

MINUTES
April 22, 2020
SECOND MONTHLY MEETING OF THE CITY COUNCIL [ELECTRONIC]
ASSEMBLY ROOM – OPERATIONS CENTER
4:00 p.m.

Present: Mayor Barbara G. Volk and Council Members: Jeff Miller, Jennifer Hensley

Participating Electronically: Mayor Pro Tem Smith, Council Member Lyndsey Simpson

Staff Present: City Manager John F. Connet, City Attorney Sam Fritschner, City Clerk Tammie Drake, City Engineer Brent Detwiler, Development Assistance Director Susan Frady, Senior Planner Daniel Heyman, Communications Manager Allison Nock, Assistant Manager Brian Pahle, Utilities Director Lee Smith

1. Call to Order: Mayor Volk called the meeting to order at 4:00 p.m. and welcomed those in attendance. A quorum was established with three members in attendance physically and two participating electronically.

2. Consideration of Agenda: The agenda was approved by concurrence of the Council.

3. Discussion Regarding Stormwater Utility Fee Structure: Mr. Connet explained the purpose of this discussion is for staff to receive guidance from the Council prior to developing public presentations for the Business Advisory Committee, the Chamber of Commerce and others. He stated the Council will not take action prior to public participation.

Stormwater Administrator Mike Huffman introduced Seth Robertson with Withers Ravenel who provided a review of the information given at the March 5, 2020 Council meeting regarding stormwater utility fee structures. He reviewed options for level of service and fee structure, the “floor” rate would be the Equivalent Residential Unit (ERU), the concept of a “cap” for the highest paying customers and the impacts of the cap, as well as the concept of “credits” for those whom have installed stormwater controls. Credits would be based on reductions established in the NC Stormwater Design Manual for runoff treatment and runoff volume match. This depends on the percent impervious surface area served by controls. Mr. Robertson suggested a maximum credit be established. He also recommended requiring an application and annual inspection to confirm the operation.

Mr. Robertson provided an analysis requested by the Council for the customers that would be making larger payments and showed how a “cap” or “credit” would impact the customer and revenue.

Discussion included how customers would qualify/apply for credits, who determines it is functioning properly, options available for homeowners, e.g., cisterns, permeable pavement. Mr. Robertson stated applying credits is the preferred solution for environmental benefits.

The Council discussed the levels of credits, e.g., 20/50, 50/70. Mr. Robertson explained as the fee increases, the cap may also have to be adjusted which will aid in the predictability of monthly costs for businesses. Any non-residential customer may apply for the credit.

The consensus of the Council was to offer a 50 percent credit and a \$1,500 cap which can be adjusted after feedback from the public/customers.

4. Discussion Regarding Establishing an Annexation or Service Boundary with the Town of Laurel Park: City Manager John Connet reported the Town of Laurel Park has requested a service area boundary agreement be established between the two municipalities in order to clarify which development regulations should be followed in this area. The two municipalities previously had an annexation agreement that expired in 2000.

Mr. Connet explained this came up after a recent annexation by the Town of Laurel Park and the widening of U.S. Highway 64 because citizens were unsure of who to contact. There was discussion of the proposed boundary that has been approved by the Laurel Park Council and the legislation that approved an agreement between the two municipalities and the legal value of such an agreement and providing sewer to the area in the future if needed. Mr. Connet stated the boundary and agreement may be amended upon mutual consent.

After discussion the Council agreed by consensus to move forward with the agreement with the Town of Laurel Park.

5. Development Assistance Department Update: Development Assistance Director Susan Frady provided a tentative schedule of upcoming development projects and requested guidance on whether or not staff should proceed with moving these items through the development process. She reported there are no plans for a Planning Board meeting in May.

Jeff Justus 1601 Old Spartanburg Highway, rezoning request, R-15 to C-3. May 7 meeting.

Universal at Lakewood: Mrs. Frady stated a neighborhood compatibility meeting, Planning Board review and City Council approval is required for this project. The developer wants feedback from neighbors before they spend more on the plan. Discussion followed on how a neighborhood compatibility meeting can be held so neighbors can interact with the developer to have their questions answered and express their concerns.

The Cedars Lodge & Spa: Mrs. Frady stated a neighborhood compatibility meeting, Planning Board review and City Council approval is required for this conditional zoning request.

Mrs. Frady also listed the public hearings that will be held at the June 4 meeting.

The Council discussed whether neighborhood compatibility meetings have to be held within a certain time frame, reasonable time frames for delaying those meetings and how moratoriums affect applications. In discussion of hold neighborhood compatibility meetings and public hearings, Council Member Simpson expressed concerns and relayed complaints from citizens about continuing to hold the meetings and hearings while trying to navigate COVID. Council Member Hensley expressed support for continuing meetings and hearings to conduct the public's business so projects will not be delayed, and everything is ready when businesses reopen. Council Member Miller stated he doesn't want to stifle development but wants to be fair about public input. Discussion followed on delaying public hearings. Mr. Connet suggested delaying the neighborhood compatibility meeting scheduled for April 28 until after the May 7 meeting to learn about reopening and allow staff time to make recommendation for conducting the meeting to accept public input. **The Council agreed by consensus.**

6. Discussion regarding potential downtown small business assistance programs. Mr. Holloway provided updates on ways businesses are being supported during the COVID-19 closings. He stated staff is tracking impacts on and the Federal loans which has shown uneven results. He reported cash flow and revenue for businesses are 75% off revenue trends and restarting costs are a concern.

Mr. Holloway stated staff is investigating strategies that will assist businesses including: reducing/delaying/eliminating fees for parking, beer permits, and sidewalk encroachment permits for April, May and June.

Mr. Holloway also proposed creating a local emergency assistance loan for up to \$10,000, no payments for the first six months, interest at 4 percent during this time, with an interest rate after six months of 5.5% for three years. Eligible businesses include small businesses with between 1 – 49 employees that are located either in the Main Street or 7th Avenue municipal service districts, with demonstrated loss of revenue of 50% or more due to COVID19. He stated staff are exploring a relationship with Mountain Bizworks to provide loan origination and servicing for this loan pool. There was some discussion of the terms of such a loan. Mr. Connet stated in order to fund this loan, the City would have to set aside funds from the fund balance and proposed a discussion at the budget meeting on May 8. **No action was taken.**

Council Comments: Council Member Miller expressed appreciation to Matt Johnes at Hannah Flanagan's for providing meals to firefighters. Mayor Volk commented there has been a lot of generosity in the community.

7. Adjourn. The meeting adjourned at 5:57 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

Tammie K. Drake, City Clerk