



MINUTES

FORMAL MEETING OF CITY COUNCIL

Monday, April 12, 2021 - 5:30 p.m.

Greenville City Hall - Closed to the Public

Virtual Meeting Viewing: <https://www.greenvillesc.gov/meeting>

Remote Viewing Location:
Greenville Convention Center, 1 Exposition Drive

1. **CALL TO ORDER**
Vice Mayor Pro Tem Russell Stall
2. **INVOCATION** (Suspended)
3. **PLEDGE OF ALLEGIANCE** (Suspended)
4. **ROLL CALL**
The following members of City Council were in attendance: John DeWorken, Lillian Flemming, Ken Gibson, Wil Brasington, Russell Stall, and Dorothy Dowe.
Absent: Mayor Knox White
5. **APPROVAL OF THE MINUTES**
March 22, 2021; Approved as submitted
April 8, 2021; Approved as submitted
6. **COMMUNICATIONS / ANNOUNCEMENTS FROM THE MAYOR AND COUNCIL**
None
7. **CITIZENS WISHING TO ADDRESS COUNCIL**
None
8. **PRESENTATION**
None
9. **PUBLIC HEARING**
None
10. **APPOINTMENTS – Boards and Commissions**

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

11. UNFINISHED BUSINESS – (Ordinances – Second and Final 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
(Roll Call)
(Presented by Assistant City Manager Shannon Lavrin)
- b. Ordinance consenting to a change in contracting party with respect to the Woods Crossing Project Development Agreement; and matters related thereto
(Roll Call)
(Presented by City Attorney Michael 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)

None

15. NEW BUSINESS – (Ordinances – First Reading)

- a. Ordinance to abandon a private access easement across Habitat for Humanity's property at 27 Woodfin Avenue
(Presented by Assistant City Engineer Clint Link)

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

Councilmember Dowe asked if the two adjacent parcels are going to be Habitat for Humanity homes. Assistant City Engineer Clint Link responded Habitat owns parcel 27 and he is not sure of the adjacent properties. Councilmember Dowe requested Mr. Link follow up with Community Development and convey to Habitat a request to be respectful to the property owner on parcel 23 during their construction.

After discussion, the motion carried unanimously.

- b. Ordinance to annex approximately 8.031 acres of real property located at Webb Road and to provide the zoning designation of RM-2, Single-family and multifamily residential district, to approximately 8.313 acres of real property (Tax Map Numbers 0260000101100, 0260000101102, 0260000101215, 0260000101216) (AX-2-2021)
(Presented by Planning and Development Services Director Jay Graham)

Councilmember Flemming moved, seconded by Councilmember DeWorken, to approve first reading. The motion carried unanimously.

- c. Ordinance to rezone approximately 0.0067 acre of real property located at East Earle Street from R-6, Single-family residential district, to C-2, Local commercial district (a portion of Tax Map Number 0035000400600) (Z-2-2021)
(Presented by Planning and Development Services Director Jay Graham)

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

Councilmember Flemming stated she was concerned about putting a commercial property in an area surrounded by residential properties. Planning and Development Services Director Jay Graham explained the location of the property and stated the owner of the sliver of property fronting on Earle Street has offered to sell the sliver to the property fronting on Stone Avenue and that is the piece of property being considered for rezoning.

Councilmember Dowe stated she was unable to attend the virtual Planning Commission meeting where the item was discussed and that meeting minutes are unavailable for review before Council votes on the matter. Councilmember Dowe stated she feels uncomfortable voting on an item when the minutes are not available for review and she is concerned with a project coming onto the property and infringing upon the neighbors who live behind it.

Mr. Graham responded the Ordinance does not allow for a roof-top bar in this location and that staff has assisted in redesigning the site because the plans also included an open area at the ground level which is not allowed. Mr. Graham stated the Ordinance before Council is only for a rezoning.

Councilmember Flemming stated she is concerned that rezoning of this one section will affect the entire neighborhood area. Councilmember Flemming asked if the property could still be developed if the matter does not pass. Mr. Graham responded it could, however, it could create some interesting difficulties in that any building placed on the lot would have to be 15 feet away from the rear lot line and this development would require a redesign.

After discussions, the question was put to a vote. During the vote, Councilmember Dowe asked if the matter could be postponed for further review. City Attorney Mike Pitts responded the question has already been called and stated Council could request a reconsideration following the vote. The vote continued. The motion failed 1-4, with

Vice Mayor Pro Tem Stall voting in support and Councilmember DeWorken abstaining.
(See attached statement.)

Councilmember Dowe asked for a motion to reconsider at a later time. Mr. Pitts suggested language if Council wanted to bring the matter back for reconsideration. City Clerk Camilla Pitman stated the motion failed in the vote and Mr. Pitts added a reconsideration would need to come from someone who voted on the prevailing side. No additional motions were made.

- d. Ordinance to appropriate \$2,249,080 in the Utility Undergrounding Fund for the Unity Park Phase 1B Undergrounding Project
(Presented by Engineering Services Manager Dwayne Cooper)

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

Councilmember Dowe referred to the \$60 million for Unity Park and an increase of approximately 50% percent for Phase 1B Undergrounding since discussions more than a year ago. Councilmember Dowe asked if an increase in Phase 1B increases the overall numbers for the Park as well. Councilmember Dowe suggested Council receive an updated report on budget versus actual.

Engineering Services Manager Dwayne Cooper responded funds for this project come from the undergrounding fund and stated there is plenty of money in the fund for the project. Mr. Cooper explained the rising costs are often due to the engineering phase discovering additional needs for the project. Mr. Cooper stated he is unaware of the effect on the overall Unity Park cost.

Councilmember Dowe stated while funding for Unity Park comes from a variety of sources, she would like to be better informed on the overall expense of the park to enable the City to be good stewards of the stakeholders' money. City Manager John McDonough responded an update can be provided monthly to Council. Office of Management and Budget Director Matt Efirm stated an update was provided last month to Council and one will be provided this month as well.

After discussion, the motion carried unanimously.

- e. Ordinance authorizing an agreement with the Metropolitan Sewer Subdistrict d/b/a Metroconnects pertaining to annexed property and appropriating funds for the payment of certain fees pursuant to the Agreement
(Presented by City Attorney Mike Pitts)

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

Mr. Pitts stated Metropolitan Sewer Subdistrict had a change in billing technology, resulting in the need for a new agreement. Mr. Pitts advised the agreement only applies to Metro's existing territory and not territory gained in an expansion plan due

to Greenville County's plan to consolidate certain special districts. Mr. Pitts stated at some point he may need to return to Council with another agreement.

After discussion, the motion carried unanimously.

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


None

17. STAFF REPORTS

Mr. McDonough provided information on the following items:

- a. Meetings update – We hope to return to in-person meetings for City Council and Boards and Commissions beginning in May at the Greenville Convention Center.
- b. Employee Recognition– Engineering Services Manager Dwayne Cooper, with over 19 years with the City, and Public Works Director Mike Murphy, with 16 years with the City, are leaving the organization. Councilmembers expressed their appreciation for their work and leadership.
- c. Greenville Heritage Sound Check – Recognized the event kick off and ticket sales. Restaurant owners stated they have seen an uptick in sales.
- d. TD Saturday Market – The event website has been updated with its upcoming vendors. Opening date is Saturday, May 1.
- e. Parks and Recreation – Contractors have begun pouring the footings for the new picnic shelter at Skyland Park. Summer camp registration has opened at David Hellams and Nicholtown Community Centers with Nicholtown still having 25 spaces available. Councilmember DeWorken suggested a groundbreaking after the renovations are completed at the Bobby Pearse and Nicholtown Community Centers. Mr. McDonough also recognized the Hellams and Nicholtown Centers that are serving as COVID vaccine sites with the assistance of DHEC.
- f. Zoo – During Spring Break last week, there were over 10,000 visitors over five days. Fifteen Chilean flamingos from the San Diego Park are coming to the Zoo, with their arrival anticipated by the end of May.
- g. Communications – The team has produced signage regarding the Noise Ordinance. Police Chief Howie Thompson's officers will be reminding individuals of the Noise Ordinance.
- h. Planning and Development – Staff recently met with the Homebuilders Association to discuss the proposed Infill Ordinance. The West End Small Area Plan continues as two surveys were released to gain community insight. A survey has also been released for the Village of West Greenville micro plan.

- i. Proposed Development Moratorium Update – The moratorium did not receive support at the last Council meeting and Councilmembers asked for it to be brought back at the next meeting. Staff continues to perform outreach and collect information regarding it. Council has given clear direction that doing nothing is not an option. Councilmember Brasington asked if the outreach results can be shared with Council prior to the April 26 Council meeting. Councilmember Dowe reminded anyone not in one of the stakeholders' groups to reach out by emailing a Councilmember or Assistant City Manager Shannon Lavrin.
 - j. Unity Park – Work continues on the southside of the Reedy River as contractors are working on a temporary sedimentation pond. Pedestrian bridge footers continue in the coming week. Roof decking was completed on the future Visitors Center.
 - k. Traffic – New pedestrian signal has been installed on Rutherford Road to improve safety for pedestrians. Regarding North Main traffic and pedestrian safety improvements, staff has met with South Carolina Department of Transportation to discuss preliminary designs for those improvements and revisions are currently being developed.
 - l. Federal Courthouse – The project is progressing with the pedestrian lighting and installation of lights are expected to be completed by April 16.
 - m. Main Street Light Replacement Project – Fixtures have been delivered and are currently being installed in front of the Peace Center along S. Main Street across from the Camperdown Development.
 - n. Public Works – The team planted 51 trees on Verdae Boulevard.
18. **ADJOURN.** There being no further business, the meeting adjourned at 6:22 p.m.



KNOX H. WHITE, MAYOR



CAMILLA G. PITMAN, MMC, Certified PLS
CITY CLERK

MEETING NOTICE POSTED AND MEDIA NOTIFIED ON APRIL 9, 2021.



STATEMENT OF POTENTIAL CONFLICT OF INTEREST

TO: Mayor, or Presiding Officer of Greenville City Council

FROM: Councilmember John DeWorken

Pursuant to the Code of Ordinances of the City of Greenville, Section 2-266, "I make this statement concerning the matter described below, action or decision upon which will directly affect an economic interest as contemplated by the Ethics, Government Accountability and Campaign Reform Act of 1991:"

A. The matter requiring action or decision is as follows:

FORMAL AGENDA

Agenda Item No. 15c

Ordinance to rezone approximately 0.0067 acre of real property located at East Earle Street from R-6, Single-family residential district, to C-2, Local commercial district (a portion of Tax Map Number 0035000400600) (Z-2-2021)

B. The nature of my potential conflict is as follows:

At the advice of the Greenville City Attorney, I may have an economic interest which could be affected by the action.

A member of my immediate family has an economic interest which will be directly affected.

An individual with whom I am associated has an economic interest which will be affected.

A business (either for profit or not for profit) with whom I am associated has an economic interest which may be affected directly or indirectly.

A member of my immediate family, or by marriage relationships, is recommended for appointment to a municipal Board or Commission creating a conflict.

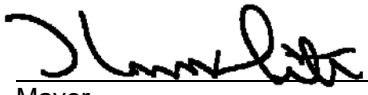
C. As a result of my potential conflict:

I hereby withdraw/abstain/recuse from any votes, deliberations or other actions on this matter and request that my disqualification and the grounds therefore be noted in the minutes.

I hereby left the meeting during the vote, deliberation or other action on this matter and request that my absence and the grounds therefore be noted in the minutes.

Date: April 12, 2021

Signature: 
Print Name: John DeWorken

Accepted: 
Mayor

The City Clerk attests the above action has been noted and reflected in the Minutes.


City Clerk