



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, February 9, 2015
5:30 p.m.

I. Moment of Silence

II. Pledge of Allegiance

III. Approval of the Minutes of the January 26, 2014 City Council Meeting

IV. Approval of Agenda of the February 9, 2015 City Council Meeting

V. Public Comment

*Citizen Appearance forms are available at the door and should be submitted to the City Clerk

VI. Ordinance

A. To Authorize the Designation of the Police Chief as the Chief Executive Officer of the Police Department and the Fire Chief as the Chief Executive Officer of the Fire Department by Amending the Code of the City of Spartanburg 1988, by Deleting Chapter 7A, "Public Safety and Police Protection", and by Adding to Chapter 2, "Administration," Article IV, "Officers and Employees," A new Section 2-89, "Police Department" and Section 2-90, "Fire Department" (First Reading)

Presenter: Ed Memmott, City Manager

VII. Other Business

A. Boards and Commissions – Consideration of Accommodations Tax Advisory Committee Applicant

Presenter: Connie McIntyre, City Clerk

VIII. City Council Updates

IX. Executive Session to Discuss Potential Downtown Economic Development Projects

X. Adjournment

** City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.*



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, January 26, 2015
5:30 p.m.**

**(These minutes are subject to approval at the
February 9, 2015 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Erica Brown, Councilmembers Jan Scalisi, Robert Reeder, Jerome Rice, and Sterling Anderson. City Manager Ed Memmott and City Attorney Cathy McCabe were also in attendance. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are recorded for a complete transcript.

- I. Moment of Silence – observed.**
- II. Pledge of Allegiance - recited.**
- III. Approval of the Minutes of the January 12, 2014 City Council Meeting –**
Councilmember Rice made a motion to approve the minutes as received.
Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.
- IV. Approval of Agenda of the January 26, 2015 City Council Meeting –**
Councilmember Reeder made a motion to approve the agenda as received. Mayor pro tem Erica Brown seconded the motion, which carried unanimously 6 to 0.
- V. Public Comment –** Dr. Bill Bledsoe, 32 year resident of City of Spartanburg, spoke regarding his concerns of police check points and profiling.
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. United Way Update**
Presenters: Ingrid Crawford, City of Spartanburg Benefits Coordinator
Lt. Tim Suber, Spartanburg Police Department
Lt. Suber reported that there were 188 City of Spartanburg employees participating in the 2015 United Way Campaign with just under \$44,000 raised. He shared that the average gift was \$235 per employee.
Ms. Crawford recognized the members of the City’s United Way Campaign Committee who were present at the meeting.
Council received the report as information.

VII. Resolutions

A. Approving a Land Purchase Option with The Northside Development Corporation

Presenter: Mitch Kennedy, Community Services Director

Mr. Kennedy presented the item to City Council as follows:

“In order to submit its application for the Choice Neighborhood Initiative (CNI) Implementation Grant, it will be necessary for the City to execute a land purchase agreement with the Northside Development Corporation. The parcels subject to this option comprise the proposed location for the development of mixed income housing. The City’s purchase of these parcels is dependent on CNI grant award. The purchase price for this land would be \$1,485,000.

Mr. Kennedy requested Council approval of a Resolution to authorize the City Manager to enter into a purchase agreement with the Northside Development Corporation.

BUDGET AND FINANCE DATA: \$1,485,000 from CNI Grant and other funding sources.”

After discussion, Councilmember Rice made a motion to approve the resolution as requested. Mayor pro tem Brown seconded the motion, which carried unanimously 6 to 0.

B. Approving the Northside Master Plan, Endorsing the Revised Zoning and Land Use Regulations Necessary for the Plan, and Directing the City Planning Commission and City Staff to Take Necessary Action to Implement
Presenter: Chris Story, Assistant City Manager

Mr. Story presented the item to City Council as follows:

“Developed over two years with participation from many Northside residents and a number of community partners, the Northside Transformation Plan addresses all aspects of creating the stable mixed income, mixed use neighborhood envisioned. As reviewed with City Council most recently in December, one element of the transformation plan is a master land use plan specifying locations for various amenities and describing desired development locations and characteristics throughout the plan area. Much of this work was done within the multi-day planning charrette last winter. It has since been refined and described in greater detail by JHP Architecture and Urban Design, the highly regarded firm contracted to support the planning effort.

Since then City staff have worked with JHP and Craig Lewis, the planning consultant used by the City on urban design and land use regulation matters, to identify the optimal regulatory framework for ensuring redevelopment occurs in a manner consistent with the plan. All involved concluded that an extension and revision of the form-based code which regulates land use currently for the Downtown area offered the best balance of flexibility and adherence to the qualities reflected within the plan and supported by the neighborhood. The proposed revisions are contained in the attached.

We recommend your approval of the attached resolution approving the Northside Master Plan, endorsing the revised zoning and land use regulations necessary for the plan, and directing the City Planning Commission and City staff to take necessary action to implement.”

Mayor pro tem Brown made a motion to approve the resolution as presented. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

VIII. Ordinance – Second Reading

A. Authorizing the Condemnation of Tax Map Parcel 7-12-05-001.00 Needed for the Construction of the TK Gregg Community Center (Second Reading)

Presenter: Ed Memmott, City Manager

Mr. Memmott advised Council that there had been no further conversations or negotiations with Related Oak View LLC regarding the property needed for the TK Gregg Community Center. He recommended second reading approval of the ordinance to enable staff to move forward with the process.

Councilmember Scalisi made a motion to approve the requested ordinance on second reading. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

IX. Other Business

A. Request for Council Authorization to Extend Transit Management Services

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to City Council as follows:

“SPARTA, the City’s bus system, is managed by a contracted third party.

Currently that firm is First Transit Inc., the successful bidder in a procurement process which occurred in 2009.

In anticipation of the expiration of the current contract, we advertised for Transit Management Service in the fall of 2014. Bids were due on December 9, 2014. At funding for our Transit System we are required to follow F.T.A. procurement guidelines. Since we only received one bid, this would be considered sole source procurement.

After discussing the issue in detail with F.T.A. Officials, we decided it would be in the best interest of the City to bid the services again. The due date for the bid is February 24, 2015. Our current contract expires January 31, 2015. We are requesting that City Council authorize the City Manager to negotiate an extension with our current provider until we can award a new contract.

We anticipate that we will have a new contract in place no later than April 30th of this year.”

Councilmember Reeder made a motion to approve the request as presented.

Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.

**B. Boards and Commissions – Consideration of Planning Commission Applicant
Presenter: Connie McIntyre, City Clerk**

Ms. McIntyre presented an application from Jared S. Wilson for consideration of Council for appointment to the Planning Commission.

***Councilmember Scalisi** made a motion to waive the rules and appoint Jared S. Wilson to the Planning Commission. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.*

X. City Council Updates –

Councilmember Rice commended Officer James Bogan for making the right decision when a suspect put Officer Bogan in a life-threatening situation. He also thanked the entire police force for their hard work.

He thanked everyone involved in the MLK events and celebrations.

He recognized Monier Abusoft, the newly elected president of the local NAACP chapter.

He reminded everyone that former Spartanburg High School football player, Landon Cohen, would be playing for the Seattle Seahawks in the Super Bowl.

Councilmember Anderson shared that the Dollar General Store on West Main Street was open for business.

He mentioned that dirt was moving at the future Texas Roadhouse location.

He stated that he had talked to Father Brown and the playground at St. Matthews Church was working for children in the area.

Councilmember Scalisi thanked everyone responsible and involved in the MLK events. She shared that she enjoyed all of them and especially the Town Hall that was added this year. She congratulated Chief Thompson for the great job he did speaking at the MLK Unity Celebration on Monday, January 19.

She mentioned that the Health in Hand Juice Bar had opened, reminding everyone that it was a winner in the Main Street Challenge.

She mentioned that she had attended the Spartanburg Little Theatre's production of "Civil War: The Musical" and enjoyed the performance.

She encouraged everyone to meet the new artists in residence at Hub-Bub.

Councilmember Reeder shared he had two teeth extracted earlier in the day. Mayor White thanked him for being at the meeting under those circumstances.

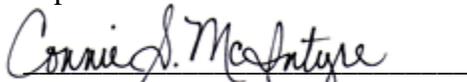
Mayor pro tem Brown thanked everyone involved in the MLK events.

She reminded everyone of the Northside Initiative Community Meeting the following Thursday from 5:30 – 7:00 p.m.

Assistant City Manager Chris Story reminded everyone of the Way to Wellville Kick-Off event at the Chapman Cultural Center the next day at 3:30 p.m.

XI. Adjournment –

Councilmember Anderson made a motion to adjourn the meeting. Mayor pro tem Brown seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 6:10 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Mayor and Members of City Council

FROM: Ed Memmott, City Manager

SUBJECT: Ordinance to Amend City Code to Reflect Separation of Police and Fire Departments
And Delete References to Public Safety Department

DATE: February 5, 2015

BACKGROUND: Staff is asking Council to approve an Ordinance that will formally amend the City Code to reflect current organizational structure of the Police and Fire Departments. This is a “housekeeping” measure to eliminate what are now obsolete references in City Code.

ACTION REQUESTED: First Reading Approval of an Ordinance to formally adopt separate Police and Fire organizational structure and to make changes in City Code necessary to delete obsolete references.

BUDGET AND FINANCE DATA:

No budgetary impact.

AN ORDINANCE

TO AUTHORIZE THE DESIGNATION OF THE POLICE CHIEF AS THE CHIEF EXECUTIVE OFFICER OF THE POLICE DEPARTMENT AND THE FIRE CHIEF AS THE CHIEF EXECUTIVE OFFICER OF THE FIRE DEPARTMENT BY AMENDING THE CODE OF THE CITY OF SPARTANBURG 1988, BY DELETING CHAPTER 7A, "PUBLIC SAFETY AND POLICE PROTECTION" AND BY ADDING TO CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "OFFICERS AND EMPLOYEES," A NEW SECTION 2-89, "POLICE DEPARTMENT" AND SECTION 2-90, "FIRE DEPARTMENT."

WHEREAS, by Ordinance of December 14, 1998, the Fire Division and the Police Division of the City of Spartanburg were placed under the direction of the Director of Public Safety; and

WHEREAS, over the past several years, the City has moved to establish separate chain of command structures for the police and fire functions; and

WHEREAS, in 2006, cross training of police officers and fire fighters to serve in dual capacity as public safety officers was eliminated; and

WHEREAS, functionally and administratively, the functions of the Police and Fire Departments have been separated with the Police Chief serving as the Chief Executive Officer of the Police Division who reports directly to the City Manager and the Fire Chief serving as the Chief Executive Officer of the Fire Department who reports directly to the City Manager, it is appropriate to eliminate references in the City Code regarding a Public Safety Department and Director of Public Safety having responsibility over Police and Fire.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Members of Council of the City of Spartanburg, South Carolina, in Council assembled:

Section 1. To amend Chapter 7 of the Code of the City of Spartanburg 1988 by deleting Chapter 7A, "Public Safety and Police Protection," (Sections 7-500 thru 7-504) in its entirety.

Section 2. To amend Chapter 2, "Administration," Article IV, "Officers & Employees," by moving Sec. 2-89, "Civil Service System Created," to new Sec. 2-91 and to further amend Chapter 2 by adding a new Sec. 2-89, "Police Services Department " and Sec. 2-90, "Fire Services Department " so that after amendment, said Sec. 2-89 thru Sec. 2-91 shall read as follows:

CHAPTER 2. ADMINISTRATION.

ARTICLE IV. OFFICERS AND EMPLOYEES

DIVISION 4. OFFICERS AND EMPLOYEES

Sec. 2-89. Police Department.

The Police Department for the City of Spartanburg shall be charged with the responsibility for providing police protection and law enforcement. Sworn officers of the Police Department shall be vested with all powers and duties conferred by law including the powers provided under S.C. Code Ann., § 5-7-110 and the power of arrest as provided in S.C. Code Ann., § 17-13-40.

The Police Department shall be under the direction of the Police Chief who shall be a department head selected and supervised by the City Manager.

The police powers of the City of Spartanburg are hereby extended to include all lands or property owned or leased by the City of Spartanburg or any agency of the City. The Ordinances of the City shall be applicable on such property.

The Police Chief shall be the Chief Executive Officer of the Police Department and it is the person's duties to direct the preservation of order in the City with enforcement of Rules, Regulations and Ordinances of the City. The Police Chief is also responsible for the enforcement of Federal and State law within the City. The Police Chief insures that all policies are promptly executed within the Police Department.

All personnel under the Police Department engaged in direct law enforcement shall be sworn officers who shall take and substantially

abide by an oath of office to enforce the law and uphold the Nation's Constitution, and basic laws of the land and those of the City of Spartanburg. All sworn officers shall also abide by the Rules of Conduct and Canon of Ethics adopted by the Police Department and any amendment thereto.

Sec. 2-90. Fire Department.

The Fire Department for the City of Spartanburg shall be charged with the responsibility for providing fire suppression, rescue and prevention services. Sworn officers of the Fire Department shall be vested with all powers and duties conferred by law including the powers provided under S.C. Code Ann., § 5-25-20.

Fire prevention and protection is provided by the Fire Department. The Department shall be under the direction of the Fire Chief who shall be a department head selected and supervised by the City Manager.

The Fire Department powers of the City of Spartanburg are hereby extended to include all lands or property owned or leased by the City of Spartanburg or any agency of the City. The Ordinances of the City shall be applicable on such property.

The Fire Chief shall be the Chief Executive Officer of the Fire Department and it is the person's duties to direct the services of the Fire Department in the City with enforcement of fire related Rules, Regulations or Ordinances of the City. The Fire Chief insures that all policies are promptly executed within the Fire Department.

All appropriate personnel under the Fire Department engaged in direct fire suppression activities shall be sworn officers who shall take and substantially abide by an oath of office to support and uphold the Constitutions of the United States and South Carolina, and the laws and ordinances of the City of Spartanburg. All sworn officers shall also abide by the Rules of Conduct and Canon of Ethics adopted by the Fire Department and any amendment thereto.

Sec. 2-91. Civil service system created. [To change section reference only]

There is hereby created in the City a civil service system which will be administered by a civil service commission and, for the purpose of establishing methods, standards, rules and regulations for the administering of such civil service system, there is hereby adopted

the Act of the General Assembly of South Carolina entitled, “An Act To Amend Act. No. 345 Of The Acts And Joint Resolutions Of The General Assembly Of 1965, Providing A Civil Service System For The City Of Spartanburg, So As To Clarify The Provisions Of The Act Relative To Certain Provisions Regulating The Personnel Of The City,” the same having been approved by the Governor of South Carolina on May 10, 1966.

Section 3. Chapter 7, “Fire Prevention and Protection” of this Code, except as amended herein, is readopted.

Section 4. This Ordinance shall become effective upon the date of enactment.

DONE AND RATIFIED this _____ day of _____, 2015.

MAYOR.

ATTEST:

CITY CLERK.

APPROVED AS TO FORM:

CITY ATTORNEY.

___/___/___ 1st Reading

___/___/___ 2nd Reading



Boards and Commissions Nominee Form

(Please print or type information)

BOARD/COMMITTEE: Accommodations Tax

CITY RESIDENT: YES NO SEX: M F RACE: W

NAME: Crystal Thomas

ADDRESS: 601 S Converse street Spartanburg, SC 29306
Street City, State, Zip Code

BUSINESS PHONE: 591-3236 HOME PHONE: 541-1098 EMAIL: crystal.thomas@marriott.com

OCCUPATION: Sales Manager

EMPLOYER: Spartanburg Marriott

OTHER VOLUNTEER OR CIVIC ACTIVITIES: Leadership Spartanburg, Chamber of Commerce, Way to wellville committee, History Museum Committee

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? Between my position with the Marriott + my love for Spartanburg - I would love to help tourism grow in our city.

RECOMMENDED BY: Mitch Kennedy, Butch Genobile

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES NO IF YES, PLEASE LIST: _____

DATE

Return via FAX to (864) 596-2313. MAIL or Email to:

Connie S. McIntyre, City Clerk
City of Spartanburg
PO Drawer 1749
Spartanburg, SC 29304
Email: cmcintyre@cityofspartanburg.org