



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, November 26, 2012**

**(These minutes were approved at the
December 10, 2012 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Cate Ryba, Councilmembers Linda Dogan, Robert Reeder, Sterling Anderson, and Jan Scalisi. Councilmember Rice was absent due to a previous commitment. 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 Minutes of the November 12, 2012 City Council Meeting** –
*Councilmember Dogan made a motion to approve the minutes as presented.
Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*
- IV. **Approval of Agenda of the November 26, 2012 City Council Meeting** –
*Councilmember Scalisi made a motion to approve the agenda as presented.
Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.*
- V. **Public Comment - none**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Ordinance**
 - A. **To Amend Chapter 10, “Motor Vehicles and Traffic,” to Add a Section to Provide that a Vehicle Owner is Presumed Responsible for Parking Violations (First Reading)**
Presenter: Mark Cleveland, Downtown Manager
Mr. Cleveland presented the item to City Council as follows:
“In prosecuting parking violations in Municipal Court, there is not a provision currently that specifies the responsible party. The proposed Ordinance will provide that a vehicle owner is presumed responsible for parking violations which would clarify who the Court should be prosecuting for parking violations. Other

municipalities use similar language that the registered owner of the vehicle shall be held *prima facie* responsible.

Staff is requesting first reading approval of the ordinance as presented.”

Councilmember Dogan made a motion to approve the ordinance as presented on first reading. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.

VII. Consent Agenda

A. To Amend the Business License Provisions for Insurance Companies (Second Reading)

Presenter: Dennis Locke, Finance Director

Councilmember Dogan made a motion to approve the consent agenda on second reading as presented. Mayor pro tem Cate Ryba seconded the motion, which carried unanimously 6 to 0.

VIII. Other Business

A. Silver Hill Street Culvert Improvement

Presenter: Jay Squires, Stormwater Manager

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

“Staff received bids for the Silver Hill Street Improvement Project on October 23, 2012. This project consists of removal and replacement of approximately 20 feet of storm drainage pipe and two catch basins on the south side of Silver Hill Street.

The following bids were submitted:

Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$ 38,700
Bishop Mays, Inc. (Greer, S.C)	\$ 198,945

Staff has reviewed the bids receive, and the qualifications for each of these contractors, and determined that Martin & Sons Contracting, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

Staff requests that Council allow staff to accept the bid from Martin & Sons Contracting, Inc and authorize the City Manager to enter into a contract with Martin & Sons Contracting, Inc for the completion of the project.

BUDGET AND FINANCE DATA: \$ 38,700 from the Storm Water Utility fund will be used to complete the project.”

Councilmember Dogan made a motion to approve the award of bid to Martin & Son Contracting, Inc. of Spartanburg, SC in the amount of \$38,700. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.

IX. City Council Updates

Councilmember Reeder thanked all involved with the Ice Rink and commented on the good things that were happening on the square because of it.

Mayor pro tem Ryba shared that nearly 1,000 people participated in the “Turkey Trot” held in Downtown on Thanksgiving morning with canned food brought by participants given to The Soup Kitchen. She also thanked everyone for the success of the Ice Rink.

Councilmember Scalisi echoed comments regarding the success of the Ice Rink. She reminded everyone of “Dickens of A Christmas” and the annual tree lighting that would be held the following night Downtown. She mentioned that she, Councilmember Dogan, and

Councilmember Reeder would be attending the winter National League of Cities Conference in Boston November 28 – December 1 and hoped to bring back helpful information and ideas for the City.

Councilmember Dogan shared that she worked at The Soup Kitchen on Thanksgiving Day, and she asked that everyone remember the men and women serving in the armed forces during the holidays.

Mr. Memmott mentioned that Mitch Kennedy would be going to Washington during the week for a meeting to discuss neighborhood grants.

X. Executive Sessions – Mayor pro tem Ryba made a motion to adjourn to Executive Session for the reasons stated. Councilmember Dogan seconded the motion, which carried unanimously 6 to 0. Council adjourned to Executive Session at 5:44 p.m.

A. Receive Legal Advice Concerning Various Business License Types and Classifications

B. To Receive Legal Advice Regarding a Contractual Matter

Council reconvened to regular session at 7:05 p.m. Mayor White stated that legal advice was received, discussion was held, and no decisions were made.

XI. Adjournment – Councilmember Reeder made a motion to adjourn the meeting. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:06 p.m.



Connie S. McIntyre, City Clerk