

TOWN OF DUNCAN
Special Call Council Meeting Minutes
Wednesday May 31, 2023 6:00 PM

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**MINUTES**  
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The Council Meeting was called to order by Mayor Shirley Clopton at 6:00 p.m. A roll call was given and present at call was Councilmember James Waddell, Councilmember Calvin Cowen, Councilmember Greg Rensberger, Councilmember Alicia Fulghum and Mayor Shirley Clopton. Also present at Call was Town Administrator Cameron Fant, Police Chief Terry Lane and Fire Chief Barry Frost.

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 May 30th, 2023. The agenda was posted on the front door of the Duncan Police Department and Town Hall on May 30th, 2023. The agenda was also uploaded to the Town of Duncan Website on May 30th, 2023. 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 if they could not attend in person.

Mayor Shirley Clopton led the Invocation.

Mayor Shirley Clopton led the Pledge of Allegiance.

At approximately 6:02, Mayor Clopton opened the Floor for a Public Hearing

AN-2023-04, An Ordinance to Provide for the Annexation of Real Property. THE PROPERTY IS REAL PROPERTY OWNED BY MPM LAND INVESTMENTS LLC AND S & H ENTERPRISE LLC, BY ONE HUNDRED PERCENT PETITION, AND TO ESTABLISH A ZONING CLASSIFICATION OF (RS-5 SINGLE-FAMILY RESIDENTIAL DISTRICT) FOR SAID PROPERTY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS SPARTANBURG COUNTY PARCEL NUMBER 5-14-00-063.00 LOCATED AT 0 GAP CREEK ROAD DUNCAN. Scott Berardi of 112 Gap Creek Road took the Floor to express his disapproval of the development. Scott said he would feel better if the minimum development was approved.

AN-2023-05, An Ordinance to Provide for the Annexation of Real Property. THE PROPERTY IS REAL PROPERTIES OWNED BY KWCH LLC; BY ONE HUNDRED PERCENT PETITION, AND TO ESTABLISH A ZONING CLASSIFICATION OF GBD (GENERAL BUSINESS DISTRICT) FOR SAID PROPERTIES. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS SPARTANBURG COUNTY PARCEL NUMBERS 5-25-00-126.06 LOCATE AT 1350 S. DANZLER ROAD AND 170 E. VICTOR HILL ROAD DUNCAN.....Mayor Shirley Clopton

AN-2023-06, An Ordinance to Provide for the Annexation of Real Property. THE PROPERTY IS REAL PROPERTIES OWNED BY KWCH LLC; BY ONE HUNDRED PERCENT PETITION, AND TO ESTABLISH A ZONING CLASSIFICATION OF GI (GENERAL INDUSTRIAL DISTRICT) FOR SAID PROPERTIES. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS SPARTANBURG COUNTY PARCEL NUMBERS 5-25-00-113.01 AND 5-25-00-127.02 LOCATE AT 0 S. DANZLER ROAD AND 170 E. VICTOR HILL ROAD DUNCAN.....Mayor Shirley Clopton

At approximately 6:13 Mayor Clopton closed the Floor for the Public Hearing.

Then Mayor Clopton made a Motion to Amend the Agenda to add the First Reading of Ordinance No. 20230530-03, An Ordinance Authorizing and Directing the Town of Duncan to enter into an Intergovernmental Agreement relating to South Carolina Local Revenue Services; to participate in one or more Local Revenue Service Programs; To execute and deliver one or more participant program supplements; and other matters relating thereto. Her Motion was followed by a Second from Councilmember Rensberger. The Vote to Amend the Agenda to add the Ordinance passed 5-0.

Next Mayor Clopton called Zoning Administrator Barry Frost to the Floor for the **second READING OF REZONING ORDINANCE NO. RZ-2023-01, An Ordinance to Provide for the Rezoning of Real Property.** The properties are owned by Nathan Cohen. The request is for a rezoning of two properties of 0.60 +/- acres each, located at 152 and 156 S. Moore Street, currently zoned RS-2 single family residential district. The request is for a zoning classification of R-TF Two Family Residential District. The properties are more particularly described as Spartanburg County parcel numbers 5-20-01-171.00 and 5-20-05-017.00. Frost took the Floor and showed a map of the properties to Council. Frost said this was recommended by the Zoning Board and the First Reading passed in an earlier meeting. Then Frost said that the plan was for Cohen to build one duplex on each lot resulting in a total of 4 units. Barry said he would not be approved by anything other than that. Frost said he would not be allowed to build any more than that or he wouldn't receive a permit to build. After that Mayor Clopton asked for a Motion to approve RZ-2023-01. A Motion was made by Councilmember Cowen and a Second was made by Councilmember Fulghum. After some discussion Councilmember Cowen then made a Motion to Postpone this until the next meeting. A Second was made to Postpone by Councilmember Rensberger. After that Councilmember Cowen passed out a letter that he read out loud to Council. A copy of that letter is included with these minutes. After some additional discussion a Vote to Postpone Ordinance No. RZ-2023-01 was taken and this Vote passed 4-1 with Mayor Clopton voting against it.

Next Mayor Clopton called Chief Frost to the Floor for the **SECOND READING OF ANNEXATION ORDINANCE NO. AN-2023-04, An Ordinance to Provide for the Annexation of Real Property.** The property is owned MPM Land Investments, LLC and S & H Enterprise, LLC, by One Hundred

Percent Petition, and to Establish a Zoning Classification of RS-5 Single Family Residential District for said property. The property is more particularly described as Spartanburg County Parcel # 5-14-00-063.00 and is located at 0 Gap Creek Road, Duncan, SC. Chief Frost passed out the annexation paperwork and showed Council a map of the property. Frost said that the Zoning Board voted in favor of this and that Council had approved the First Reading earlier in the Month. Frost reminded Council that back in 1890 when Duncan was established as a town, a dot was put on a map and then a circle was drawn in a half mile radius around the dot. Frost said that circle was the original border of the town. Frost said that this property was 30% inside the town limits and 70% outside the town limits because that is where the original boundary circle cut thru the property. Frost said in other words the town hadn't grown this direction any since the original border was drawn. Frost said the annexation was to put the entire parcel inside the town limits at the zoning for this part would be RS-5. Frost said the other portion of the property already inside the town limits would be rezoned to RS-5 so that the entire parcel was the same. After that Frost answered a couple various questions from Council. Councilmember Cowen suggested that we needed to put this into the town limits to get it out of the County. Then Mayor Clopton asked for a Motion to approve AN-2023-04. A Motion was made by Councilmember Cowen and his Motion was followed by a Second from Mayor Clopton. The Vote to approve Ordinance No. AN-2023-04 passed 5-0.

Next Mayor Clopton called Chief Frost to the Floor for the **SECOND READING OF DEANNEXATION ORDINANCE NO. 20230509-1, TO RETRACT ANNEXATION ORDINANCE NO. AN-2022-12, An Ordinance to Provide for the DE-annexation of Real Property.** The properties to De-annex are owned by People Choice Storage Duncan I, LLC and People Choice Storage Duncan II, LLC by One Hundred Percent Petition. The properties are approximately 3.89 +/- acres and are located at 1650 E. Main Street and 1660 E. Main Street, Duncan SC. The properties are Spartanburg County Parcel # 5-26-00-003.06 and 5-26-00-003.08. Chief Frost took the Floor and informed Council that a representative from the owner of this property called him and told him that they had not intended to put this property inside the town. He said that one of the employees who manages the property and works for the property management group signed the annexation petition with no prior approval from the ownership group. Frost said that as such the annexation petition was null and void. After that Mayor Clopton asked for a Motion to De-annex this property. A Motion was made by Councilmember Rensberger and his Motion was followed by a Second from Mayor Clopton. The Vote to approve Ordinance No. Ord. 20230509-1 passed 5-0.

Next Mayor Clopton called Chief Frost to the Floor for the **FIRST READING OF REZONING ORDINANCE NO. RZ-2023-02, An Ordinance to Provide for the Rezoning of Real Property.** This is a rezoning of a portion of this property located on Gap Creek Rd., currently in the Town of Duncan from RS-1 Residential Single-Family District. The request is for RS-5 Residential Single-Family District. They are single family residential homes, and Commercial in the area. Frost took

the Floor and told Council that this was the 30% portion of the same parcel that was annexed earlier. Frost said that this zoning was needed to make the entire portion the same. Frost said the Zoning Board approved this 4-1. After some discussion Mayor Clopton asked for a Motion to approve RZ-2023-02. A Motion was made by Councilmember Cowen and his Motion was followed by a Second from Councilmember Fulghum. The Vote to approve Ordinance No. Ord. RZ-2023-02 passed 5-0.

Next Mayor Clopton called Chief Frost to the Floor for the **FIRST READING OF REZONING ORDINANCE NO. RZ-2023-03, An Ordinance to Provide for the Rezoning of Real Property.** This is a rezoning of one property of 15.44 +/- acres each, located at 164 S. Moore Street, currently zoned RS-1 Single Family Residential District. The request is for RS-4 Single Family Residential District. They are single family residential and two-family residential property in the area. Councilmember Cowen owns said property and had to leave the meeting. Chief Frost took the Floor and showed Council a map of the area. After some discussion a Motion was made by Mayor Clopton to Table Ordinance No. RZ-2023-03. Her Motion was followed by a Second from Councilmember Fulghum. The Vote to TABLE Ordinance No. Ord. RZ-2023-03 passed 4-0.

Mayor Clopton called Town Administrator Cam Fant to the Floor for the **FIRST READING OF ORDINACNE NO. 20230530-01,** an ORDINANCE RELATING TO THE FISCAL AFFAIRS OF THE TOWN OF DUNCAN, SOUTH CAROLINA, MAKING APPROPRIATIONS THEREFORE, LEVYING TAXES, AND TO PROVIDE FOR AN EFFECTIVE DATE July 1 2023 thru June 30, 2024 (FIRST READING). Fant took the Floor and reminded Council how the budgeting process worked. Fant said he had gotten all the numbers back from the various department heads and compiled them into the first pass of the budget and then after the First Reading Fant said he went back over the numbers in detail and made a couple adjustments to finalize the first draft of the budget. Fant said currently revenues exceeded the expenses but that he was still waiting on the School Resource Officer salary numbers. Fant then went over the CPI and population growth letter the town received from the state and told Council they could theoretically go up on millage almost 11%. Then Fant went thru the millage rate for the last few years and reminded Council that they had not increased it in two years. Fant suggested going up on the millage some. Fant said every other municipality he had researched had gone up some. Then Fant went thru the highlights of the budget. After that Fant answered a couple various questions from Council. A Motion was made by Councilmember Rensberger and his Motion was followed by a Second from Councilmember Fulghum. The Vote to approve the First Reading of Ordinance No. 20230530-01 passed 5-0.

Mayor Clopton called Town Administrator Cam Fant to the Floor for the **FIRST READING OF ORDINACNE NO. 20230530-02,** an ORDINANCE TO AMEND ORDINANCE NO. 20220510-2 RELATING TO THE FISCAL AFFAIRS OF THE TOWN OF DUNCAN, SOUTH CAROLINA, MAKING APPROPRIATIONS THEREFORE, LEVYING TAXES, AND TO PROVIDE FOR AN EFFECTIVE DATE July 1

2022 thru June 30, 2023 (FIRST READING. Fant took the Floor and reminded Council that it was common for municipalities to amend their budget to reflect unexpected revenues or expenses. Fant said that we had typically been amending the budget toward the end of the fiscal year. Fant said we are amending this year's budget to show additional property tax revenue and that we would allocate those revenues to several different expense accounts that went over the budgeted amounts. Fant told Council to reference the spreadsheet to see the detail on the accounts. After that Fant answered a couple various questions from Council. Then Mayor Clopton asked for a Motion. A Motion was made by Councilmember Waddell and his Motion was followed by a Second from Mayor Clopton. The Vote to approve the First Reading of Ordinance No. 20230530-02 passed 5-0.

Next Mayor Clopton Called Town Administrator Cam Fant to the Floor for the First Reading of Ordinance No. 20230530-03, An Ordinance Authorizing and Directing the Town of Duncan to enter into an Intergovernmental Agreement relating to South Carolina Local Revenue Services; to participate in one or more Local Revenue Service Programs; To execute and deliver one or more participant program supplements; and other matters relating thereto. Fant took the Floor and went over the information the Municipal Association provided in respect to collecting various local special revenue. Fant said this was an Ordinance that the Municipal Association was requiring us to pass in order to continue to collect these revenue streams. After that Fant answered a couple various questions from Council. Then Mayor Clopton made a Motion to approve the First Reading of this Ordinance. Her Motion was followed by a Second from Councilmember Cowen. The Vote to approve the First Reading of this Ordinance passed 5-0.

At approximately 7:28 p.m., Mayor Clopton asked for a Motion to close the meeting. A Motion was made by Councilmember Waddell and his Motion was followed by a Second from Mayor Clopton. The vote to close the meeting was passed 5-0.

Approved by Council this _____ day of _____, 2023

By: _____

Mayor Pro Tem Shirley Clopton

Attest _____ Clerk to Council, Melody Millwood