stated his support advising that the City needs parking and that the City missed an opportunity to pursue parcels some years ago.

After discussion, the motion failed 3-4, with Mayor White, Councilmember DeWorken, and Councilmember Brasington voting in support of the item.

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

None

17. STAFF REPORTS

- a. Small Cell Testing and Safety
(Presented by Matt Butcher, Sublight Engineering, PLLC)

City Manager John McDonough referred to a prior conversation with Council regarding the installation of 5G small cell devices, particularly in the commercial areas and with some

concerns expressed by neighborhoods. Mr. McDonough introduced Matt Butcher who provided a presentation overview regarding an explanation of wireless, radio frequency and 5G, regulation of signal and exposure limits, research and standards, regulation and limits, independent review and resources, and provided examples of locations and measurements to the general public exposure limits.

b. Mr. McDonough provided information on the following items:

1. Bowater and City Hall - City Attorney Mike Pitts advised the City continues negotiations with the seller and while it is a complexed process, staff is optimistic that Council may have an item before them by the next meeting.

2. August Street safety meeting. The meeting that was postponed last week will be held Tuesday at 5:30 p.m. at the Westminster Presbyterian Church.

3. Economic Development branding launch. A special announcement event is scheduled for Thursday, September 2, at 8 a.m. at the Greenville ONE building. Council is invited to attend.

18. ADJOURN. There being no further business, the meeting adjourned at 7:15 p.m.

KNOX H. WHITE, MAYOR

CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON SEPTEMBER 20, 2021.