



GREENVILLE COUNTY COUNCIL

Minutes
Regular Meeting
February 21, 2023
6:00 p.m.

County Square - Council Chambers

Council Members

Mr. Dan Tripp, *Chairman, District 28*
Mrs. Liz Seman, *Vice-Chairwoman, District 24*
Mr. Butch Kirven, *Chairman Pro Tem, District 27*
Mr. Joey Russo, *District 17*
Mr. Mike Barnes, *District 18*
Mr. Benton Blount, *District 19*
Mr. Stephen Shaw, *District 20*
Mr. Chris Harrison, *District 21*
Mr. Stan Tzouvelekas, *District 22*
Mr. Alan Mitchell, *District 23*
Mr. Ennis Fant, Sr., *District 25*
Mr. Rick Bradley, *District 26*

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted online and on the bulletin board at County Square and made available to the newspapers, radio stations, television stations and concerned citizens.

Council Members Absent

None

Staff Present

Joe Kernell, County Administrator
Mark Tollison, County Attorney
Regina McCaskill, Clerk to Council
Jessica Stone, Deputy Clerk to Council
Pam Gilliam, Administrative Assistant
Terrance Galloway, Information Systems

Phillip Simmons, Information Systems
Tee Coker, Assistant County Administrator
Hesha Gamble, Assistant County Administrator
Nicole Wood, Assistant County Administrator
Rashida Jeffers-Campbell, Planning Director

Others Present

None

Call to Order

Vice-Chairman Dan Tripp

Invocation

Councilor Mike Barnes

Pledge of Allegiance

Item (4) Proclamations and Special Recognition

None

Item (5) Approval of Minutes

a. February 7, 2023 – Regular County Council Meeting

Action: Vice-Chairwoman Seman moved approval of the minutes from the February 7, 2023, Regular County Council Meeting.

Motion carried unanimously.

Item (6) Appearances – Current Agenda Items

There were no speakers.

Item (7) Consent Agenda

- a. Initiate Zoning Text Amendment / Article 6, Section 6.2 (31) Automobile and Personal Motorized Vehicle Sales and Rental *(P&D)*
- b. Initiate Zoning Text Amendment / Article 4, Definitions, Article 6, Table 6.1 Uses Permitted, Uses by Special Exception, and Conditional Uses and Section 6.2, Use Conditions (28) Single-Family and Multifamily Residential in C-1, C-2, and C-3, Commercial Districts *(P&D)*
- c. FY 2023 EMS Grant-in-Aid *(Finance)*
- d. Firehouse Subs Grant *(Finance)*
- e. Hazard Materials Emergency Preparedness Grant *(Finance)*
- f. Expanded Infrastructure Support Grant / National Network of Public Health Institutes *(Finance)*

Action: Chairman Pro Tem Kirven moved approval of the Consent Agenda items.

Motion carried unanimously.

Item (8) Resolutions

a. Abandoned Textile Mill Site Certification / 999 Geer Highway – Unit 1

Action: Chairman Pro Tem Butch Kirven moved for adoption a resolution to provide a certification pursuant to the South Carolina Textile Communities Revitalization ACT (S.C. Code Section 12-65-10 et. seq.), for certain property located at 999 Geer Highway, Unit 1, in Travelers Rest, South Carolina.

Motion carried unanimously.

b. Abandoned Textile Mill Site Certification / 999 Geer Highway – Unit 2

Action: Chairman Pro Tem Butch Kirven moved for adoption a resolution to provide a certification pursuant to the South Carolina Textile Communities Revitalization ACT (S.C. Code Section 12-65-10 et. seq.), for certain property located at 999 Geer Highway, Unit 2, in Travelers Rest, South Carolina.

Motion carried unanimously.

c. **Abandoned Textile Mill Site Certification / 999 Geer Highway – Unit 3**

Action: Chairman Pro Tem Butch Kirven moved for adoption a resolution to provide a certification pursuant to the South Carolina Textile Communities Revitalization ACT (S.C. Code Section 12-65-10 et. seq.), for certain property located at 999 Geer Highway, Unit 3, in Travelers Rest, South Carolina.

Motion carried unanimously.

d. **170 Patriot Hill Drive, LLC / Inducement Resolution**

Action: Chairman Pro Tem Butch Kirven moved for adoption a resolution authorizing the execution and delivery of an inducement agreement by and between Greenville County, South Carolina and 170 Patriot Hill Drive LLC, whereby, under certain conditions, Greenville County would execute a fee in lieu of tax agreement with respect to a project in the County whereby the project would be subject to payment of certain fees in lieu of taxes, and providing for related matters.

Motion carried unanimously.

Item (9) Ordinances – Second Reading

a. **Zoning Ordinances**

i. **CZ-2022-096:** Withdrawn by applicant

Councilor Tzouvelekas left the meeting after having recused himself from discussion and voting on the following item.

ii. **CZ-2022-100:** Property of Nickie Petratos, Susanna Petratos, Tommy Petratos, Violet Chatos, Stamatoula Allen, Pamela Thomas, Anastasia C. Pickell, Sofia Chatos, and Tommy Chatos, located on Poinsett Highway and Duncan Chapel Road, Greenville, requesting rezoning from C-1 to FRD. The Planning Commission and the Committee recommended approval with amended conditions.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Action: Councilor Fant moved to amend the request to add a condition for the applicant to submit a Final Development Plan for review and approval prior to the issuance of any land development or building permits; and to provide proper screening per Section 12:9 of the Greenville County Zoning Ordinance.

Motion to amend carried with one written abstention. (Tzouvelekas)

Action: Councilor Fant moved approval of the ordinance as amended.

Motion carried with one written abstention. (Tzouvelekas)

Councilor Tzouvelekas returned to the meeting.

- iii. **CZ-2023-001:** Property of JBP Investment Properties, LLC, located on Fork Shoals Road, Piedmont, requesting rezoning from R-S to S-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- iv. **CZ-2023-004:** Property of 2508 Enterprises, LLC, located at 5 Main Street, Greenville, requesting rezoning from S-1 to R-MA. The Planning Commission and Committee recommended denial.

Action: On behalf of the Committee, Councilor Fant moved denial of the ordinance at second reading.

Motion carried unanimously.

- v. **CZ-2023-005:** Property of Reconcile Community Church, located on Oak Drive, Fortner Avenue and S. Florida Avenue, Greenville, requesting rezoning from R-10 to R-MA. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- vi. **CZ-2023-006:** Property of B5 RE Investments, LLC, located at 101 E. Blue Ridge Drive, Greenville, requesting rezoning from R-7.5 to R-6. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- vii. **CZ-2023-007:** Property of Westdale Capital Investors 3, LP, located at 334 and 335 White Horse Road, Greenville, requesting rezoning from C-2 to S-1. The Planning Commission recommended approval and the Committee recommended denial.

Action: On behalf of the Committee, Councilor Fant moved denial of the ordinance at second reading.

Motion carried unanimously.

- viii. **CZ-2023-008:** Property of Armstrong Farm and Dairy, LLC, and the Armstrong Farms, LLC, located at 202 and 206 Fairview Street, Ext., Simpsonville, requesting rezoning from R-S to I-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- ix. **CZ-2023-009:** Property of Teresa Nguyen Thomsen of 2508 Enterprises, LLC, located at 21 Main Street, Greenville, requesting rezoning from S-1 to R-MA. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- x. **CZ-2023-012:** Property of Brad Earl Franseen of G & A Management, LLC, located at 11705 Furman Hall Road, Greenville, requesting rezoning from I-1 to R-6. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

- xi. **CZ-2023-013:** Property of Kaizen Investments, LLC, located at 8 Distribution Court, Greer, requesting rezoning from I-1 to S-1. The Planning Commission and Committee recommended approval.

Action: On behalf of the Committee, Councilor Fant moved approval of the ordinance at second reading.

Motion carried unanimously.

b. Greenville County Land Development Regulations Amendment / Scuffletown District – Single Parcel Division

Action: On behalf of the Committee, Councilor Fant moved for approval at second reading an ordinance to amend Article 16 of the Greenville County Land Development Regulations, to provide for single parcel division in the Scuffletown Rural Conservation District.

Motion carried unanimously.

c. Zoning Text Amendment / Amend Article 8, Section 8:9.2 Applicability (CZ-2023-10)

Action: On behalf of the Committee, Councilor Fant moved for approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to add additional language to Article 8 Section 8:9.2 Applicability for the Scuffletown Overlay. The Planning Commission and Committee recommended approval.

Motion carried unanimously.

d. Zoning Text Amendment / Sections 7:2.4-4 (C) Single-Family Attached and 7:2.5-4 (C) Single-Family Attached (CZ-2023-14)

Action: On behalf of the Committee, Councilor Fant moved for approval at second reading an ordinance to amend the Greenville County Zoning Ordinance to remove the former language of Article 7, Sections 7:2.4-4 (c) and 7:2.5-4 (c) Single-Family Attached, and add the new language as outlined in the amended version included in the agenda packet. The Planning Commission and Committee recommended approval.

Motion carried unanimously.

Item (10) **Ordinances – First Reading**

a. Zoning Ordinances

Councilor Fant presented for first reading **Zoning Docket CZ-2023-015**.

Chairman Tripp referred the item to the Planning and Development Committee.

b. Anderson / Greenville Multi County Industrial Business Park (2010 Park) Agreement Amendment

Chairman Pro Tem Kirven presented for first reading an ordinance to amend an agreement for the development of a joint county industrial and business park (2010 Park) of Anderson and Greenville Counties so as to enlarge the park.

Chairman Tripp stated the item would remain on the floor.

c. Laurens / Greenville Multi County Industrial Business Park (Octagon Park) Agreement Amendment

Chairman Pro Tem Kirven presented for first reading an ordinance to amend the Master Lease governing the Octagon Industrial Park between Greenville County and Laurens Park so as to enlarge the park.

Chairman Tripp stated the item would remain on the floor.

d. Greenville County General Obligation Bonds / Magistrate Court Facility

Chairman Pro Tem Kirven presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$6,000,000 Greenville County, South Carolina General Obligation Bonds, in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

e. Greenville County General Obligation Bonds / River Falls Fire District

Chairman Pro Tem Kirven presented for first reading an ordinance to provide for the issuance and sale of not exceeding \$800,000 Greenville County, South Carolina General Obligation Bonds (River Falls Fire District Project), Series 2023B; to prescribe the purpose for which the proceeds shall be expended; to provide for the payment thereof; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

f. 170 Patriot Hill Drive LLC / Fee in Lieu of Tax Agreement

Chairman Pro Tem Kirven presented for first reading an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Greenville County, South Carolina and 170 Patriot Hill Drive LLC, with respect to certain economic development property in the County, whereby such property would be subject to certain payments in lieu of taxes; and other matters related thereto.

Chairman Tripp stated the item would remain on the floor.

g. Greenville County Noise Ordinance / Proposed Amendment

Councilor Shaw presented for first reading an ordinance to amend Section 15-102 of the Greenville County Code concerning noise ordinance prohibitions.

Chairman Tripp referred the item to the Public Safety Committee.

Item (11) Committee Reports

There were no reports.

Item (12) Administrator's Report

Joe Kernell provided an update on the Greenville County / Prisma Health / Swamp Rabbit Trail. A number of projects were in progress along the 25 mile trail system. Mr. Kernell stated SCDOT had engaged a contractor to install a traffic light at Highway 253 and West Blue Ridge Drive; the traffic signal would include the first bicycle traffic light in the state of South Carolina. The intersection would also include advanced detection radar. Installation of the light was expected to be completed in the next few weeks.

The developer of the former Union Bleachery site, now known as, On the Trail Development, was working with county staff on design and permitting of a Swamp Rabbit Trail bridge over Highway 253, in preparation to apply for federal funding in 2024. Once completed, the bridge would replace the traffic light previously mentioned. County staff had installed 3% of the pavement needed along the new section of the Greenline, between Laurens Road and Verdae Boulevard. The remaining paving was expected to be completed as the City of Greenville wrapped up construction of the bridges.

Mr. Kernell stated Deputy Jonathan Holloway had joined the team of motorcycle officers assigned to the trail.

Item (13) Requests and Motions

a. Request to Open a Special Application Period / Foothills Fire Service Area

Action: As noticed on the County Council agenda, Councilor Russo moved to open a special two-week application period for the Foothills Fire Service Area Board.

Mr. Russo stated the Foothills Fire Service Area Board was an elected board for which County Council filled unexpired terms; the board currently had two.

Motion carried unanimously.

Councilor Tzouvelekas left the meeting, recused himself from discussion and voting on the following item.

b. Motion to Reconsider Zoning Docket CZ-2022-106

Action: As noticed on the County Council agenda, Councilor Shaw moved to reconsider the February 7, 2023 third reading vote for Zoning Docket CZ-2022-106 for a non-substantive review.

Chairman Tripp asked Mr. Shaw if the February 7 vote was unanimous.

Councilor Shaw confirmed it was unanimous, roll call vote.

Chairman Pro Tem Kirven stated he was not aware of any problem with Council's decision regarding the vote.

Councilor Shaw stated he wanted to give his colleagues the opportunity to "fix" anything they saw "wrong" and to vote on the item again.

Councilor Fant stated the item had passed unanimously at third reading as well as second reading. It was his understanding that Council would move for reconsideration of an item if there was a substantive change in the matter. Mr. Fant stated Council should be informed if there was some substantive change that would warrant a denial by Council; that would be the only reason for reconsideration of the item.

Councilor Shaw stated he was just "throwing it out there" to give Council the opportunity to vote on the item again.

Motion to reconsider was denied by a roll call vote of one (Shaw) in favor, ten (Russo, Barnes, Blount, Harrison, Mitchell, Seman, Fant, Bradley, Kirven and Tripp) in opposition and one (Tzouvelekas) written abstention.

Councilor Tzouvelekas returned to the meeting.

- Councilor Shaw expressed concerns regarding expansion of the Public Works and Infrastructure Committee, now known as the Roads, Infrastructure and Public Works Committee. In the past, there had been talk regarding the need to immediately address the County's roads and infrastructure. Mr. Shaw stated the committee had met twice in 2023; it appeared there had been no changes and no progress regarding the road issue. There had been no speakers scheduled to educate the committee members about the roads; he was not certain as to what staff had done to address the issue. Mr. Shaw stated he felt it was "a ship without a captain"; the name of the committee had changed but nothing else.

Chairman Tripp stated he disagreed; the intent of the committee was very clear. He asked Mr. Shaw if he had spoken to Ms. Seman, Chair of the committee.

Mr. Shaw stated he had not spoken to Ms. Seman; the first meeting lasted seven (7) minutes and was adjourned.

Ms. Seman stated Mr. Shaw had not spoken to her about his concerns.

- Councilor Harrison stated he, along with Tee Coker and Mark Tollison, had discussed trash pick-up times. He would like to revisit the issue.

Mr. Tollison stated they would be discussing the issue in the near future.

- Councilor Fant provided an update on SCTAC. He stated SCTAC and GADC had enjoyed an outstanding partnership for the past two decades. During SCTAC's February 13 board meeting, Jody Bryson presented the board with an executive summary of GADC's recently released Strategic Economic Plan. In addition, each board member was provided with a hard copy of the completed document.
- Councilor Bradley stated he would be attending the SCAC Legislative Conference in Columbia on Wednesday and Thursday. He looked forward to the conference.

- Councilor Kirven stated he had observed, during his tenure on Council, a bit of angst and nervousness every two years. It was important for Council to be patient with the changes. They would all have the opportunity to bring forth items of interests for consideration. Mr. Kirven requested his colleagues have tolerance and be considerate of each other.
- Councilor Russo stated his wife was due to give birth on Wednesday, February 22. The baby boy was the second child for the couple.

Mr. Russo stated GPATS was scheduled to meet on Monday, February 27. He was excited to attend the meeting and would bring information back to his colleagues.

- Councilor Barnes thanked Mr. Kernell, Hessa Gamble and staff for their hard work in regards to the abandoned tires issue in the County.
- Councilor Blount thanked staff for all their help. He thanked the Poinsett Highway community for working with the developer of a new apartment complex. The development was not initially well-received; however, after much back and forth, the developer had agreed to make changes.

Item (14) ***Adjournment***

Action: Councilor Pro Tem Kirven moved to adjourn the meeting.

Without objection, the motion carried and the meeting adjourned at 6:29 p.m.

Respectfully submitted:

Regina G. McCaskill
Clerk to Council