

TOWN OF DUNCAN

Council Meeting Minutes

Tuesday April 14, 2020 6:00 PM

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### MINUTES

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The Council Meeting was called to order by Mayor Rog Rogers at 6:00 p.m. via a toll-free call-in number. Attending the call was Councilmember James Waddell, Councilmember Calvin Cowen, Councilmember Shirley Clopton, Councilmember Greg Rensberger and Mayor Rogers. Also present on the phone at Call was Town Administrator Cameron Fant and Fire Chief Barry Frost. Town Administrator Cameron Fant and Councilmember James Waddell attended the toll-free call-in inside of Council Chambers.

In compliance with the Freedom of Information Act, notice of this meeting was submitted by e-mail to the Spartanburg Herald-Journal and the Greer Citizen on April 13, 2020. The agenda was posted on the front door of the Duncan Police Department and Town Hall on Monday April 13, 2020. The agenda was also uploaded to the Town of Duncan Website on April 13, 2020. Included on the agenda was the toll-free call-in number and a statement encouraging people to attend the meeting via the toll-free call-in number because of the impact of COVID-19.

Mayor Rog Rogers asked Cam Fant to lead the Invocation and then Mayor Rogers led the Pledge of Allegiance.

After that Mayor Rogers opened the Floor for a Public Hearing. The First item on the Public Hearing was RZ-2020-02, a Public Hearing relating to property that is currently Zoned RS-2 Residential District. The current land use of the property is residential. The proposed zoning of this property is R-3 Residential District. Gary and Danicia Johnson are the owners of property located on 133-Wheeler Street Duncan. RZ-2020-02 is more particularly described as Spartanburg County Parcel Number 5-20-02-046.00. No one from the Public took the Floor

Next Mayor Rogers opened the Public Hearing to the Second item, RZ-2020-02, a Public Hearing relating to property that is currently Zoned RS-4 Residential District. The current land use of the property is residential. The proposed zoning of this property is RM-8 Residential District. Upstate Custom Builders is the owner of properties located on 121 N. Church Street Duncan. RZ-2020-03 is more particularly described as Spartanburg County Parcel Number 5-20-02-002.00. No one from the Public took the Floor.

Finally, Mayor Rogers opened the Public Hearing to the last item, ZTA-2020-01 a Public Hearing relating to Zoning Text Amendment to the Zoning Code of Ordinance to add Sec.125-570 to Sec. 125-578 for RS-5 Patio Homes Residential District to the Ordinance of the Town of

Duncan. No one from the Public took the Floor. After no one took the Floor Mayor Rogers Closed the Public Hearing.

Next Mayor Rogers asked for a Motion to approve the minutes from the regular scheduled Council Meeting held on March 10, 2020. A Motion was made by Councilmember Cowen and his Motion was followed by a Second from Councilmember Clopton. The Vote to approve the Minutes from the March 10, 2020 regular scheduled council meeting passed 5-0.

Next Mayor Rogers asked for a Motion to approve the minutes from the special call Council Meeting held on March 27, 2020. A Motion was made by Councilmember Waddell and his Motion was followed by a Second from Councilmember Clopton. The Vote to approve the Minutes from the March 27, 2020 regular scheduled council meeting passed 5-0.

The Police Department report was given by Town Administrator Cam Fant. Fant told Council to reference the police report included in the meeting package. Fant then went thru a couple highlights on the report. Next Fant told Council about the 2016 BMW Police Car that was involved in an accident when Officer Dodd drove the car thru a water puddle while checking on the Byrnes Freshman Academy. Fant said the water puddle caused by the large amount of rain was so big that it flooded the engine in the car. Fant said all indications are the engine is ruined and the insurance company might decide to total loss the car.

The Fire Department report was given by Chief Frost. Frost gave Council a copy of the report and went thru a couple highlights on the report. Chief Frost then answered a couple various questions from Council.

Next Town Administrator Cameron Fant took the Floor to give the Public Works Department update. Fant told Council the Public Works Department had been working on leaves and limbs. Fant also told Council about the storm drainage project on Crescent Circle and the retention pond project on William Freeman Way they have been working on. Fant also told Council that they would be putting some asphalt patching on the entrance to Spartan Green Boulevard and renting equipment to clean up ride of ways on various roads as well as the walking trail. After that Fant answered a couple questions from Council.

Next Town Administrator Cameron Fant took the Floor to give an update on the Water Park. Fant told Council they were continuing to prepare for next season by putting together a waterpark manual, hiring employees and working on improvements for the season. Fant said they had no idea when the Governor would okay water parks to open but at the current time without any guidance from Columbia, they would be preparing to open at the normal time on Memorial Day Weekend. Fant then updated Council on the construction of the event center.

Next Mayor Rogers called Town Administrator Cameron Fant to the Floor for the First Reading of Ordinance No. AN-2020-01, an Ordinance to provide for the Annexation of property owned by RH (1) Fund XIV, LLC (2) Six Wilson, LLC and (3) Tapp Properties, LLC by 100% Petition. The properties are located at 333 Claude Collins Road, 1117 Victor Hill Road and 496 and 510 Robin Lake Road; and to establish a Zoning Classification of GI (General Industrial District) for said properties. Mayor Rogers called Town Administrator Cameron Fant to the Floor. Fant took the Floor and said this annexation was recommended by staff and approved by the Zoning Board on April 13, 2020. Next Zoning Administrator Barry Frost took the Floor and told Council that we had been working with the developers of this project for about five months. Frost told Council to look at the map and the other annexation paperwork in the council packets. Frost told Council that this annexation would require a Public Hearing and a Second Reading. After that Mayor Rogers asked for a Motion to approve the First Reading of Ordinance No. AN-2020-01. A Motion was made by Councilmember Clopton and her Motion was followed by a Second from Councilmember Waddell. The Vote to approve the First Reading of Ordinance No. AN-2020-01 passed 5-0.

Next Mayor Rogers called Town Administrator Cameron Fant to the Floor for the Second Reading of Ordinance No. RZ-2020-02, an Ordinance to provide for the rezoning of property where the current owners are requesting a change from the current zoning of RS-2 Residential District. The current land use of the property is residential. The proposed zoning of this property is R-3 Residential District. Gary and Danica Johnson are the owners of the property located on 133 Wheeler Street Duncan, SC. RZ-2020-02 is more particularly describes as Spartanburg County Parcel Number 5-20-02-046.00. Fant took the Floor and informed Council that the Zoning Board met and approved RZ-2020-02 with no discussion and only a vote. Fant said that the Mayor just had the Public Hearing on the Rezoning. Fant said that Gary Johnson wanted to subdivide his lot and sale a part of the lot so someone could build a house on it. Fant said he heard that the Johnson's were tired or raking leaves on such a big lot. Fant said that staff had approved this request. After that Mayor Rogers asked for a Motion to approve the Second Reading of Ordinance No. RZ-2020-02. A Motion was made by Councilmember Waddell and his Motion was followed by a Second from Councilmember Rensberger. The Vote to approve the Second Reading of Ordinance No. RZ-2020-02 passed 5-0.

Next Mayor Rogers called Town Administrator Cameron Fant to the Floor for the Second Reading of Ordinance No. RZ-2020-03, an Ordinance to provide for the rezoning of property where the current owners are requesting a change from the current zoning of RS-4 Residential District. The current land use of the property is residential. The proposed zoning of this property is RM-8 Residential District. Upstate Custom Builders are the owners of the property located on 121 N. Church Street Duncan, SC. RZ-2020-02 is more particularly describes as Spartanburg County Parcel Number 5-20-02-002.00. Fant took the Floor and informed Council

that the Zoning Board met and approved RZ-2020-03 during the last Zoning Board Meeting. Fant said the Mayor just had the Public Hearing on the Rezoning. Fant said it was not too long ago that this property was zoned General Business District. Fant said the owners changed the zoning to RS-4 Residential District. Fant said the engineer drew out the project plans and it just didn't fit as the homes would have no backyard. Fant said the owners talked to Zoning Administrator Barry Frost and they agreed that a zoning of RM-8 would be a better fit. With this layout the town homes would face Church Street and have more of a backyard. Fant said that staff had approved this request. After that Mayor Rogers asked for a Motion to approve the Second Reading of Ordinance No. RZ-2020-03. A Motion was made by Councilmember Waddell and his Motion was Seconded by Councilmember Rensberger. The Vote to approve the Second Reading of Ordinance No. RZ-2020-03, an Ordinance to provide for the rezoning of property where the current owners are requesting a change from the current zoning of RS-4 Residential District to a proposed zoning of this property is RM-8 Residential District passed 5-0.

Next Mayor Rogers called Town Administrator Cameron Fant to the Floor for the Second Reading of Ordinance No. ZTA-2020-01, an Ordinance to provide for a Zoning Text Amendment to the Zoning Code of Ordinance to add to Sec. 125-570 to Sec. 125-578 for RS-5 Patio Homes Residential District to the Ordinance of the Town of Duncan. Fant took the Floor and told Council that every other municipality in the County had a patio home ordinance. Fant reminded Council that the Mayor just had the Public Hearing for this Zoning Text Amendment. Fant said that even Spartanburg County had patio home zoning. Fant took a minute to go over with Council exactly what a patio home was. After that Fant went thru the Zoning Ordinance for Patio Homes with Council. After that Fant and Frost answered a couple questions. Fant said that staff had approved this request. After that Mayor Rogers asked for a Motion to approve the Second Reading of Ordinance No. ZTA-2020-01. A Motion was made by Councilmember Clopton and her Motion was followed by a Second from Councilmember Cowen. The Vote to approve the First Reading of Ordinance No. ZTA-2020-01 passed 5-0.

Next Mayor Rogers called Town Zoning Administrator Cameron Fant to the Floor for the Second Reading of Ordinance No. 20200211-02, an Ordinance to Provide for the Issuance and Sale of Not Exceeding Five Hundred Fifty Thousand Dollar (\$550,000) General Obligation Bonds, in One or More Series, of the Town of Duncan, South Carolina, to Prescribe the Purposes for which the Proceeds shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto. Fant took the Floor and told Council that this GO Bond would be used to help pay for three projects. Fant said first a portion of the bond proceeds would be used to put money back into the General Fund to replenish the money spent to purchase the new maintenance shop building. Fant said that a portion of the GO Bond money would be used to make repairs to various roads throughout Duncan. Finally, Fant said a portion of the GO Bond money would be used to purchase a lift station for sewer improvements for property owned by Bruce Davidson.

Fant said that would fulfill our commitment made during the CRG negotiations. Fant said that would also open many acres up for development. Fant said we would probably finance the GO Bond for 10 years. Next Fant answered a couple various questions from Council. After that Mayor Rogers asked for a Motion to approve the Second Reading of Ordinance No. 20200211-02. A Motion was made by Councilmember Waddell and his Motion was Seconded by Councilmember Rensberger. The Vote to approve the Second Reading of Ordinance No. 20200211-02, an Ordinance to Provide for the Issuance and Sale of Not Exceeding Five Hundred Fifty Thousand Dollar (\$550,000) General Obligation Bonds, in One or More Series, of the Town of Duncan, South Carolina, to Prescribe the Purposes for which the Proceeds shall be Expended, to Provide for the Payment Thereof, and Other Matters Relating Thereto passed 5-0.

Next Mayor Rogers called Town Administrator Cameron Fant to the Floor for the Second Reading of Ordinance No. 20200310-01, an Ordinance to amend Sec. 150-50 of the Town of Duncan Ordinances to reference the current International Building Code instead of the 2015 International Building Code. Fant took the Floor and told Council we needed to update our Town Ordinances to reflect the most current International Building Code. Next Zoning Administrator Frost told Council that by updating this it would cut down on confusion from Contractors as they enter the building stages of these new projects. Frost said we would change the language to show that we would always be using the most current building code. Frost said we would have the ability to enforce the code. After that Mayor Rogers asked for a Motion to approve the Second Reading of Ordinance No. 20200310-01. A Motion was made by Councilmember Clopton and her Motion was followed by a Second from Mayor Rogers. The Vote to approve the Second Reading of Ordinance No. 20200310-01 passed 5-0.

Next Mayor Rogers called Town Administrator Cam Fant to the Floor for Resolution # R-20200413-01, a Resolution to Approve the Execution and Delivery of a Memorandum of Understanding (MOU) for Economic Development with Project ARDIE. Fant took the Floor and reminded Council that this MOU had to do with the first reading of Annexation AN-2020-01 on the agenda. Fant said the company would be investing around \$10 million dollars into the Town of Duncan. Fant said that level of investment would result in a 10-year 65% reimbursement agreement. Fant said the project would be an industrial building approximately 150,000 square ft. big with 32 feet ceilings. Fant said the next step would be to convert this MOU into an Infrastructure Reimbursement Agreement (IRA). Fant said that would be in the form of an Ordinance and we wouldn't do that until after the developers closed on the land and had the final reading of the annexation ordinance. Next Mayor Rogers made a Motion to approve Resolution # R-20200413-01. His Motion was followed by a Second from Councilmember Clopton. The Vote to approve Resolution # R-20200413-01, a Resolution to Approve the Execution and Delivery of a Memorandum of Understanding (MOU) for Economic Development with Project ARDIE passed 5-0.

Next Mayor Rogers opened the Floor for the Mayor and Council Update. Mayor Rogers took the Floor and encouraged Council and everyone to stay safe and hand in there during this time of the COVID-19 pandemic. The Mayor said he couldn't wait for us to be able to meet and fellowship together in the same place.

Next Fant took the Floor to give his Administrative Update. Fant told Council that he had been talking to the SCDOT about the I-85 Exit 63 project. Fant said the SCDOT wanted to shorten the width of Spartan Green Boulevard by 1 foot. Fant said that since they were taking out the median it would be find to shorten the width by 1 foot. Fant told Council that he had applied for the COVID-19 PPP (Paycheck Protection Program) loan from the Federal Government for the Town of Duncan. Fant said he wasn't 100% sure the town was eligible but he wanted to try and see what would happen. After that Fant gave an update on other changes the Town had made due to the COVID-19 pandemic.

Next Fant took the Floor and gave the Financial Update thru March 2020. Fant went thru the budget, cash balances and loan balance worksheets. Fant then answered a couple various questions from Council.

After that Mayor Rogers asked Zoning Administrator Barry Frost for an economic update. Frost took the Floor and went thru the various commercial, industrial and residential projects that were currently under construction.

At approximately 7:02 p.m. Mayor Rogers asked for a Motion to close the meeting. A Motion to close the meeting was made by Councilmember Waddell. His Motion was Seconded by Councilmember Clopton. The Vote to close the meeting passed 5-0.

Approved by Council this _____ day of _____, 2020

By:

Mayor Clyde "Rog" Rogers

Attest _____

Clerk to Council, Melody Millwood