



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, December 8, 2014
5:30 p.m.**

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of the Minutes of the November 24, 2014 City Council Meeting**
- IV. Approval of Agenda of the December 8, 2014 City Council Meeting**
- V. Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Public Hearing**
 - A. Resolution In Support of the Issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue and Refunding Bonds (Converse College) Series 2014, Pursuant to the Provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as Amended, in the Aggregate Principal Amount of Not Exceeding \$38,500,000**
Presenter: Cathy McCabe, City Attorney
- VII. Consent Agenda**
 - A. Approving Transfer of Property to Upstate Housing Partnership (Second Reading)**
Presenter: Mitch Kennedy, Community Services Director
- VIII. Presentation and Review of Northside Choice Neighborhood Transformation Plan**
Presenter: Chris Story, Assistant City Manager
- IX. Playful City Leaders' Summit Report**
Presenter: Kimberly Moultrie, Parks and Recreation Superintendent

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act.

- X. Code Enforcement Discussion**
Presenter: Ed Memmott, City Manager
- XI. City Council Updates**
- XII. Executive Session to Discuss Potential Economic Development Project**
- XIII. 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, November 24, 2014
5:30 p.m.**

City Council met this date with the following members present: Mayor Junie White, Councilmembers Cate Ryba, Erica Brown, Robert Reeder, Jerome Rice, and Sterling Anderson. Mayor pro tem Jan Scalisi was out of town. 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 November 10, 2014 City Council Meeting –**
Councilmember Rice made a motion to approve the minutes as received.
Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.
- IV. Approval of Agenda of the November 24, 2014 City Council Meeting –**
Councilmember Brown made a motion to approve the agenda as received.
Councilmember Reeder 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. Special Presentation**
 - A. Resolution in Support of the Carolina Panthers and Their Twenty Year Commitment to Spartanburg**
Presenter: Chris Story, Assistant City Manager
Mr. Story stated that the resolution was an action that seemed appropriate to undertake as the Carolina Panthers consider staying in Spartanburg for their pre-season training camp. He added that the City wanted to be on record as showing support for that and the positive impact that activity has on our community in multiple ways.
Mayor White read the resolution.

VII. Ordinance

A. Approving Transfer of Property to Upstate Housing Partnership (First Reading)

Presenter: Mitch Kennedy, Community Services Director

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

“In February 2011, the City accepted ownership of five houses that had been purchased and were being renovated by the Preservation Trust of Spartanburg. The Trust, using Neighborhood Stabilization Program (“NSP”) funds, had intended to complete renovation of these properties and then sell the homes to low/moderate income buyers. The Trust was unable to complete this project when it ceased operations in 2011.

Transfer of the properties to the City was a temporary strategy intended to preserve the public funding invested and retain the possibility of transferring the properties to a local housing nonprofit organization when the timing was optimal. It was never the intent of the City to permanently own and manage these properties. Staff now believes that Upstate Housing Partnership (“UHP”) is capable of owning and managing these homes. These homes would provide affordable rental opportunities to low-moderate income families while providing a recurring revenue stream for the UHP to continue its other affordable housing endeavors.

ACTION REQUESTED: First reading approval of an Ordinance approving the transfer of these properties to the UHP.”

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

VIII. Consent Agenda

A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcel 7-12-13-254.00 Located on 201 Highland Avenue, for Proposed Highland Crossing (formerly Cammie Claggett), which is Currently Zoned R-6 with a Land Use Designation of General Residential District to Zone R-6 PDD with a Land Use Designation of General Residential Planned Development District from Daryl Dalton, Interim Executive Director, Spartanburg Housing Authority, Owner in Order to Improve and Develop the Property in a Manner which is More Consistent with the City’s PDD Zoning Category and the Future Development of the Highland Area (Second Reading)

Presenter: Joshua T. Henderson, Planning Coordinator

Councilmember Reeder made a motion to approve the Consent Agenda on second reading. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.

IX. Other Business

A. Award of Contract for Wall Street Improvements

Presenter: Tim Carter, Engineering Administrator

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

“Council has appropriated \$2.3 million for downtown streetscape, biking, and pedestrian improvement projects. One of the projects approved for this round of funding is Wall Street. Staff’s goal for Wall Street is to make it a more active public space while maintaining it as an important and convenient pedestrian connection from West Broad Street to Morgan Square. We intend to do this by making Wall Street a “festival street.” As a festival street, Wall Street will remain closed to vehicular traffic during most times of the year. Cars will be prevented from entering Wall Street by the installation of removable bollards and/or large landscaping planters at each end of the street. Additionally, there will be no elevated curbs or sidewalks in the new design. Pedestrian walkways and vehicular drive lanes will be distinguished by different colors and patterns of pavers. Pavers will be installed across the entire width (building face to building face) and length of the street. New pedestrian street lighting will be installed. This new lighting will have the ability to supply electricity to and support additional strand lighting that can be draped (pole to pole) across the street. Nearby businesses will be able to utilize this space for outdoor dining and special events. Staff has consulted with various downtown stakeholders during the design process. Reaction has been very favorable. With the construction of Royce Camp’s project nearing completion, staff is now ready to proceed with this project.

The following bids were submitted:

Capitol Construction of the Carolinas (Spartanburg, SC)	\$ 100,178.50
Alley Masonry LLC (Belton, SC)	\$ 101,996.25
Sossamon Construction (Gaffney, SC)	\$ 138,885.00
P.A.R. Grading, (Spartanburg, SC)	\$ 139,480.00

Staff has reviewed the bids received and the qualifications for each of these contractors and determined that Capitol Construction of the Carolinas is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED: Allow staff to accept the bid from Capitol Construction of the Carolinas and authorize the City Manager to enter into a contract with Capitol Construction of the Carolinas for the completion of the project.

BUDGET AND FINANCE DATA: \$100,178.50 - Downtown Streetscape Capital Budget”

***Councilmember Brown** made a motion to approve the award of bid to Capitol Construction of the Carolinas in the amount of \$100,178.50. Councilmember Ryba seconded the motion, which carried unanimously 6 to 0.*

B. Approval of 2015 City Council Meeting Schedule

Presenters: Connie McIntyre, City Clerk

Ms. McIntyre was absent due to illness. Mark Cleveland, Downtown Manager, presented the item in Ms. McIntyre's absence.

Councilmember Rice made a motion to approve the 2015 City Council meeting schedule as presented. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.

C. Presentation and Review of Northside Choice Neighborhood Transformation Plan

Presenter: Chris Story, Assistant City Manager

Tammy Hawkins introduced Tony Thomas, the Northside Neighborhood Association President and also a Northside Voyager, which is a resident lead northside leadership group. She stated that Mr. Thomas would be talking about the human engagement side of the Northside Choice Neighborhood Transformation Plan. Mr. Thomas shared how the Mobile Food Market was a big boost to the community that was once considered a "food desert". He added that SNAP could be used with the Mobile Food Market and at Harvest Park, which had recently opened. He shared that the Voyagers had assessed skill sets in the community to be able to know where to plug in residents and to encourage that they take responsibility and participate in their community. He added that the group would use the data for future reference for means of employment and community involvement. He shared that the Mary Black Foundation funded a computer literacy program, that there was now a food distribution program for the elderly and sick, and a reading comprehension program with Cleveland Academy. He shared that the Voyagers and others combed the footprint of the development area and assessed the exterior condition of homes to assist when funds are available with roofs, shrubbery, painting, sidewalks, etc. He added that a Block Captains program had been established to assist in building a better relationship with the police department. He expressed thanks for partners who help share the vision of the transformation of the northside of the city.

Council received the report as information.

X. City Council Updates

Councilmember Rice shared that he, the City Manager, and the Assistant City Manager spoke to several non-profit groups and learned new things about the Vista program and Hope for Children. He also mentioned that the Spartanburg High School Vikings would be playing in the semi-final state playoff game against South Florence on Friday night.

Councilmember Ryba shared that she enjoyed the Austin NLC conference. She participated in a bike tour of the City and observed their Urban Farm.

Councilmember Reeder thanked Councilmember Rice for inviting him to the opening of their STEM classroom. He attended the ribbon cutting of the St. Matthews Park and thanked everyone for their work in getting that park done for the west side. He shared that he was in Austin and unable to attend the ribbon cutting for the CC Woodson playground event, thanked everyone who helped make that project happen. He shared that the Forest Park ribbon cutting went well and thanked everyone who helped with that

project.

Councilmember Brown shared that she also attended the CC Woodson playground ribbon cutting and that it was a great event. She mentioned that she attended the 7:00 a.m. ESPN covered Wofford basketball game, which they won, and was pleased with the tremendous turnout for the game.

Councilmember Anderson thanked everyone involved in the St. Matthews Mini-Park project and all who attended the ribbon cutting.

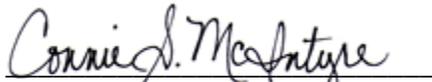
Mayor White mentioned the CC Woodson playground and how remarkable the project turned out. He thanked everyone involved and shared that you would never meet a nicer person than Marcus Lattimore, also thanking him and his foundation for their support of the project.

XI. Executive Session to Receive Legal Advice Regarding Land Acquisition

Councilmember Rice made a motion to adjourn to Executive Session for the stated reason. Councilmember Ryba seconded the motion, which carried unanimously 6 to 0. Council adjourned to Executive Session at 6:20 p.m.

XII. Adjournment –

Councilmember Anderson made a motion to adjourn the meeting. Councilmember Brown seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 6:50 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR CITY COUNCIL ACTION

TO: Spartanburg City Council
FROM: Cathy McCabe, City Attorney
SUBJECT: Converse College Revenue Bonds Issuance
DATE: December 3, 2014

BACKGROUND

Converse College by and through the Jobs-Economic Development Authority is issuing bonds to fund improvements. City Council action is required in order for these bonds to be issued. We have received this request and our City bond counsel has reviewed the documents. The City is not subject to any financial impact or exposure to its budget. Passage of the attached Resolution is necessary for the issuance to proceed.

ACTION REQUESTED: Adoption of the attached Resolution.

BUDGET & FINANCIAL DATA: The indebtedness is solely the responsibility of Converse College. As stated above, there will be no financial impact or exposure to the City budget.

RESOLUTION

IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE AND REFUNDING BONDS (CONVERSE COLLEGE) SERIES 2014, PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$38,500,000.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "*Issuer*") is authorized and empowered under and pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended (the "*Act*"), to utilize any of its program funds to establish loan programs for the purpose of reducing the cost of capital to business enterprises which meet the eligibility requirements of Section 41-43-150 of the Act and for other purposes described in Section 41-43-160 of the Act and thus provide maximum opportunities for the creation and retention of jobs and improvement of the standard of living of the citizens of the State of South Carolina; and

WHEREAS, the Issuer is further authorized by Section 41-43-110 of the Act to issue revenue bonds, payable by the Issuer solely from a revenue producing source and secured by a pledge of said revenues, to defray the cost of a business enterprise as defined in the Act; and

WHEREAS, the Issuer and Converse College, a South Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986 (the "*Borrower*"), entered into an Inducement Agreement dated October 29, 2014 (the "*Inducement Agreement*"), pursuant to which and in order to implement the public purposes enumerated in the Act, and in furtherance thereof to comply with the undertakings of the Issuer pursuant to the Inducement Agreement, the Issuer proposes, subject to such approval of the State Budget and Control Board of South Carolina and the City Council of the City of Spartanburg as may be required by law, to issue not exceeding \$38,500,000 aggregate principal amount of its Economic Development Revenue and Refunding Bonds (Converse College) Series 2014 (the "*Bonds*"), under and pursuant to Section 41-43-110 of the Act to defray the cost of (i) miscellaneous building improvements/renovations to housing, classrooms and administrative buildings, including technology improvements and equipment (the "*2014 Project*"); (ii) refunding the outstanding principal amount of the \$34,600,000 original principal amount South Carolina Jobs-Economic Development Authority Economic Development Revenue and Refunding Bonds (Converse College), Series 2011 (the "*2011 Bonds*"), currently outstanding in the approximate aggregate principal amount of \$34,702,000, (iii) the termination of an interest rate hedge agreement related to the 2011 Bonds; and (iv) paying certain costs of issuance of the Bonds (items (i)-(iv) are herein referred to as the "*Undertaking*"); and

WHEREAS, the proceeds of the 2011 Bonds were used to refund the outstanding principal amount of the \$22,120,000 Educational Facilities Authority for Private Nonprofit Institutions of Higher Learning Variable Rate Educational Facilities Revenue Bonds (Converse College) Series 2009 (the "*2009 Bonds*") and to refund the \$10,000,000 Educational Facilities Authority for Private Nonprofit Institutions of Higher Learning Educational Facilities Revenue Bonds (Converse College Project) Series 2000 (the "*2000 Bonds*"); and

WHEREAS, the proceeds of the 2009 Bonds were used to defray the cost of construction of student residences on the campus of the College, to defray the cost of improvements and renovations to classrooms, administration, housing and aquatics facilities, including the acquisition of equipment related thereto, and to refinance certain outstanding bank indebtedness of the College used for capital improvements described

above and the proceeds of the 2000 Bonds were used to finance the costs of acquiring, constructing, and equipping the Sally Abney Rose Physical Activity Center and other improvements to land owned by the College, expanding and equipping the College's existing Milliken Fine Arts building, partially renovating Wilson Hall, the College's main administration building, and constructing an internal connector road through the College's campus, as well as refinancing the cost of renovations to Twichell Auditorium, dormitory renovations and miscellaneous improvements to the facilities of the College; and

WHEREAS, the projects financed by the 2001 Bonds, the 2009 Bonds, the 2000 Bonds and such bank loans are referred to as the "**Prior Projects**." The 2014 Project and each of the Prior Projects are all located on the campus of the College at 580 East Main Street, Spartanburg, South Carolina and bounded by Pine Street, Drayton Avenue, North Fairview Avenue, East Main Street and St. John Street; and

WHEREAS, the Borrower will own and operate the 2014 Project and will continue to own and operate the Prior Projects, all of which provide services, employment, recreation, or other public benefits not otherwise provided locally; and

WHEREAS, the Borrower represents to the Issuer and the City Council of the City of Spartanburg (the "**City Council**") that the assistance of the Issuer by the issuance of the Bonds will result in maintaining existing employment at Converse College of which the Undertaking is an essential and necessary part for approximately 212 full-time employees, with a resulting alleviation of unemployment and other public benefits incident to the conduct of such businesses not otherwise provided locally, and the number of jobs resulting from the assistance authorized herein bears a reasonable relationship to the principal amount of the Bonds; and

WHEREAS, the City Council and the Issuer have on this date jointly held a public hearing, duly noticed by publication in the *Spartanburg Herald-Journal* on November 19, 2014, a newspaper having general circulation in the City of Spartanburg, not less than 15 days prior to the date hereof, at which all interested persons have been given a reasonable opportunity to express their views;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spartanburg, as follows:

SECTION 1. The Undertaking will subserve the purposes of the Act.

SECTION 2. It is hereby found, determined and declared that the Undertaking is anticipated to continue to benefit the general public welfare of the City of Spartanburg by providing services, employment, recreation, or other public benefits not otherwise provided locally.

SECTION 3. The Undertaking will not give rise to any pecuniary liability of the City of Spartanburg or a charge against its general credit or taxing power.

SECTION 4. The amount of bonds required to finance or refinance the Undertaking are set forth above.

SECTION 5. Based on information provided by the Borrower, the documents to be delivered by the Borrower and the Issuer with respect to the Bonds will provide, among other things, (i) for the amount necessary in each year to pay the principal of and interest on the Bonds, (ii) whether reserve funds of any nature will be established with respect to the retirement of the Bonds and the maintenance of the Undertaking (and, if any such reserve funds are to be established, the amount necessary to be paid each year into such funds), and (iii) that the Borrower shall continue to maintain the Undertaking and carry all proper insurance with respect thereto.

SECTION 6. The City Council supports the Issuer in its determination to issue the Bonds to defray the costs related to the Undertaking.

SECTION 7. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its adoption.

Adopted this 8th day of December, 2014.

CITY OF SPARTANBURG, SOUTH CAROLINA

By: _____
Mayor

ATTEST:

City Clerk



REPORT TO CITY COUNCIL

To: Ed Memmott, City Manager
From: Kimberly Moultrie, Parks and Recreation Superintendent
Date: December 3, 2014
Re: Playful City Leaders' Summit

In October, a group of partners attended the 2nd annual Playful Leaders' Summit in Chicago, IL. The summit brought together select Playful City USA teams that are at the vanguard of growing the playability movement. Team Spartanburg was formed from organizations dedicated to building strong partnerships that promote the benefits of play. Neighborhood associations, local colleges and conservation groups are also included. Team Spartanburg was challenged to:

- Discuss and develop innovative and actionable solutions that address cities' toughest challenges
- Learn, interact and collaborate with thought leaders, subject matter experts, and skilled facilitators
- Shape and refine each team's Bold Goals and Big Ideas to achieve their city's vision through play

Team Spartanburg would like to share some of our experiences from the summit, including our Bold Goal and Big Idea to increase playability in the City of Spartanburg and educate our community on the benefits of nature play around our blueways.



REPORT TO COUNCIL

TO: Mayor and City Councilmembers

FROM: Ed Memmott, City Manager

SUBJECT: Code Enforcement Discussion

DATE: December 4, 2014

Several members of City Council have requested additional discussion regarding code enforcement activities. Staff will be prepared on Monday night to discuss the challenges presented by long-term, vacant residential structures. There may be other areas of Council concern with regard to code enforcement efforts and staff is certainly willing to discuss any issues going forward, but I would like to focus discussion at the December 8 meeting on vacant residential structures before moving on other matters.