



CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Monday, July 23, 2012

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of Minutes of the July 9, 2012 City Council Meeting**
- IV. **Approval of Agenda of the July 23, 2012 City Council Meeting**
- V. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Presentation of Proclamation for National Night Out Event on August 7, 2012**
Presenter: Mayor Junie White
- VII. **Spartanburg Academy for Innovative Youth Leadership (SAIYL) Presentation**
Presenter: Mitch Kennedy, Community Services Director
- VIII. **Ordinance**
 - A. **Authorizing the Transfer of TMS #7-12-15-372.00 (312 Alexander Avenue), TMS #7-16-02-156.00 (530 Hampton Drive), and TMS #7-15-08-108.00 (215 Briarcliff Road) to Homes of Hope, Inc. (First Reading)**
Presenter: Wes Corrothers, Neighborhood Services Director
- IX. **Other Business**
 - A. **Boyd Street Culvert Improvement**
Presenter: Jay Squires, Storm Water Manager
 - B. **Green Waste Discussion**
Presenter: Ed Memmott, City Manager
 - C. **Boards and Commissions Applicants**
Presenter: Connie McIntyre, City Clerk

X. City Council Updates

XI. 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
Monday, July 9, 2012**

**(These minutes are subject to approval at the
July 23, 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, and Robert Reeder. Councilmember Anderson was absent due to required military service. Councilmember Scalisi was absent due to a foot injury. Councilmember Rice arrived after the recognition of Lieutenant Alvin Gilbert. 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 June 25, 2012 City Council Meeting – *Councilmember Dogan made a motion to approve the minutes as received. Councilmember Reeder seconded the motion, which carried unanimously 4 to 0.***
- IV. Approval of Agenda of the July 9, 2012 City Council Meeting – *Mayor pro tem Ryba made a motion to approve the agenda as received. Councilmember Reeder seconded the motion, which carried unanimously 4 to 0.***
- V. Public Comment – Ms. Ruth Littlejohn, 284 Marion Avenue, spoke questioning City Council as to why a rezoning request in the Converse Street neighborhood to allow a home for rehabilitation of released prisoners was even considered. She stated that, while she was thankful the request was denied, she and her neighbors did not appreciate the request even being considered. She stated the neighborhood had worked too hard to get to its current status to allow those type individuals to live in the area. She asked that Council review the current zoning laws to keep such a request from happening again.
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk**
- VI. Recognition of Retired Public Safety Lieutenant Alvin Gilbert
Presenter: Mayor Junie White
*Mayor White read a summary of Lieutenant Gilbert's career and thanked him for his service to the City of Spartanburg and the Spartanburg community.***

VII. Consent Agenda

- A. An Ordinance Accepting the Property Owned by Kathy Brittain Wright, and Being Located on 675 Perrin Drive, and that Portion of Perrin Drive Abutting Said Property, and is Further Identified on Spartanburg County Tax Map as 7-10-09, 067.00, 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, Said Parcel to be Zoned R-15, Single Family Residential District upon Annexation (Second Reading)**

Presenter: Joshua Henderson, Planning Coordinator

Councilmember Reeder made a motion to approve the consent agenda on second reading. Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

VIII. Other Business

- A. Housing Authority Update**

Presenter: Harry Byrd, Executive Director Spartanburg Housing Authority

Mr. Byrd presented a report updating Council on the progress of compliance of the Housing Authority to the recommendations by HUD in the previous year.

- B. Boards and Commission Update**

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre presented the following names for City Council vote:

Airport Advisory – 2 vacancies

Joseph Traywick II – application received for reappointment

Thomas Rogers – application received for appointment

Councilmember Dogan made a motion to waive the rules and reappointment Joseph Traywick II and appoint Thomas Rogers to the Airport Advisory Committee.

Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

Board of Architectural Design and Historic Review – 3 vacancies

Thomas Belenchia – application received for reappointment

George Fain – application received for reappointment

Lewis Settle – application received for reappointment

Councilmember Dogan made a motion to waive the rules and reappointment Thomas Belenchia, George Fain, and Lewis Settle to the Board of Architectural Design. Mayor pro tem Ryba seconded the motion, which carried unanimously 5 to 0.

Bicycle and Pedestrian Committee – 2 vacancies

Randy Cooksey – application received for reappointment

Matt Holiday – application received for reappointment

Councilmember Reeder made a motion to waive the rules and reappoint Randy

Cooksey and Matt Holiday to the Bicycle and Pedestrian Committee. Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

Construction Board of Adjustments and Appeals – 2 vacancies

Howard Perry – application received for reappointment

Steven L. Smith – application received for reappointment

Mayor pro tem Ryba made a motion to waive the rules and reappoint Howard Perry and Steven Smith to the Construction Board of Adjustments and Appeals. Councilmember Dogan seconded the motion, which carried unanimously 5 to 0.

Housing Board of Adjustment and Appeals – 2 vacancies

Ronald L. Poole – application received

Horace C. Littlejohn – application received

Councilmember Reeder made a motion to waive the rules and appoint Ronald Poole and Horace Littlejohn to the Housing Board of Adjustment and Appeals.

Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

Investment Oversight – 1 vacancy

Ethan Burroughs – application received

Councilmember Rice made a motion to waive the rules and appoint Ethan Burroughs to the Investment Oversight Board. Councilmember Dogan seconded the motion, which carried unanimously 5 to 0.

Planning Commission – 2 vacancies

James Jenkins – application received for reappointment

Richard Letchworth – application received (applied last year)

Councilmember Dogan made a motion to waive the rules and reappoint James Jenkins and appoint Richard Letchworth to the Planning Commission.

Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

Storm Water Appeals Board (SWAB) – 2 vacancies

Charles Godfrey – application received for reappointment

Alane S. Russell – application received for reappointment

Mayor pro tem Ryba made a motion to waive the rules and reappoint Charles Godfrey and Alane S. Russell to the Storm Water Appeals Board. Councilmember Dogan seconded the motion, which carried unanimously 5 to 0.

Minority and Women Business Enterprise Program – 5 vacancies

Jackie Wood, MWBE Coordinator is supposed to be recruiting for this committee.

Arlene T. Dawkins – application received

Linda S. Brewer – application received

Need 3 applicants

Councilmember Dogan made a motion to waive the rules and appoint Arlene T. Dawkins and Linda S. Brewer to the MWBE Committee. Councilmember Reeder seconded the motion, which carried unanimously 5 to 0.

Public Safety Committee – 4 vacancies

Garrow Crowley – application received for reappointment

Tina Lyon – application received

Need 2 applicants

Councilmember Reeder made a motion to waive the rules and reappoint Garrow Crowley and appoint Tina Lyon to the Public Safety Committee. Councilmember Rice seconded the motion, which carried unanimously 5 to 0.

Zoning Board of Adjustments and Appeals – 3 vacancies

Aaron Ryba – application received for reappointment

David L. Drum – application received

Need 1 applicant

Mayor pro tem Ryba recused herself from voting on reappointment of Aaron Ryba as he is her husband.

Councilmember Rice made a motion to waive the rules and reappoint Aaron Ryba and appoint David Drum to the Zoning Board of Adjustments and Appeals.

Councilmember Rice seconded the motion, which carried unanimously 4 to 0.

IX. City Council Updates

Mayor White appointed Councilmember Robert Reeder and Mayor pro tem Ryba to serve on a committee with him to negotiate with the Spartanburg Water System.

Councilmember Dogan thanked everyone responsible for the Red, White & Boom event. She asked for an investigation into the hiring and firing practices of the City.

Mayor pro tem Ryba shared that the successful B-Cycle program was one year old and that 20,000 miles had been logged on the bikes.

Councilmember Reeder shared that he and Councilmembers Dogan and Scalisi had attended the MASC annual meeting in Hilton Head, and that there were several seminars on bike lanes and sustainability. He mentioned that the City of Spartanburg Express Lane Track Team would be leaving for the National Meet in Orlando, FL.

Councilmember Rice shared that Stewart Park was moving forward and that he was looking forward to the reopening of the park.

X. Adjournment – Councilmember Dogan made a motion to adjourn the meeting. Mayor pro tem Ryba seconded the motion, which carried unanimously 5 to 0 and the meeting adjourned at 5:16 p.m.



Connie S. McIntyre, City Clerk

VIII. A



REQUEST FOR CITY COUNCIL ACTION

TO: Ed Memmott, City Manager

FROM: Wesley Corrothers, Neighborhood Services Director

SUBJECT: Donation of NSP1 Rental Properties to Homes of Hope, Inc.

DATE: July 12, 2012

BACKGROUND:

The City was awarded a \$2.0 million Neighborhood Stabilization Program Phase 1 (NSP1) grant in 2010. One of City's partners for this grant was the Preservation Trust, Inc. (PTI). PTI used certain NSP1 funds to acquire foreclosed upon properties and restore those properties for sale. When PTI closed its operation, the City took ownership of four properties. NSP regulations require that these properties be sold or rented to an income eligible buyer/renter within one year after renovation completion.

To meet this one year requirement, staff is recommending donation of three houses to Homes of Home, Inc. (HOH). HOH is a Community Housing Development Organization (CHDO) that specializes in the development and rental management of low-to-moderate income housing. HOH has personnel who work with tenants to build capacity in budgeting, credit counseling, and homeownership readiness. HOH's typical tenant has income that is 60% - 80% of area median income. Rents are typically set at no more than 30% of the tenant's income.

If approved by Council, the City would set conditions on the property transfer that would require the properties remain affordable for at least 15 years. Additionally, the City would require HOH to agree to certain limitations regarding debt that could be secured by these properties and require that the City approve use of any sales proceeds from the properties if sold.

ACTION REQUESTED:

First reading approval of an Ordinance donating 312 Alexander Avenue, 215 Briarcliff Road, and 530 Hampton Drive, to Homes of Hope, Inc. If approved on first reading, representatives from HOH will appear before Council prior to second reading on August 13 and present information on its programs.

BUDGET AND FINANCIAL DATA:

N/A

**AN ORDINANCE
AUTHORIZING THE TRANSFER OF
TMS # 7-12-15-372.00 (312 ALEXANDER AVENUE), TMS # 7-16-02-156.00 (530
HAMPTON DRIVE), AND TMS # 7-15-08-108.00 (215 BRIARCLIFF ROAD)
TO HOMES OF HOPE, INC.**

WHEREAS, the City of Spartanburg ("City") is seeking to promote the development of affordable housing within the City of Spartanburg; and

WHEREAS, the City from time-to-time may dispose of property it owns to further these goals; and

WHEREAS, the City obtained title to the above properties from Preservation Trust of Spartanburg; and

WHEREAS, Preservation Trust of Spartanburg received funds through the Neighborhood Stabilization Program (NSP) for the purchase and rehabilitation of these homes with the stipulation that if the homes were not sold within twelve (12) months after rehabilitation was complete, the property would be placed on the rental market; and

WHEREAS, the renovations were completed more than twelve (12) months ago and since the City of Spartanburg does not manage rental properties, it has been determined that the parcels should be conveyed to Homes of Hope.

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

SECTION 1: The transfer of TMS # 7-12-15-372.00 (312 Alexander Avenue), TMS # 7-16-02-156.00 (530 Hampton Drive), and TMS # 7-15-08-108.00 (215 Briarcliff Road) is hereby approved and the City Manager and City Attorney are hereby authorized to execute the documents to complete the transfer of said parcels.

SECTION 2: Council approves this transfer as a waiver of its real property disposition policy, if applicable.

SECTION 3: This Ordinance shall become effective upon the date of enactment.

DONE AND RATIFIED this _____ day of _____, 2012.

MAYOR

ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

215 Briarcliff Rd



BRIARWOOD RD

BROOKSIDE RD

WHITE OAK RD

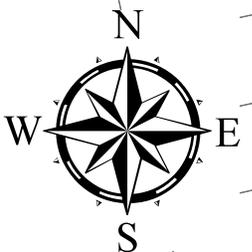
W CRESCENT RD

JOHN B WHITE SR BLVD

BRIARCLIFF RD

BELMARC DR

TYLER CT



0 137.5 275 550 Feet

Legend

 7-15-08-108.00

530 Hampton Dr

HAMPTON DR

S SPRING ST

S CHURCH ST

MARION AVE

PERONNEAU ST

MILSTER ST

S HAMPTON DR



0 137.5 275 550 Feet

Legend

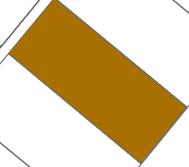
 7-16-02-156.00



312 Alexander Ave

RIDGEWOOD AVE

UNION ST



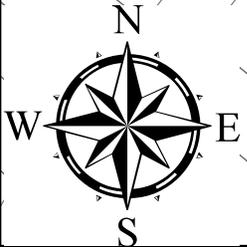
ALEXANDER AVE

BLAIR ST

MARION AVE

S CONVERSE ST

WINSMITH AVE



0 137.5 275 550 Feet

Legend

 7-12-15-372.00



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Jay Squires, Storm Water Manager
SUBJECT: Boyd Street Culvert Improvement
DATE: July 16, 2012

BACKGROUND:

A section of storm drainage pipe on Boyd Street (near the intersection of Boyd St. and Mills Ave) is in need of repair. The City needs to replace approximately 70' of storm drainage pipe and repair the asphalt paving in this area. Staff publicly advertised this project and bids were received on June 19, 2012.

Bids were received from:

Bishop Mays, Inc. (Greer, S.C.)	\$ 59,980
P.A.R. Grading and Hauling, Inc. (Spartanburg, S.C.)	\$ 79,155
Raby Construction Co. Inc (Greenville, S.C.)	\$ 81,602
Anders, Inc. (Easley, S.C.)	\$ 89,700

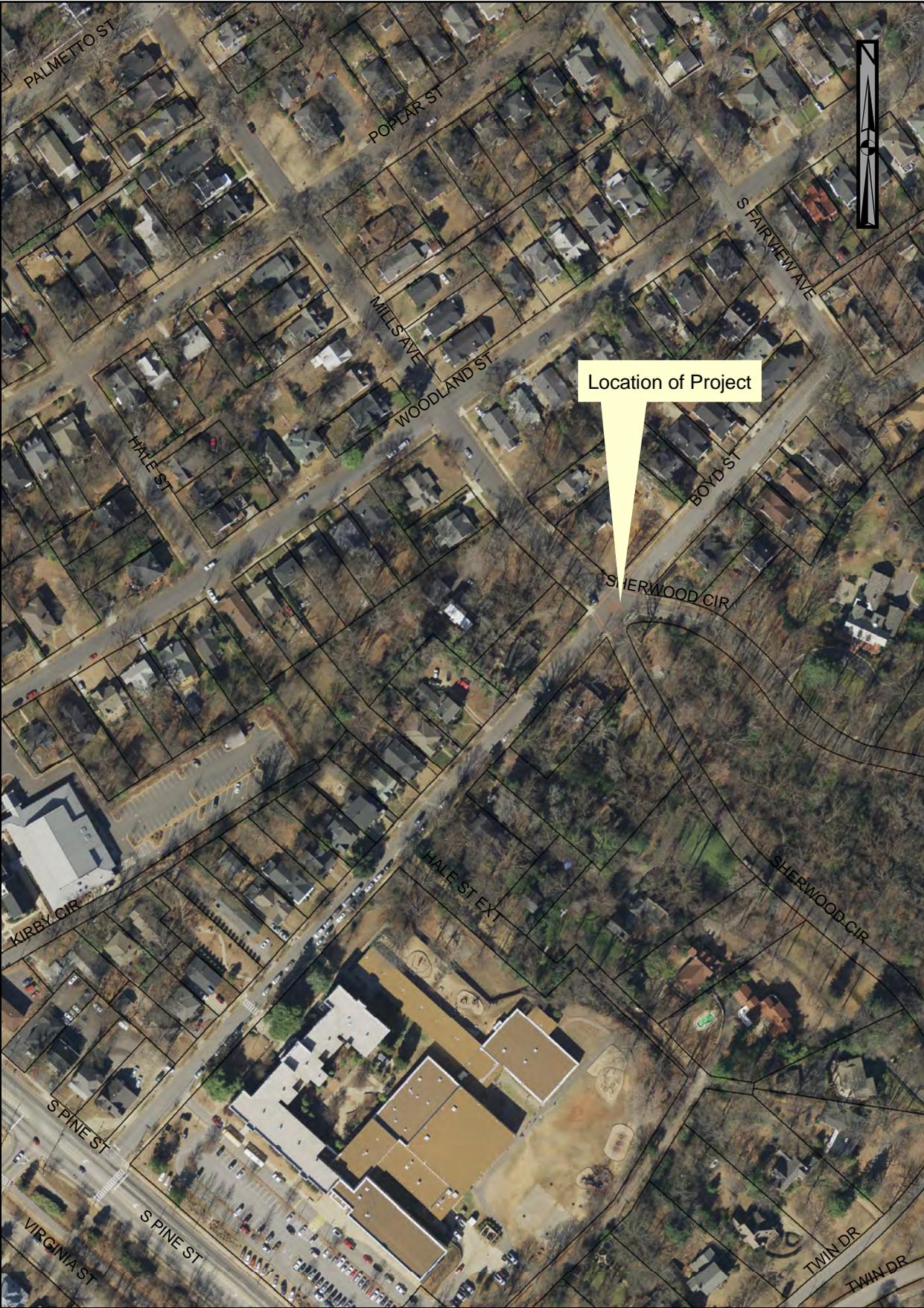
Staff has reviewed the bids received, and the qualifications for each of these contractors, and determined that Bishop Mays, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED:

Authorize the City Manager to enter into a contract with Bishop Mays, Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

Up to a maximum of \$59,980 from the Storm Water Utility fund will be used to complete the project. Please note that staff is in discussions with Spartanburg Water System about its financial participation in project costs. Spartanburg Water System had previously made repairs to its underground piping in this area. City staff believes that the work performed by Spartanburg Water System contributed to the need for the City to proceed with storm drainage replacement. Staff anticipates that it will be able to reach a satisfactory resolution with Spartanburg Water System regarding this matter, but needs to proceed with repairs.



Location of Project





CITY COUNCIL AGENDA – SUMMARY REPORT

TO: Mayor and Members of City Council

FROM: Ed Memmott, City Manager

SUBJECT: Green Waste Collection

DATE: July 18, 2012

BACKGROUND:

Public Works staff would like to brief Council on the City's green (yard) waste collection program. Overall, the City's Green Waste collection program is working well. The Green Waste team is working hard and has improved its efficiency and reliability over the past several months. One of the challenges, however, continues to be very large green waste loads. From time-to-time, some property occupants generate what staff considers an excessively sized load. There are instances when as much as 75 cubic yards of green waste is put out for collection at a single residence. For reference, a pile of yard waste that is 6' wide, 6' high, and 6' in length would total approximately 8 cubic yards.

Previous efforts to define reasonable and manageable load limits have been ineffective. Under the current ordinance standards, a property owner can place up to 30 cubic yards of materials for collection twice a month. It only takes a few excessively sized loads to drastically slow down our collection process and adversely impact service to other citizens.

Public Works staff has tentatively developed recommendations that it would like to present to Council at the July 23 meeting. Council will not be asked to approve any changes at this meeting. If Council is comfortable with staff's recommendations, an Ordinance amendment would be drafted and presented to Council for consideration in August.

Additionally, staff will discuss other minor changes in our bulk item (furniture, appliances) collection program that need to be made to comply with disposal requirements at the Spartanburg County Landfill.

ACTION REQUESTED:

No action required information only.



MEMORANDUM

TO: City Councilmembers
FROM: Connie McIntyre, City Clerk
SUBJECT: City of Spartanburg Boards and Commissions Update
DATE: July 18, 2012

Listed below you will find applicants for your consideration for the referenced board and/or commission. The applications submitted by the applicants are attached.

Minority and Women Business Enterprise Program

Carmella White
2 vacancies remain

Public Safety Committee

Sallie Ann Burnett
1 vacancy remains

Zoning Board of Adjustments and Appeals

Joshua Lonon

ACTION REQUESTED: City Council approval of the applicants.



Boards and Commissions Nominee Form

(Please print or type information)

BOARD/COMMITTEE: Women's Minority Business Enterprise

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

NAME: Carmella White

ADDRESS: 559 Wildwood Dr. Spartanburg, SC 29306
Street City, State, Zip Code

BUSINESS PHONE: 504-5167 HOME PHONE: 576-9166 EMAIL cmella67@yahoo.com

OCCUPATION: self-employed (former teacher)

EMPLOYER: Don White Roofing & Remodeling

OTHER VOLUNTEER OR CIVIC ACTIVITIES: Hub City Co-op, Habitat for Humanity, Way of Hope

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? I want to serve my city and help find ways to empower other women to start their own businesses. I look forward to learning more about the business community and do what I can to promote cooperation with other agencies and committees.

RECOMMENDED BY: _____

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES NO IF YES, PLEASE LIST: _____

7-12-2012

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

To: Connie McIntyre
From: Sallie Ann Burnett
596-2313



Boards and Commissions Nominee Form

(Please print or type information)

Public Safety Committee

BOARD/COMMITTEE: _____

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

NAME: Sallie Ann Burnett

ADDRESS: 272 Holly Dr. Spartanburg, SC 29301
Street City, State, Zip Code

BUSINESS PHONE: 541-8678 HOME PHONE: 266-8897 EMAIL: sburnett@icma.org

OCCUPATION: Meeting Planner

EMPLOYER: ICMA (International City/County Management Assoc.)

OTHER VOLUNTEER OR CIVIC ACTIVITIES: Board member of Hub-City Co-Op
Member Toastmasters Club #48

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? I would like to become more active in my community, and feel my point of view as a resident would contribute to the Planning Board's goal and vision.

REFERRED BY: Sterling Anderson

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?
and recommended by

YES NO IF YES, PLEASE LIST: _____

May 22, 2012
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

Submit by Email

Print Form



Boards and Commissions Nominee Form

(Please print or type information)

BOARD/COMMITTEE: Board of Zoning and Appeals

CITY RESIDENT: YES NO

SEX: M F

RACE: W

NAME: Joshua Owen Cowan Lonon

ADDRESS: 213 Beechwood Drive, Spartanburg, South Carolina 29302

Street

City, State, Zip Code

BUSINESS PHONE: 864-327-1764 HOME PHONE: 864-978-8886 EMAIL: lonon@lononlawfirm.com

OCCUPATION: Real Estate Attorney

EMPLOYER: Lonon Law Firm, LLC

OTHER VOLUNTEER OR CIVIC ACTIVITIES: Board Member and Vice Chair, Health Smiles of Spartanburg;

Member, Rotary Club of Spartanburg; Board of Regents, Leadership Spartanburg; Board Member,

Leadership Spartanburg Alumni Association; Former Board Member and Secretary, Christmas in Action of Spartanburg

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? I am interested in serving on this board as a
means of contribution to the community. I believe that my background and experience as a real estate attorney may
be of some assistance

RECOMMENDED BY: Joshua Henderson

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES NO IF YES, PLEASE LIST: _____

July 16, 2012

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