



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, May 23, 2016
5:30 p.m.**

**(These minutes were approved
at the June 13, 2016 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Sterling Anderson, Councilmembers Jan Scalisi, Jerome Rice, Erica Brown, Laura Stille and Rosalyn Henderson Myers. 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 May 9, 2016, City Council Meeting –
*Councilmember Rice made a motion to approve the minutes as received.
Councilmember Brown seconded the motion, which carried unanimously 7 to 0.***

**IV. Approval of Agenda of the May 23, 2016 City Council Meeting –
*Councilmember Henderson Myers made a motion to approve the agenda as received.
Councilmember Stille seconded the motion, which carried unanimously 7 to 0.***

V. Public Comment

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

- 1. Chris Mathis, 546 Norwood St.,** expressed concerns and offered ideas for the City Dog Park.
- 2. David Kerchner, 220 B Ponce de Leon Avenue,** expressed concerns and offered ideas for the City Dog Park.
- 3. Andrew Southern, 144 West Henry St.,** expressed concerns and offered ideas for the City Dog Park.
- 4. Linda Dogan, 155 W. Centennial St.,** expressed concerns regarding the Northside Initiative and Spring Fling.

VI. Special Presentations

- A. Proclamation Declaring the Month of May as Teen Pregnancy Prevention Month
Presenter: Mayor Junie White**

Mayor White presented the proclamation to a group of teens representing the Teen Pregnancy Prevention Awareness initiative.

B. Proclamation Declaring Monday, May 23, 2016 as Memorial Poppy Day

Presenter: Mayor Junie White

Mayor White presented the proclamation to Mrs. Geneva Padgett, who represented American Legion Post 28 in Spartanburg.

C. Northside Initiative Update

Presenters: Bill Barnet, President of Northside Development Group
Tammie Hoy Hawkins, CNI Program Manager

Mr. Barnet thanked City Staff and business partners for their ongoing support of the Northside project.

Ms. Hawkins gave a detailed update of the many good things happening within the project.

Council received the update as information.

VII. Public Hearings

A. Resolution In Support of the Issuance by The South Carolina Jobs-Economic Development Authority of Its Not Exceeding \$11,900,00 Aggregate Principal Amount of Its Economic Development Revenue Bonds (NCCD – Spartanburg Properties LLC – Converse College Project) Series 2016 in One or More Series Pursuant to the Provisions of Title 41, Chapter 43 Code of Laws of South Carolina 1976, as Amended

Presenter: Ed Memmott, City Manager

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

“Converse College intends to utilize bond financing through the South Carolina Jobs-Economic Development Authority (SCJEDA) for the financing of various capital projects. In order to facilitate this financing, City Council is being asked to conduct a public hearing on this matter and then consider a Resolution in support of the bond issue. The City Attorney and bond counsel for the City have reviewed the Resolution and determined that the City will have no obligation for repayment of these bonds.

Staff is requesting that City Council conduct a public hearing and then approve the Resolution in support of the bond issue.

BUDGET & FINANCIAL DATA: No financial obligation for the City.”

Mayor White opened the public hearing asking if there was anyone to speak in favor of or in opposition to the proposed resolution.

Hearing none, Mayor pro tem Anderson made a motion to close the public hearing. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

Councilmember Stille made a motion to approve the resolution as presented.

Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

B. Resolution In Support of the Issuance by The South Carolina Jobs-Economic Development Authority of Its Economic Development Revenue Refunding Bonds (Wofford College Project), 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 \$30,000,000

Presenter: Ed Memmott, City Manager

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

“Wofford College intends to utilize bond financing through the South Carolina Jobs-Economic Development Authority (SCJEDA) for the financing of various capital projects. In order to facilitate this financing, City Council is being asked to conduct a public hearing on this matter and then consider a Resolution in support of the bond issue. The City Attorney and bond counsel for the City have reviewed the Resolution and determined that the City will have no obligation for repayment of these bonds.

Staff is requesting that City Council conduct a public hearing and then approve the Resolution in support of the bond issue.

BUDGET & FINANCIAL DATA: No financial obligation for the City.”

Mayor White opened the public hearing asking if there was anyone to speak in favor of or in opposition to the proposed resolution.

Hearing none, Mayor pro tem Anderson made a motion to close the public hearing. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

Councilmember Rice made a motion to approve the resolution as presented. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

C. Ordinance to Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2016 Through June 30, 2017 (First Reading)

Presenters: Chris Story, Assistant City Manager

James Kennedy, Budget and Accounting Director

Mr. Story presented the item to Council as follows:

“In accordance with Section 2-119 of the Code of the City of Spartanburg 1988, the City is required to adopt an annual budget. The City Council held a budget workshop on 05/09/2016. During that time, discussions were held concerning General Fund revenues, proposed personnel cost changes, and other inflationary expenditure increases. The recommended FY 2016 – 2017 budget is reflective of management’s efforts to meet long term funding obligations.

The FY 2016 – 2017 budget includes the following:

- No change to the current millage rate
- 4% projected increase in General Fund revenues
- 2.5% employee cost-of-living pay increase
- Approx. \$114,433 for mandatory increases in retirement
- 10% increase for the medical insurance fund
- \$220,000 for building facilities maintenance

- Continued implementation of the Capital Improvement Plan adopted in FY 2014

Staff requests that Council conduct a Public Hearing and adoption an Ordinance to approve the operating budget for fiscal year July 1, 2016 – June 30, 2017.” *Mayor White* opened the public hearing asking if there was anyone to speak in favor of or in opposition to the proposed budget ordinance. *Hearing none, Mayor White* made a motion to close the public hearing. *Councilmember Brown* seconded the motion, which carried unanimously 7 to 0. *Mayor pro tem Anderson* made a motion to approve the ordinance as presented on first reading. *Councilmember Rice* seconded the motion, which carried unanimously 7 to 0.

VIII. Ordinances

- A. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2016 – 2017 to Levy Taxes on All Real Estate and Personal Property, Except Such as is Exempted by Law, in the Corporate Limits of the City of Spartanburg for Corporate Purposes for the Fiscal Year 2016-17 and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided for (First Reading)**
Presenter: James Kennedy, Budget and Accounting Director

Mr. Kennedy presented the item to Council as follows:

“The purpose of this Ordinance is to establish the property tax millage rate for the City of Spartanburg for FY 2016 – 2017. The current year’s millage is 105.0. This proposed millage Ordinance includes no change in the current millage rate of 105.0 mils.

Staff is requesting adoption of an Ordinance to approve the millage for fiscal year July 1, 2016 – June 30, 2017.”

Mayor pro tem Anderson made a motion to approve the ordinance as presented on first reading. *Councilmember Rice* seconded the motion, which carried unanimously 7 to 0.

IX. Ordinance - Second Reading

- A. Calling for a Referendum to Determine Whether The South Carolina Department of Revenue May Issue Temporary Permits in the City of Spartanburg to Allow for the Sale of Beer or Wine for Off-Premises Consumption Without Regard to the Days or Hours of Sale (Second Reading)**

Presenter: Cathy McCabe, City Attorney

This ordinance was not placed on the consent agenda because there was not a unanimous vote on first reading.

Mayor pro tem Anderson made a motion to approve the ordinance on second reading. *Councilmember Brown* seconded the motion, which carried 6 to 1. *Councilmember Rice* voted against the motion.

Councilmember Rice asked that it be noted that he voted in opposition to the ordinance because of several calls he has received from constituents against the

sale of alcohol in stores on Sunday, and because it had been stated that there was little or no financial gain in the sales for the City.

X. 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 #7-12-08-241.00 Located at 773 East Main Street, Which is Currently Split Zoned LOD/R-8, with a Land Use Designation of Limited Office District and General Residential District, to Extend the LOD Zoned Portion of the Property that Runs Parallel to the Encroaching Wall Along the Southern Portion of the Lot, While Ensuring a Residentially Zoned Buffer Area Along Maple Street Within the Same Parcel of R-8/General Residential District; and Providing for Severability and an Effective Date (Second Reading)
Presenter: Natalia Rosario, Planning Staff**

**B. 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 #6-21-11-117.00 Located at 823 John B. White Senior Boulevard, which is Currently Zoned R-12 with a Land Use Designation of General Residential District to Zone LOD with a Land Use Designation of Limited Office District; and Providing for Severability and an Effective Date (Second Reading)
Presenter: Natalia Rosario, Planning Staff**

Councilmember Rice made a motion to approve the consent agenda on second reading. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

XI. Other Business

**A. FY15-16 Fraud Risk Assessment Report
Presenter: James Kennedy, Budget & Accounting Director**

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

“I am presenting the results of our annual fraud risk self-assessment. As you know, this practice is not made necessary by any particular problem or shortcoming of the City; it is simply one of our many routine efforts to ensure we are taking all reasonable steps to improve our management of City resources. The American Institute of Certified Public Accountants (AICPA) Statements on Auditing Standards (SAS) No. 99 and No. 112 require entities to conduct an annual fraud risk assessment and communicate the results with the governing body. Please be aware that these auditing standards require that the potential area of risk must be at a high level of the possibility in order for our financial statements to be materially misstated.

In preparation of the City’s upcoming FY 2015 - 2016 audit, departments were asked to conduct an assessment of their department for potential risk areas. An assessment request was sent to all departments, including over forty-three staff members. The goal is to identify fraud risks that have a more than remote

likelihood of occurring, and a more than inconsequential impact on the City's finances. These risks could be in loss of assets, lack of proper controls, or weaknesses. Generally Accepted Accounting Principles (GAAP) requires the City to maintain a system of internal controls to reduce the risk of fraud (misappropriation of assets). This assessment focuses on areas where there are potential risks and no existing mitigating internal controls.

Our purpose is to understand where fraud is most likely to occur so that the risk of fraud can be effectively controlled. A fraud risk assessment and internal controls do not guarantee that fraud will not occur.”

Mayor pro tem Anderson made a motion to accept the Fraud Risk Assessment Report. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

B. Spring Fling Committee Recommendations

Presenter: Mayor Junie White

Mayor White stated that he had asked that each councilmember recommend someone to serve on a Spring Fling Evaluation Committee. He explained that the committee was not formed to do away with Spring Fling, but to take a look at the event as a whole and offer suggestions for what should continue improvements, additions, deletions, etc. He asked councilmembers to get their recommendations to him or to Connie as soon as possible.

Councilmember Stille commented that in her previous comments, she was not suggesting that Spring Fling be discontinued, but that she thought it was a good idea to evaluate the event at this time.

Mr. Memmott reminded everyone that the committee would be subject to FOIA. He added that he anticipated that the committee would be able to conduct the evaluation and come back to Council with recommendations in early September with any necessary Council action at the first meeting in October.

XII. City Council Updates –

Councilmember Stille thanked staff for their hard work on the budget. She shared that “Ten at the Top” was conducting tours of upstate communities and that they would be in Spartanburg on June 22. She also expressed congratulations the recent graduates in Spartanburg and encouraged them to come back to Spartanburg to live.

Councilmember Brown shared she attended the play “Untitled Reconstruction” and participated in the circle discussion afterwards. She stated that actions of the KKK in this area were discussed. She clarified that she did not think that Spring Fling was for one group, but for the entire city and surrounding areas. She said that she did not want to do away with the event, but did think it would be good to have discussions about giving it a facelift to make sure it was a family friendly event.

Councilmember Henderson Myers shared that she participated in a Town Hall meeting at Majority Baptist Church Wednesday past. She encouraged everyone to get more involved in local government. She stated she also attended the Upstate Diversity Award Dinner, which was a great event. She shared that she attended the 100 Years Gala for Woodward Funeral Home, and expressed her appreciation for the many contributions

of the Woodward family to the Spartanburg community over the years. She shared that she had recently graduated from Leadership Spartanburg, that she had participated in a similar program in several other cities, and that Leadership Spartanburg was the best she had been a part of.

Councilmember Scalisi shared that she traveled with a group of 30 people with the Spartanburg Chamber of Commerce to Chattanooga, TN, which is considered a benchmark for the City of Spartanburg. She stated that Chattanooga officials brought in several speakers on subjects of innovation, diversity, downtown development, retaining talent, and poverty. She mentioned that discussion involved a broad look at the issues and challenges faced by both cities. She observed that Chattanooga is a larger city with more private money and foundations, and that they have both a city mayor and a county mayor. She shared that the discussions and observations were good, but that she appreciated the comment made that maybe the folks in Chattanooga could also learn from the many good things happening in the City of Spartanburg.

She advised that a new east side restaurant, Mother's, would be opening soon on Fernwood-Glendale Road and invited everyone to come and patronize the restaurant.

Councilmember Rice expresses congratulations to recent graduates, especially from Spartanburg High School. He shared that he, too, attended the 100 Years Woodward Funeral Home Gala and thanked the family for their contributions to the community. He invited everyone to Mary H. Wright Elementary School Field Day to be held for the first time at Stewart Park. He mentioned the June 11 Father's Day Initiative Event sponsored by Spartanburg Housing Authority and to be held at Wofford College. He shared that the event would strengthen bonds between men in our community and young males who will be community leaders of the future. He thanked Terril Bates, Executive Director for SHA for putting the event together. He mentioned that on May 25, everyone was hopeful that Don Beaty would be elected the next Chief Justice of the South Carolina Supreme Court.

Mayor pro tem Anderson stated that Don Beaty was running unopposed and would most certainly be elected to the Supreme Court. He added that he agreed that it would be a good idea to evaluate Spring Fling at this point. He thanked Staff for the many hours of hard work put into the event each year.

Mayor White thanked everyone for attending the meeting.

- XIII. Adjournment** – *Mayor pro tem Anderson made a motion to adjourn the meeting. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*



Connie S. McIntyre, City Clerk

