

# TOWN OF DUNCAN

Regular Scheduled Council Meeting Minutes

Tuesday May 9, 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 Police Chief Shandrell Holcombe, Fire Chief Barry Frost and Town Administrator Cameron Fant.

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 5th, 2023. The agenda was posted on the front door of the Duncan Police Department and Town Hall on May 5th, 2023. The agenda was also uploaded to the Town of Duncan Website on May 5th, 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 in the event they couldn't attend in person.

Mayor Shirley Clopton led the Invocation.

Mayor Shirley Clopton led the Pledge of Allegiance.

Next Mayor Shirley Clopton asked for a Motion to approve the minutes from the regular scheduled council meeting held on April 11th, 2023. A Motion was made by Councilmember Waddell and his Motion was followed by a Second from Councilmember Rensberger. The Vote to approve the Minutes from the April 11, 2023 regular scheduled council meeting passed 5-0.

Mayor Clopton read a Proclamation for of Irene Kocisko's 100<sup>th</sup> Birthday. Ms. Kocisko was there to accepted the proclamation and have some pictures made with the Mayor.

Administrator Cameron Fant gave an update on Public Works Department. Fant reported that Public Works had been working on cutting grass throughout town and also had taken the mulch out around the event center and installed river rock. Administrator Fant reported Public Works had been helping to prepare for some of the Special Events and working on other various maintenance problems in Town. Fant reminded Council to always remember to let him know if they had something needing done that Public Works could help with.

Next Town Administrator Cam Fant gave an update on The Event Center, Stoneledge and Shipwreck Cove. Fant informed Council that Duncan fest was a hit again this year. Fant went

thru the various activities associated with the event. Fant then told Council that coming up was the Mother's Day Event and 80s weekend. Fant said on Many 27<sup>th</sup> the opening of Shipwreck Cove would take place with some special additions this year like a slide in the park and live music. Fant also reminded Council about music trivia and music bingo at Gameday BBQ and Route 290 sponsored by the Town. After that Fant answered a couple questions from Council.

Next the Police Department report was given by Chief Holcombe. Holcombe went thru the report and then answered a couple questions from Council.

The Code Enforcement report was given by Lt. Lane.

The Fire Department report was given by Chief Barry Frost. Chief Frost went thru the report and then answered a couple various questions from Council.

Chief Frost gave the **FIRST 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 told Council that this rezoning was recommended by the Zoning Board. Frost took the Floor and passed out the rezoning paperwork and showed Council a map of the property. Frost said that Cohen wanted to build only one duplex per lot meaning there would be a total of 4 units after everything was said and done. Frost said this is the only thing he would approve to be built if the rezoning passed and he would be able to police this by holding back on the county issuing a permit if something else was attempted by the property owner. After a couple of comments and questions from Council, Mayor Clopton made a Motion. Her Motion was followed by a Second from Councilmember Cowen. The Vote to approve Ordinance No. RZ-2023-01 passed 4-1 with Councilmember Cowen voting against it.

Chief Frost gave the **FIRST 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 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. Frost said the zoning board approved the recommendation on this annexation. After that Frost answered a couple various questions from Council. Then Mayor Clopton asked for a Motion to approve AN-2023-04. A Motion was made by Councilmember Fulghum and her Motion was followed by a Second from Councilmember Rensberger. The Vote to approve Ordinance No. AN-2023-04 passed 5-0.

Chief Frost gave the **FIRST READING OF ANNEXATION ORDINANCE NO. AN-2023-05, An Ordinance to Provide for the Annexation of Real Property.** The property is owned KWCH, LLC by One Hundred Percent Petition, and to Establish a Zoning Classification of GBD General Business District for said property. The property is more particularly described as Spartanburg County Parcel # 5-25-00-126.06 and is located at 1350 S. Danzler Road, Duncan, SC. Chief Frost passed out the annexation paperwork and showed a map of the property to Council. Frost said this annexation was recommended by the Zoning Board. Frost said that the owner of the property had it under contract and the purchaser wanted to put the property inside the town limit. After that Frost answered a couple of various questions from Council. Next Mayor Clopton asked for a Motion to accept AN-2023-05. A Motion was made by Councilmember Cowen and his Motion was followed by a Second from Councilmember Rensberger. The Vote to approve Ordinance No. RZ-2023-05 passed 5-0. The Vote to approve Ordinance No. AN-2023-05 passed 5-0.

Chief Frost gave the **FIRST READING OF ANNEXATION ORDINANCE NO. AN-2023-06, An Ordinance to Provide for the Annexation of Real Property.** The properties are owned KWCH, LLC by One Hundred Percent Petition, and to Establish a Zoning Classification of GI General Industrial District for said property. The properties are more particularly described as Spartanburg County Parcel # 5-25-00-113.01 and 5-25-00-127.02 and are located at 170 E. Victor Hill Road and 0 S. Danzler Road, Duncan, SC. Chief Frost passed out the annexation paperwork and showed a map of the property to Council. Frost said this annexation was recommended by the Zoning Board. Frost said that the owner of the property had it under contract and the purchaser wanted to put the property inside the town limit. After that Frost answered a couple of various questions from Council. Next Mayor Clopton asked for a Motion to accept AN-2023-06. A Motion was made by Councilmember Fulghum and her Motion was followed by a Second from Councilmember Cowen. The Vote to approve Ordinance No. AN-2023-06 passed 5-0.

Chief Frost gave the **FIRST 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.

Administrator Fant gave the reading of **RESOLUTION # R20230509-01, A Resolution to invest town funds in SC Local Government Investment Pool.** A Resolution to allow the Town Administrator to Invest Town Funds in the South Carolina Local Government Investment Pool; and Other Matters Related Thereto. Town Administrator took the Floor and reminded Council that our current bank, UCB didn't pay any interest on our town funds. Fant said that the SC Local Government Investment Pool was paying up to 4 and 5% and the investment was safe. Fant said we needed to take advantage of the interest income and the safety of the investment and move some money into those investment pools. Then Fant walked thru the mechanics of using the investment pool. After that Fant answered a couple questions from Council. Then a Motion was made by Mayor Clopton and her Motion was followed by a Second from Councilmember Cowen to accept the Resolution. The Vote to approve Resolution No. R20230509-01 passed 5-0.

Administrator Fant gave the reading of **RESOLUTION # R20230509-02, A Resolution to purchase a Walker Mower.** A Resolution to allow the Town Administrator to enter into an agreement with Landscapers Supply to purchase a Walker Vanguard Mower with Tweel Wheels at a price not to exceed \$15,050, using monies from the General Fund and Stoneledge Park Fund; and Other Matters Related Thereto. Town Administrator Cam Fant took the Floor and told Council it was time to purchase a new mower. Fant said that both Kubota mowers were over 10 years old and beginning to have repair needs. Fant said the plan was to sale the oldest Kubota and give the next oldest Kubota to our fire department in Wellford. Fant said we would then purchase a new Walker mower to replace the Kubota mowers. After that Fant answered a couple various questions from Council. Next Mayor Clopton asked for a Motion to approve the Resolution. A Motion was made by Councilmember Fulghum and her Motion was followed by a Second from Councilmember Rensberger. The Vote to approve Resolution No. R20230509-02 passed 5-0.

Administrator Fant gave the reading of **RESOLUTION # R20230509-03, A Resolution to purchase a 2023 Mule Pro-DXT.** A Resolution to allow the Town Administrator to enter into an agreement

to purchase a 2023 Mule Pro-DXT Eps Diesel FE at a price not to exceed \$18,999, using monies from the General Fund and Stoneledge Park Fund; and Other Matters Related Thereto. Town Administrator Cam Fant took the Floor and told Council that the plan was to take the RTV Gator and send it to the waterpark and purchase this Mule for the maintenance department. Fant said the Mule was bigger, roomier and better suited for maintenance and the Gator would be perfect for the waterpark. After that Fant answered a couple various questions from Council. A Motion was made by Mayor Clopton and her Motion was followed by a Second from Councilmember Rensberger. The Vote to approve Resolution No. R20230509-03 passed 5-0.

Administrator Fant gave the reading of **RESOLUTION # R202309-04, A Resolution to use monies from the American Rescue Plan Act (ARPA) account to build (2) 10' x 10' Ft Gazebos at Stoneledge Park.** A Resolution to allow the Town Administrator to enter into a Construction Agreement to use monies received from the American Rescue Plan Act (ARPA) to build (2) 10 ft. by 10 ft. Gazebos with metal roofing, benches for seating, decorative supportive bracing, pressure treated lumber, composite decking floor and high strength Vinyl wrapping for use and enjoyment at Stoneledge Park; and Other Matters Related Thereto. Fant took the Floor and told Council that we needed more shaded sitting space for parents who were watching their children play at Stoneledge Park. Fant said we also had several trees that were growing roots up thru the padded flooring. Fant said the plan was to cut down those trees and in that same area build a couple of gazebos that families could enjoy while watching their kids play. Next fant went over the quotes and described how they would look. Next Fant answered a couple various questions from Council. Then Mayor Clopton asked for a Motion to approve the Resolution. A Motion was made by Councilmember Cowen and his Motion was followed by a Second from Councilmember Fulghum. The Vote to approve Resolution No. R202309-04 passed 5-0.

Adm. Fant gave the reading of **RESOLUTION # R20230509-05, A Resolution to enter into a land lease agreement with Norfolk Southern.** A Resolution to allow the Town Administrator to enter into a lease agreement with Norfolk Southern to lease approximately 28,360 square feet, for public parking and other town functions at an annual lease rate of \$3,200 using monies from the Local Accommodations and Hospitality Fund; and Other Matters Related Thereto. Fant took the Floor and reminded Council that we had discussed this lease agreement before and the price was \$4,000 per year. Fant said he had since tried to negotiate it down but the lowest he could get them to go was \$3,200 per year. Fant said that as the town grows and has intentions to put a focus on Main Street that this was vital to lease and fix for additional parking. After that Fant answered a couple various questions from Council. Next Mayor Clopton asked for a Motion to approve this Resolution. A Motion was made by Councilmember Rensberger and her Motion was followed by a Second from Mayor Clopton. The Vote to approve Resolution #20230509-05 passed 5-0.

Mayor Clopton took the Floor for the Mayor and Council update and reminded everyone about the karaoke at the Hwy 290 Grill sponsored by the Town.

Mayor Clopton called Chief Frost to give the Zoning update. Chief Frost gave a list of the new business coming to Duncan and told Council about a meeting that he and Cam Fant had with SE Eurodrive about the CESA sports complex and looking for new property for an athletic field. Then Chief Frost answered any questions.

Administrator Fant gave the administrative update and reminded Council about a special call meeting for a public hearing. Then Fant gave the Financial Update. Fant reminded Council that if anyone had any questions to please call him.

Next at approximately 8.17 p.m., Mayor Clopton made a motion to enter in to Executive Session for a Personnel Matter and her motion was followed by a second from Councilmember Rensberger. The vote to go into Executive Session was passed 5-0.

Next at approximately 9:32 p.m., Councilmember Cowen Clopton made a Motion to exit the Executive Session for a Personnel Matter and his Motion was followed by a Second from Mayor Clopton. The vote to come out of the Executive Session was passed 5-0.

No action was taken during the executive session.

At approximately 9:33 p.m., Councilmember Waddell made a Motion to close the meeting and his Motion was followed by a Second from Mayor Clopton. The vote to close the meeting passed 5-0.

Approved by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023

By: \_\_\_\_\_

Mayor Pro Tem Shirley Clopton

Attest \_\_\_\_\_ Clerk to Council, Melody Millwood