



MINUTES

FORMAL MEETING OF CITY COUNCIL

City Hall, 206 S. Main Street, Council Chambers

Monday, August 8, 2022 - 5:30 p.m.

1. **CALL TO ORDER**

Mayor Knox H. White

2. **INVOCATION**

Councilmember Dorothy Dowe

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, and Dorothy Dowe.

Absent: Russell Stall

5. **APPROVAL OF THE MINUTES**

July 11, 2022; Approved as submitted

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

None

7. **CITIZENS WISHING TO ADDRESS COUNCIL**

Hannah Slowik, 160 Stall Street, spoke on behalf of concerned residents in the North Hampton neighborhood bringing attention to criminal activities taking place in the area. Ms. Slowik asked for necessary steps to be taken to facilitate change and provided recommendations to assist in addressing the issues.

Mayor White thanked Ms. Slowik and the neighbors for their investments and referred to a prior issue with the Salvation Army. Councilmember Flemming commented on the Police Department and Sheriff's Office working together along the city limits and stated the City will continue to work in that area. Mayor White referred to future plans for annexation in the area and stated the City wants to be attentive to the issues and concerns.

Jack Logan, 5051 Old Augusta Road, Greenville, referred to a murder on Liberty Lane and requested the business license be revoked before someone else is murdered.

Mayor White stated that in similar situations, the City has shown no hesitation in revoking businesses licenses. Mayor White advised that the matter is in active discussion.

Bruce Wilson, 1 Freestone Street, Greenville, referred to a murder which occurred in a private abandoned home and requested the homeowner be held accountable by either fixing the building or securing it from entry.

City Manager John McDonough advised that inspectors are checking on and reviewing the abandoned property.

8. PRESENTATION

- a. Greenville Zoo Foundation
S.C. Representative Chandra Dillard recognized the \$1 million state appropriation for the Greenville Zoo and thanked Councilmember Dowe for pursuing the funding opportunity. Councilmember Dowe recognized the Zoo Foundation commending their commitment and thanked Governor McMaster for supporting the grant.

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 Gibson, to approve second and final reading of agenda items 11a, 11b, 11c, 11d, and 11e of the Consent Agenda. The motion carried unanimously.

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

- a. Ordinance to annex approximately 10.06 acres of real property and 1.26 acres of adjacent right-of-way located at 2836 Laurens Road and to provide the zoning designation of C-3, Regional commercial district (Tax Map Number M010020100102) (AX-9-2022)
- b. Ordinance to annex approximately 0.883 acre of real property located at 101 Halton Road and to provide the zoning designation of C-2, Local, ~~C-3, Regional~~ commercial district (Tax Map Number 0260000100814) (AX-10-2022) (REVISED)
- c. Ordinance to annex approximately 1.538 acres of real property located at 361, 365, and 369 Halton Road and to provide the zoning designation of C-2, Local commercial district (Tax Map Numbers 0260000101504, 0260000101511, 0260000101514, 0260000101513) (AX-13-2022)
- d. Ordinance to rezone approximately 1.57 acres of real property located at 710 and 718 Lowndes Hill Road from RM-3, Single-family and Multifamily residential district, to OD, Office and institutional district (Tax Map Numbers 0282000402805 and 0282000401800)(Z-11-2022)
- e. Ordinance to approve the FY2022 Operating Budget for the South Carolina Technology and Aviation Center Board of Directors and to accept the FY2021 Annual Auditor's Report (REVISED)

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 to amend an agreement with CommunityWorks for the Home Buyer Assistance Program to provide assistance to all qualified individuals in Greenville County
(Presented by Community Development Manager Rebecca Edwards)

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

Councilmember Flemming questioned why the amended monthly mortgage payment is 35% percent. Community Development Manager Rebecca Edwards responded that some industry standards allow for it to be a little higher to allow for HOA fees, insurance, and the like. Katy Davenport with CommunityWorks stated that FHA requirements are up to 45% percent and with rising interest rates and fees, individuals are having to spend a little more. Ms. Davenport also stated this is a specific grant funding from United Way and it is within United Way's metrics. Councilmember Flemming asked if there is a way to modify the percentage, if necessary. Ms. Edwards responded that staff could monitor it and review the metrics.

Councilmember Dowe stated the City is not setting someone up for success if 45% percent of their income is going to the house and over time, the homeowner may lose the house.

Councilmember Gibson asked if staff is experiencing a higher rate of individuals unable to pay their mortgage and losing their homes. Ms. Edwards responded while she cannot speak to these specific guidelines, one or two have satisfied their loans with the 30% percent guidelines. Ms. Davenport stated that this grant has a five-year forgivable term and at the five-year mark, it is completely forgiven and becomes equity in the home. Councilmember Gibson referred to the Prisma program and expressed concern with how this program benefits the City. Councilmember Gibson requested that staff keep track of it so city dollars are benefiting city residents or city businesses.

After discussion, the motion carried unanimously.

- b. Ordinance to appropriate \$774,081 in the Capital Projects and General Funds for Construction of the Cleveland Connector/Traxler Trail
(Presented by Office of Management and Budget Director Matt Efird)

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

Office of Management and Budget Director Matt Efird stated the appropriation for the Cleveland Connector (“paperclip”) is requested to make up the difference for the project shortfall, after negotiating efforts with the vendor and continuing to determine additional cost savings. Mr. Efird also stated the additional funding will allow the project to move forward, with an opening in January or February.

Councilmember Brasington asked if the price tag would be viewed as a Construction Manager at Risk (CMAR) approach. Mr. Efird responded no and stated there is some contingency built in for potential change orders. Assistant City Engineer Nick DePalma advised the team is monitoring the project daily to make sure it is on track.

Mayor White referred to Council’s discussion during the Work Session meeting and stated while the City could wait a little longer during normal times, the current times are not normal in terms of the economy and costs. Mayor White recommended staying the course on the project time line.

Councilmember Gibson referred to the history of the bid, the tight timeline, and the one bid received coming in higher than budgeted. Councilmember Gibson suggested rebidding the project and adjusting the timeline to accommodate more bids. Councilmember Gibson questioned why staff does not believe costs could decrease during the six weeks it would take to rebid the project. Mobility Coordinator Calin Owens responded that two of the main items driving the costs are earth work and block for the retaining wall. Mr. DePalma responded that while he cannot speak to the future of the market, staff has been monitoring the prices and currently anticipates an increase. Mr. Efird stated it is a function of both price and scarcity, and while prices may be coming down, they are coming down from a historic plateau. Mr. Efird also stated if Council desires, the project can be rebid, however, it is staff’s professional opinion that the prices will be the same or higher.

Regarding the funding source, Mr. Efird explained that the existing fund for the project is hospitality taxes, however, he is not comfortable with capacity at this time. Mr. Efird stated the alternatives are to appropriate the funds from the General Fund Fund balance or to redirect already appropriated hospitality tax funding from another project. Mr. Efird advised that Council could ask staff to reevaluate the fund later in the year to determine capacity, and action could be taken at that time to reimburse the General Fund. Mr. Efird also advised that the reimbursement would need to be completed in the same fiscal year, or by June 30, 2023. Mr. Efird expressed his concerns with capacity, given the economic situation on the City’s collection projections, bond payments coming due in the spring that rely on Unity Park donors, and having significant capacity to address commitments in the FY24 Capital Improvement Projects.

Regarding the General Fund, Councilmember Dowe commented on prior budget discussions and strategies presented regarding the neighborhood dividend and using surplus money to build the fund for capital projects over time instead of bonding. Councilmember Dowe stated she takes exception to taking money from the General Fund for this project and that the funds should come from hospitality taxes. Councilmember Dowe shared that she prefers the funds come from Greenways and Trails and suggested funding Greenways and Trails at \$1.77 million next year if tourism rebounds. Mayor White agreed with Councilmember Dowe and stated while the General Fund has been used previously, the City has been using hospitality taxes due to its capacity. Mayor White stated he likes the approach, which is a sound one.

Councilmember Brasington stated while he does not like the escalated costs, he likes the staff's recommendation to use the General Fund for the appropriation. Councilmember Brasington shared his concern with some of the consequences in using hospitality funds, including the potential of pushing out the Cleveland Park pedestrian bridge transferring pedestrians to and from the Richland Way Tunnel. Councilmember Brasington urged Council to use great caution.

Councilmember Dowe reiterated her concern and stated she does not understand why Council would take a project that has relied on tourism money and cover an overrun out of the General Fund. Mayor White expressed his appreciation for the staff's recommendation and stated the project could be funded either way.

Councilmember DeWorken referred to \$1 million for the trails and asked what projects are shovel ready. Mr. Owens responded that most every project requires a design, so there is nothing actually shovel ready. Councilmember DeWorken shared his concern with delaying projects by a year to cover the overage. Councilmember DeWorken asked if there is a way to do both, appropriate the funds from hospitality tax and determine funding availability for the next six months to continue the design phase on certain projects. Mr. Owens provided updates on some projects that would be unaffected and advised that a large amount of funding would be needed for this fiscal year for the pedestrian bridge. Councilmember DeWorken suggested staff bring to Council an update on the costs for the following six months. Councilmember Dowe stated she is also asking the City Manager to increase funding in Greenways and Trails for next year's budget to compensate for the issue. Councilmember Brasington encouraged staff to continue to make recommendations and provide funding options to Council.

Councilmember Gibson asked about the impact on other projects if funding was appropriated from hospitality taxes. Mr. Owens responded that the pedestrian bridge would be the most notable one. Councilmember Gibson asked where the City is on the pedestrian bridge and how it will be affected. Mr. Owens responded it would push the pedestrian bridge to next year. Mr. Owens advised that the project has been discussed but not formerly brought to City Council. Mayor White stated he hopes to see it as a high priority and not wait a year.

Councilmember Gibson asked if Council approves using the General Fund, are there any projects that the City will not be able to do. Mr. Efird responded there is nothing immediately impacted, and the money is destined for the capital project reserve.

Councilmember Gibson asked if Greenways and Trails is used now, is there anything keeping Council from taking the same amount from the General Fund and putting it towards the pedestrian bridge. Mr. Efird responded no and stated it would be a decision point later in the year when the project matures and is ready for appropriation.

In summary, Councilmember Flemming provided the options presented and stated the questions are which account the City is going to use to appropriate the funds and if the City is going to build the pedestrian bridge in this fiscal year or not.

Councilmember Dowe moved, seconded by Councilmember Flemming, to revise the Ordinance to fund the request from the Greenways and Trails budget.

Councilmember DeWorken asked if the \$230,000 can be used to begin moving forward on the pedestrian bridge. Mr. Efird motioned affirmatively. Councilmember Gibson stated he is committed to the Cleveland Connector; however, he believes the project should be rebid and in doing so, the City would save money. Councilmember Gibson also stated he agrees with using Greenways and Trails for funding, with the understanding that if funding is needed to move forward with the pedestrian bridge that Council consider the General Fund.

After discussion, the motion to amend carried 6-1, with Councilmember Brasington opposed.

With no further discussion, the motion as amended carried unanimously.

Councilmember Brasington stated that from Council's discussion, it is clear that the pedestrian bridge is an integral part of the project and it should not be delayed.

- c. Ordinance to approve a Fourth Amendment to Stadium Development Lease Agreement
(Presented by Office of Management and Budget Director Matt Efird)

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

Mr. Efird stated that the funds are already appropriated in the budget and while the language is not finalized, both parties have agreed in principle to extend the lease out to 2036 in exchange for investments.

After discussions, the motion carried unanimously.

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

- a. Resolution to document the required governing body review of the City of Greenville's submission of a grant application to the Bureau of Justice Assistance
(Presented by Police Chief J.H. Thompson)

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

- b. Resolution to approve amendments to the Bylaws and the Standard Operating Procedures of the Public Safety Citizen Review Board
(Presented by Human Resources Director Athena Miller)

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

17. STAFF REPORTS

- a. District 356. Mr. McDonough reminded Council of the Ribbon Cutting on Wednesday afternoon.

- 18. ADJOURN.** There being no further business, the meeting adjourned at 6:42 p.m.

KNOX H. WHITE, MAYOR

CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON AUGUST 5, 2022.