



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, February 25, 2013**

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of Minutes of the February 11, 2013 City Council Meeting**
- IV. Approval of Agenda of the February 25, 2013 City Council Meeting**
- V. Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Recognition of Retiring Public Works Director David Lankford**
Presenter: Mayor Junie White
- VII. Election Commission and Voter Registration Updates**
Presenter: Henry Lave, Voter Registration and Elections Director
- VIII. Presentation of Spartanburg Trails and Greenways Plan**
Presenter: Laura Ringo, Partners for Active Living
Jean Crowther, Alta Planning and Design
- IX. Ordinance**
 - A. Accepting the Property Owned by Thomas J. Steed, Jr. and Connie J. Steed, and Being Located at 300 Brian Drive, and that Portion of Brian Drive Abutting Said Property, as a Part and Parcel of the City of Spartanburg and Declaring said Property Annexed to and a Part and Parcel of the City of Spartanburg, said Parcel to be Zoned R-15, Single Family Residential Upon Annexation (First Reading)**
Presenter: Joshua T. Henderson, Planning Coordinator

X. Consent Agenda

- A. 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 #7-16-06-104.00 – Located on 710 South Church Street, which is Currently Zoned R-6 with a Land Use Designation of General Residential District to Zone LC with a Land Use Designation of Limited Commercial District; and Providing for Severability and an Effective Date (Second Reading)**
Presenter: Joshua T. Henderson, Planning Coordinator

XI. Other Business

- A. Award of Bid for Monroe Road Culvert Improvement Project**
Presenter: Jay Squires, Storm Water Manager

XII. City Council Updates

XIII. Executive Session to Discuss a Pending Economic Development Project and Receive Legal Advice Regarding a Contractual Matter

XIV. 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, February 11, 2013**

**(These minutes are subject to approval at the
February 25, 2013, City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Jerome Rice, Councilmembers Linda Dogan, Cate Ryba, Robert Reeder, Sterling Anderson, and Jan Scalisi. 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 – Several Boy Scouts from several different troops led everyone in the pledge of allegiance. They were in attendance to fulfill a requirement for their Citizen and the Community merit badge.**
- III. Approval of Minutes of the January 28 2013 City Council Meeting –
*Councilmember Scalisi made a motion to approve the minutes as received. Mayor pro tem Rice seconded the motion, which carried unanimously 7 to 0.***
- IV. Approval of Agenda of the February 11, 2013 City Council Meeting –
*Mayor pro tem Rice made a motion to approve the agenda as received. Councilmember Anderson seconded the motion, which carried unanimously 7u 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 the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-16-06-104.00 – Located on 710 South Church Street, which is Currently Zoned R-6 with a Land Use Designation of General Residential District to Zone LC with a Land Use**

Designation of Limited Commercial District; and Providing for Severability and an Effective Date (First Reading)

Presenter: Joshua T. Henderson, Planning Coordinator

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

“On January 17, 2013, the Planning Commission reviewed a rezoning request submitted by Charles Atchison, Sr., Owner, to rezone parcel 7-16-06-104.00 from R-6/General Residential to B-1/Neighborhood Shopping District. The property is located at 710 S. Church Street. After review of the application, Staff recommended the Planning Commission reconsider rezoning the property to LC/Limited Commercial instead of B-1. Limited Commercial would be a better fit with regards to the surrounding residential properties and would also allow the proposed beauty salon that is wishing to utilize the structure. If the property is rezoned to LC, then it is also possible to use the property as a residential structure in the future. Limited Commercial is consistent with the Comprehensive Plan as stated in the attached report.

The Planning Commission held a public hearing on the proposal on January 17, 2013. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend against the proposed zone change of B-1 and support Staff’s recommendation for the zone change from R-6 to LC (which the applicant was in agreement with). The Commission was concerned for future use that could be allowed under the zoning classification of B-1 and the effects of those possible uses on the surrounding residentially zoned properties.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on January 17, 2013.

Staff is requesting Council approval of the requested rezoning.”

Councilmember Reeder made a motion to approve the rezoning request on first reading. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

VII. Other Business

A. Award of Bid for Barclay Downs Drive Culvert Improvement Project

Presenter: Jay Squires, Storm Water Manager

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

“Staff received bids for the Barclay Downs Drive Improvement Project on February 5, 2013. This project consists of removal and replacement of approximately 350 feet of storm drainage pipe from under Barclay Downs Drive.

The following bids were submitted:

McAbee Contracting, Inc. (Inman, S.C.)	\$ 39,996.00
Bishop Mays, Inc. (Greer, S.C.)	\$ 63,501.50
Martin & Son Contracting, Inc. (Spartanburg, S.C)	\$ 98,100.00

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

Staff is requesting that City Council allow staff to accept the bid from McAbee Contracting, Inc. and authorize the City Manager to enter into a contract with McAbee Contracting, Inc. for the completion of the project.

BUDGET AND FINANCE DATA: \$ 39,996.00 from the Storm Water Utility fund will be used to complete the project.”

After discussion, Councilmember Anderson made a motion to award the bid as requested to McAbee Contracting, Inc., Inman, SC in the amount of \$39,996.00 for the Barclay Downs Drive Culvert Improvement Project.. Councilmember Scalisi seconded the motion which carried unanimously 7 to 0.

B. Award of Bid for Demolition of T. K. Gregg Community Center

Presenter: David Cook, Construction Project Manager

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

“Staff received bids for the demolition of the T K Gregg Community Center. This work will consist of asbestos and lead base paint abatement, demolition of the structure, removal of all debris, and grassing of the site.

Bids were received from 10 contactors as follows:

Contactor	Bid
B & B Demolition Specialists	\$87,125.00
Complete Demolition	91,000.00
Demteck LLC.	98,423.00
NEO Corporation	114,000.00
D H Griffin Wrecking Co. Inc.	114,545.00
Carolina Wrecking Inc.	116,175.00
NCM Demolition and Remediation, LP	139,200.00
Target Contractors	144,204.00
Eastern Environmental Inc.	153,450.00
Clearsite Industrial	184,893.00

After reviewing contactor qualifications and references, staff is recommending award of this contact to B & B Demolition Specialists. No certified MWBE firms submitted bids for this project. However, B&B has indicated that it expects to utilize MWBE firms for approximately 30% of the contact value.

Staff is requesting City Council authorization for the City Manager to negotiate and sign a contract with B & B Demolition Specialists for construction services for the demolition of the T K Gregg Community Center.

BUDGET AND FINANCIAL DATA: Facility Replacement Fund”

After discussion, Mayor pro tem Rice made a motion to award the bid for demolition of the T.K. Gregg Community Center to B & B Demolition Specialists in the amount of \$87,125.00. Councilmember Anderson seconded the motion, which carried 6 to 1, with Councilmember Dogan voting against the motion. Councilmember Dogan explained that she knew it was the best thing for the City to demolish the center but that she could not vote for the demolition due to sentimental reasons.

VIII. City Council Updates –
Councilmember Scalisi praised the City Fire Services department and staff for the professionalism and efficiency of the recent scientific control burns.
Councilmember Ryba mentioned that the Sparkle Tones would be playing at Hub Bub at 8:30 p.m. on Saturday and that they would be inducted into the Music Trail.
Councilmember Reeder reminded everyone of the Heritage Parade that would take place on Saturday at 10:00 a.m. with a Battle of the Bands to follow at Carver Junior High School.

IX. Adjournment – Councilmember Dogan made a motion to adjourn the meeting. Councilmember Reeder seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 6:01 p.m.



Connie S. McIntyre, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Joshua T. Henderson, Planning Coordinator

SUBJECT: Ordinance Accepting the Property Owned by Thomas J. Steed, Jr. and Connie J. Steed, and Being Located at 300 Brian Drive, and that Portion of Brian Drive Abutting said Property, as a Part and Parcel of the City of Spartanburg and Declaring said Property Annexed to and a Part and Parcel of the City of Spartanburg, said Parcel to be Zoned R-15, Single Family Residential upon Annexation.

DATE: February 25, 2013

BACKGROUND:

Staff received a request from Thomas J. Steed, Jr. and Connie J. Steed, owners of 300 Brian Drive for annexation of the property into the City of Spartanburg. Because the property will be zoned R-15, Single Family Residential upon Annexation, there is no need to obtain zoning designation by the Planning Commission.

Additionally, said parcel is located in the Hillbrook Forest Subdivision. However, since it is not contiguous to properties already annexed (Hillbrook Phase I, Phase II, and Phase III), but is contiguous to the City limits, the property owner has submitted an annexation petition under the 100 percent Petition and Ordinance method.

ACTION REQUESTED:

Staff recommends that the City Council take the following actions:

- a) Approve the annexation of 300 Brian Drive (TMS7-14-01-059.00).
- b) Designate the zoning for this property as R-15 (Single Family Residential) upon annexation.

BUDGET AND FINANCE DATA:

The parcel will generate property tax after annexation. Additional service costs will be minimal.

AN ORDINANCE

ACCEPTING THE PROPERTY OWNED BY THOMAS J. STEED, JR., AND CONNIE J. STEED, AND BEING LOCATED AT 300 BRIAN DRIVE AND THAT PORTION OF BRIAN DRIVE ABUTTING SAID PROPERTY, AND IS FURTHER IDENTIFIED ON SPARTANBURG COUNTY TAX MAP AS 7-14-01-059.00 AS A PART AND PARCEL OF THE CITY OF SPARTANBURG AND DECLARING SAID PROPERTY ANNEXED TO AND A PART AND PARCEL OF THE CITY OF SPARTANBURG.

WHEREAS, heretofore, the City of Spartanburg, on February 4, 2013, received a Petition, filed by Thomas J. Steed, Jr., and Connie J. Steed, Owners, requesting that the property described in the Petition be annexed to the City of Spartanburg; and

WHEREAS, the City Council of Spartanburg has caused an investigation to be made of said property and has found that said property is contiguous to the City of Spartanburg and that it would be in the best interest of the City of Spartanburg if said property be annexed hereto in accordance with Section 5-3-150 of the Code of Laws of South Carolina, 1976; and

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

Section 1: That the Petition of Thomas J. Steed, Jr., and Connie J. Steed, dated February 4, 2013, for the annexation of the property hereinafter described to the City of Spartanburg be accepted.

Section 2: That the property hereinafter described is hereby declared annexed to the City of Spartanburg and a part and parcel of said City with full privileges accorded to and responsibilities required of said area.

Section 3: That said property is described as follows:

All that certain piece, parcel or lot of land, with improvements thereon, lying, situate and being in the State and County aforesaid, being shown and designated as Lot 8, Block 30, Plat No. 20, Hillbrook Forest, as shown on a plat prepared by Archie S. Deaton, Surveyor, dated January 9, 1976, and recorded in Plat Book 78 at page 122, RMC Office for Spartanburg County, South Carolina.

This is the same property conveyed to the grantor herein by deed of Sander M. Fields and Suzanne C. Fields dated June 28, 1985, recorded July 2, 1985, in Deed Book 51-K at page 874, RMC Office for Spartanburg County, South Carolina.

The County Block Map Number of the above tract of land is 7-14-01-059.00. (See attached plat)

Section 4: That upon annexation, the property shall be zoned as Zone R-15 (Single Family Residential).

Section 5: This Ordinance shall be effective upon its adoption by the City Council of the City of Spartanburg, South Carolina.

DONE AND RATIFIED THIS ____ DAY OF _____, 2013.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

APPROVED AS TO FORM:

Cathy H. McCabe, City Attorney

___/___/___ (First Reading)

___/___/___ (Second Reading)

Location Map

300 Brian Dr.

Planning Department
596-2068

Annexation Meeting: February 25, 2013
Time: 5:30 PM
Location: City Council Chambers
145 W. Broad St.

0 15 30 60 90 120
Feet



-  Proposed property under consideration
 -  Properties currently in the City
- Proposed Zoning upon Annexation - R-15, Single Family Residential
Zoning - R-15, Single Family Residential

Location Map

300 Brian Dr.

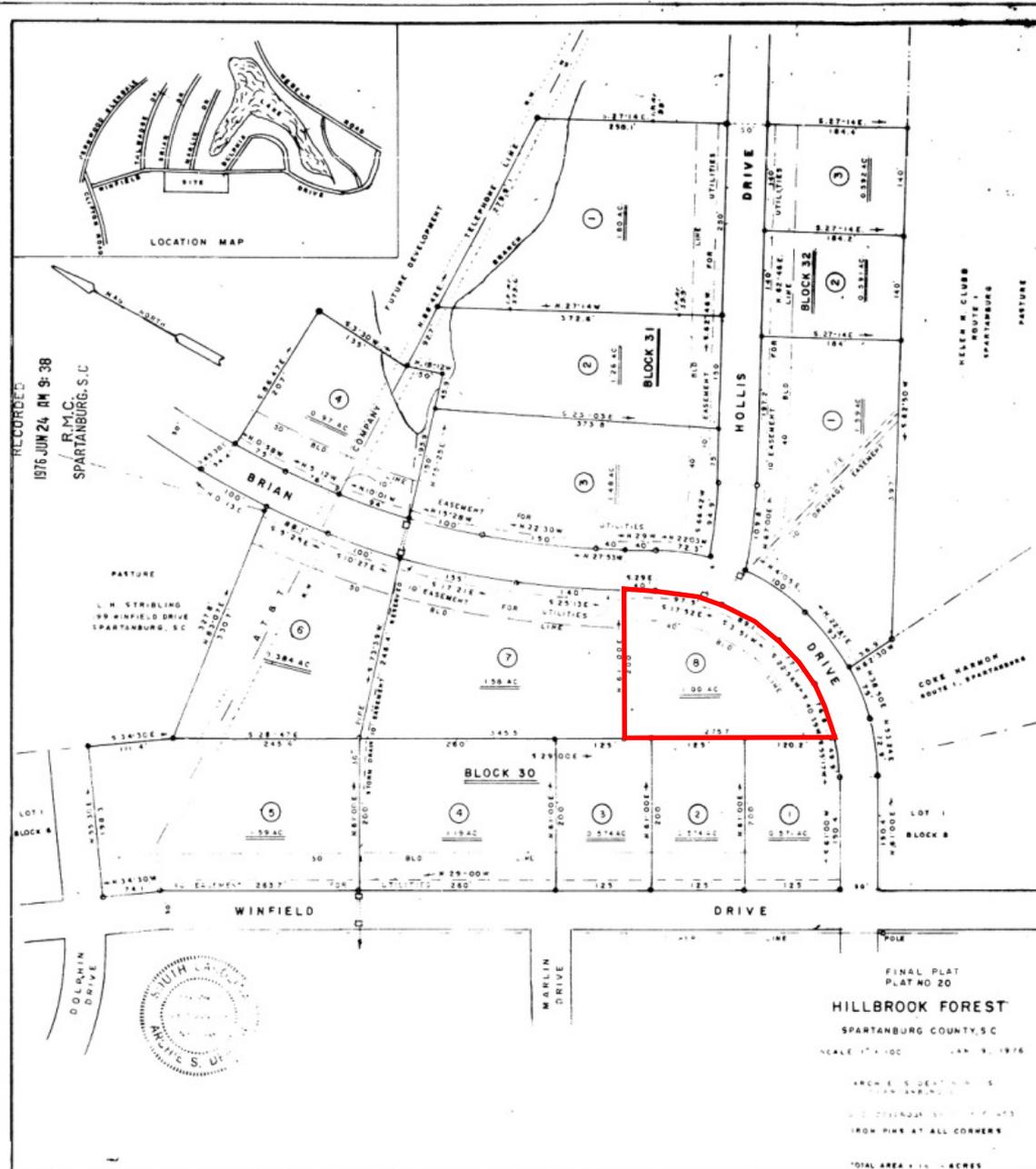
Annexation Meeting: February 25, 2013
Time: 5:30 PM
Location: City Council Chambers
145 W. Broad Street

0510203040
Feet



 Proposed property under consideration
Proposed Zoning upon Annexation - R-15, Single Family Residential

 City Limit Boundary



RECORDED
1976 JUN 24 AM 9:38
R.M.C.
SPARTANBURG, S.C.

CERTIFICATE OF ACCURATE SURVEY

I, ARCHIE S. DEATH, CERTIFY THAT THIS PLAT IS ACCURATE WITHIN STATED MINIMUM REQUIREMENTS, THAT THE PLAT HEREON, WAS PREPARED BY ME ON JAN 9 1976, IS BASED ON AN ACTUAL SURVEY INDICATING TRUE OR MAGNETIC BEARINGS AND DISTANCES, THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE SPARTANBURG COUNTY SUBDIVISION REGULATIONS.
APRIL 2, 1976 Archie S. Death 1585
DATE SIGNER S. C. REGISTER NO.

CERTIFICATE OF OWNERSHIP—DEDICATION AND GRANT

I (WE) THE UNDERSIGNED, AS OWNER (S) OF THIS PROPERTY DO HEREBY ADOPT THIS PLAT, OF MY (OUR) FREE CONSENT, I (WE) HEREBY OFFER FOR DEDICATION TO THE PUBLIC, ROADS, EASEMENTS, AND STREET-RIGHT-OF-WAYS OF THIS SUBDIVISION AND ESTABLISH MINIMUM SET BACK RESTRICTIONS AS INDICATED ON THIS PLAT. PROVIDED THIS PLAT IS RECORDED AS REQUIRED BY SECTION 4-2-7.
APRIL 2, 1976 Archie S. Death
DATE SIGNER LINDSEY FARM, INC. 2207 EAST MAIN ST.

CERTIFICATE OF APPROVAL

I, THE UNDERSIGNED, CERTIFY THAT THE SUBDIVISION PLAT INDICATED HEREON CONFORMS TO THE DESIGN STANDARDS AND REQUIREMENTS IN THE SPARTANBURG COUNTY SUBDIVISION REGULATIONS, WITH THE EXCEPTION OF SUCH VARIANCES IF ANY, AS RECORDED IN THE MINUTES OF THE SPARTANBURG COUNTY PLANNING AND DEVELOPMENT COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTER OF MESSINE TOWNYANCE.
JUN 22 1976
DATE
CASHIMON, Secretary Of Planning Director
Spartanburg County Planning And Development Comm.

FINAL PLAT
PLAT NO 20
HILLBROOK FOREST
SPARTANBURG COUNTY, S.C.
SCALE 1" = 100' JAN 9, 1976

BLOCK MAP SHEET 1411 PARCELS 56
0.34 ACRES OF NEW ROADS
15.27%
PARCELS OF 12.4100

ARCHIE S. DEATH
JAN 9 1976
IRON PINS AT ALL CORNERS

TOTAL AREA 141.1 ACRES



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Storm Water Manager
SUBJECT: Monroe Road Culvert Improvement
DATE: February 20, 2013

BACKGROUND

Staff received bids for the Monroe Road Culvert Improvement Project on February 20, 2013. This project consists of removal and replacement of approximately 50 feet of storm drainage pipe from under Monroe Road.

The following bids were submitted:

P.A.R. Grading and Hauling, Inc. (Spartanburg, S.C.)	\$ 63,355
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$ 74,840
Bishop Mays, Inc. (Greer S.C.)	\$ 84,530
McAbee Contractors (Spartanburg, S.C.)	\$ 89,907

Staff has reviewed the bids received, and the qualifications for each of these contractors, and determined that P.A.R. Grading and Hauling, Inc. is the responsive low bidder.

ACTION REQUESTED:

Allow staff to accept the bid from P.A.R. Grading and Hauling, Inc. and authorize the City Manager to enter into a contract with P.A.R. Grading and Hauling, Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 63,355 from the Storm Water Utility fund will be used to complete the project.

Monroe Road Culvert Replacement Project

