



CITY COUNCIL AGENDA

City Council Meeting
City Council Chambers
145 West Broad Street
Monday, August 13, 2012

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of Minutes of the July 23, 2012 City Council Meeting**
- IV. **Approval of Agenda of the August 13, 2012 City Council Meeting**
- V. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Resolution**
 - A. **Approving Purchase of 149 Home Street (Block Map 7-16-10-175.00)**
Presenter: Wes Corrothers, Neighborhood Services Director
 - B. **To Approve the City to Negotiate Final Terms and Conditions of a Sponsorship Agreement for a 2012 Holiday Season Ice Rink**
Presenter: Ed Memmott, City Manager
 - C. **To Make Certain Findings of Benefit with Respect to Broad Street Redevelopment Plan as Adopted by Ordinance of City Council on April 3, 1989, and as Amended on December 15, 1997 (West Main Street Improvement Project)**
Presenter: Ed Memmott, City Manager
- VII. **Other Business**
 - A. **Award of Bid for West Main Street Improvement Project**
Presenter: Tim Carter, Engineering Administrator
 - B. **Boards and Commissions – MWBE Applicant**
Presenter: Connie McIntyre, City Clerk

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.

VIII. Consent Agenda

- 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. (Second Reading)
Presenter: Wes Corrothers, Neighborhood Services Director**

IX. City Council Updates

X. Executive Session to Receive Information Regarding Economic Development

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 23, 2012**

**(These minutes are subject to approval at the
August 13, 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, Jerome Rice, Robert Reeder and Jan Scalisi. Councilmember Anderson was absent due to required military service. 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 July 9, 2012 City Council Meeting -**
*Councilmember Dogan 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 July 23, 2012 City Council Meeting –**
*Mayor White stated that Item VIII. A needed additional information before Council action and asked that it be removed from the agenda.
Councilmember Dogan made a motion to approve the agenda as amended.
Councilmember Scalisi 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. Presentation of Proclamation for National Night Out Event on August 7, 2012**
Presenter: Mayor Junie White
Mayor White read the proclamation for National Night Out and presented it to Ms. Ruth Littlejohn, of the South Converse Street Neighborhood Association. All represented City neighborhood associations received a copy of the proclamation.
- VII. Spartanburg Academy for Innovative Youth Leadership (SAIYL) Presentation**
Presenter: Mitch Kennedy, Community Services Director
Participants of the SAIYL program reviewed their experiences during the program for City Council.

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

COUNCIL VOTED TO REMOVE THIS ITEM PENDING PRESENTATION AT A LATER COUNCIL MEETING AFTER ADDITIONAL RESEARCH.

IX. Other Business

A. Boyd Street Culvert Improvement

Presenter: Jay Squires, Storm Water Manager

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

“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.

Staff requests that City Council 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.”

Mayor pro tem Ryba made a motion to approve the award of bid to Bishop Mays, Inc. in the amount of \$59,980 for the Boyd Street Culvert Improvement. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

B. Green Waste Discussion

Presenter: Ed Memmott, City Manager

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

“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."

After discussion, it was the consensus of Council to move forward with staff's recommendations for presentation of an amendment to the current ordinance at a later Council meeting.

C. Boards and Commissions Applicants

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre presented the following applicants for Council approval:

Minority and Women Business Enterprise Program –

Carmella White – Councilmember Dogan made a motion to waive the rules and appoint Carmella White to the MWBE committee. Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.

Public Safety Committee-

Sallie Ann Burnett – Councilmember Dogan made a motion to waive the rules and appoint Sallie Ann Burnett to the Public Safety Committee. Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.

Zoning Board of Adjustments and Appeals –

Joshua Lonon – Councilmember Dogan made a motion to waive the rules and appoint Joshua Lonon to the Zoning Board of Adjustments and Appeals. Mayor pro tem Ryba seconded the motion, which carried unanimously 6 to 0.

X. City Council Updates –

Mayor pro tem Ryba congratulated Cribbs Kitchen on their one year anniversary downtown.

Councilmember Rice commended everyone working on Stewart Park and how commented on how good everything looked. He also shared that he had visited the Swim Center and was impressed with the diverse usage of the facility.

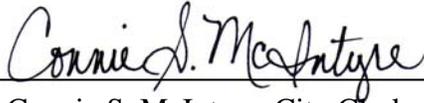
Councilmember Scalisi commended all first responders connected with the City and thanked them for their hard work.

Councilmember Reeder thanked everyone involved with the Express Lane Track Team. He shared that 4 team members had medaled at the meet.

Mr. Memmott reminded everyone of the Hubapalooza Event that would take place Wednesday, July 25 at Barnet Park in conjunction with the National Softball Association.

Mayor White reminded everyone of the Panthers Party on Saturday, July 28 beginning with the Mayor's Ball Run from City Hall. He stated that there would be 13 municipalities participating in the run this year. He also thanked the members of Motor Mains Inc. who were in town for their convention the previous week.

- XI. Adjournment** – *Mayor pro tem Ryba made a motion to adjourn the meeting. Councilmember Scalisi 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: Ed Memmott, City Manager

FROM: Wesley Corrothers, Neighborhood Services Director

SUBJECT: Purchase of Property – 149 Home Street

DATE: July 12, 2012

BACKGROUND:

Staff has been approached by the owner of 149 Home Street (TMS 7-16-10-175.00) regarding the purchase of the property by the City. The City owns several properties along Sunny Street including 134 Bomar Avenue (TMS 7-16-10-173.00), which is immediately adjacent to the proposed purchase parcel.

Staff has negotiated with the property owner and believes \$2,500 is a reasonable amount for the purchase of this property.

ACTION REQUESTED:

Approval of this Resolution to purchase the property located at 149 Home Street (TMS 7-16-10-175.00) from James McKelvey for \$2,500.00.

BUDGET & FINANCIAL DATA:

CDBG funds

**A RESOLUTION
APPROVING PURCHASE OF 149 HOME STREET
(BLOCK MAP 7-16-10-175.00)**

WHEREAS, the City of Spartanburg (the "City"), in an effort to stabilize its neighborhoods, has from time to time purchased real property; and

WHEREAS, the City has determined that it is in the public interest to purchase the property at 149 Home Street, Block Map 7-16-10-175.00.

NOW, THEREFORE,

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

SECTION 1: The purchase of property at 149 Home Street, Block Map Sheet 7-16-10-175.00) from James McKelvey for the agreed upon sum of Two Thousand Five Hundred (\$2,500.00) Dollars is hereby authorized.

SECTION 2: This Resolution shall become effective upon the date of enactment.

DONE AND RATIED This _____ day of July, 2012.

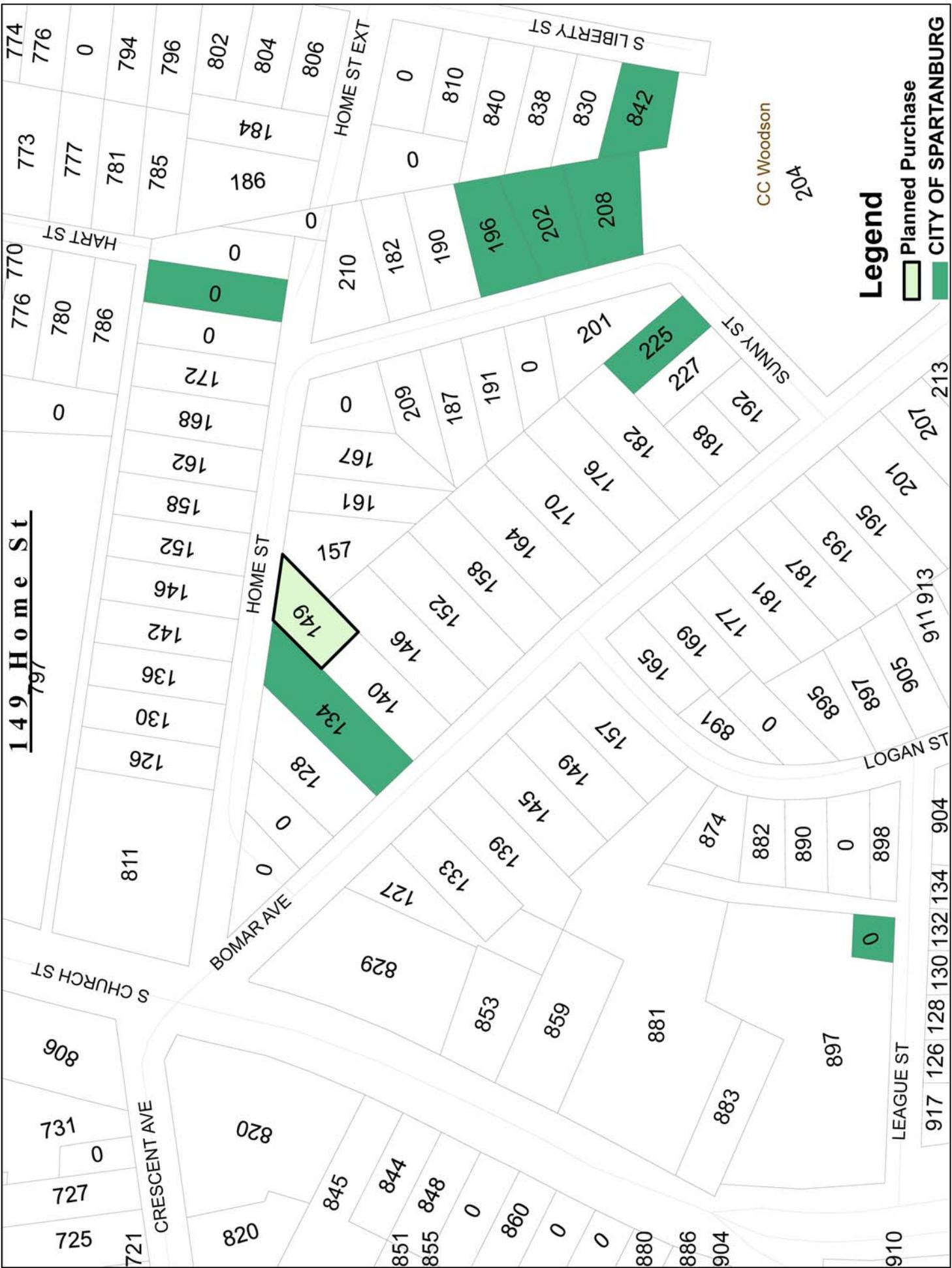
Mayor

Attest:

City Clerk

APPROVED AS TO FORM:

City Attorney





REQUEST FOR CITY COUNCIL ACTION

TO: Mayor and Members of City Council

FROM: Ed Memmott, City Manager
Mandy Merck, Special Events Manager

SUBJECT: Potential Temporary Ice Skating Rink

DATE: August 8, 2012

BACKGROUND: Management believes it is appropriate to brief City Council on a potential project for downtown. Over the past few weeks, staff has had conversations with a prospective private sponsor of a 2012 Holiday Season Ice Rink. Subject to Council authorization and reaching final agreement with the sponsor, the ice rink would be located on Morgan Square. The prospective sponsor has tentatively agreed to pay all net expenses associated with the ice rink. The sponsor's only request of the City is the coordination of the project and paying for city personnel to operate the facility. Estimated City staff expenses are \$25,000. Staff is comfortable with the potential sponsor's financial ability to meet all terms and conditions of a sponsorship agreement.

Staff believes that providing an ice rink in downtown Spartanburg is an exceptional opportunity that would help activate downtown and benefit businesses. Other communities such as Charlotte, Raleigh, and Greenville (SC) have utilized temporary ice rinks in their downtowns with great success. This special attraction and venue would be heavily promoted to encourage use and bring citizens to downtown. The Morgan Square location has convenient public parking in the Magnolia Street and Dunbar Street parking garages. Anticipated hours of operation would be 3 pm to 9 pm on weekdays. Weekend hours would tentatively be 12 noon to 10 pm. The cost to skate would be recommended at \$10 per person – which includes the cost of renting skates. It is expected that the facility would be available for corporate and private event rentals as well. It is expected that the ice rink would operate from mid-November to early January.

ACTION REQUESTED: While there remains some number issues and challenges to be resolved including equipment delivery schedule(s) and development of final written agreement(s), time is of the essence if the City and sponsor are to move forward with this project in 2012. Staff is seeking approval of a Resolution that confirms Council support for this initiative and authorizes management to proceed with final negotiations and then execute a sponsorship agreement for a downtown ice rink. If all final agreements can be executed, a formal announcement of the project would be made at the appropriate time.

BUDGET AND FINANCE DATA: City would be responsible for covering the costs of personnel to operate the facility and any public safety overtime expenses estimated at a maximum cost of \$25,000. Revenues from other sponsorships and ticket sales would be applied against cost expenditures. Staff is proposing that Broad Street Tax Increment Funding would be used to pay city personnel expenses.

A RESOLUTION

**TO APPROVE THE CITY TO NEGOTIATE
FINAL TERMS AND CONDITIONS OF A
SPONSORSHIP AGREEMENT FOR A 2012
HOLIDAY SEASON ICE RINK**

WHEREAS, a prospective private sponsor has tentatively agreed to pay the expenses associated with a 2012 Holiday Season Ice Rink (“Ice Rink”) on Morgan Square; and

WHEREAS, staff believes providing an Ice Rink on Morgan Square is an exceptional opportunity that would help activate Downtown and benefit City businesses; and

WHEREAS, the prospective sponsor has requested the City to agree to pay for direct city personnel expenses associated with the project estimated at \$25,000; and

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

Section 1. That City Council is supportive of this initiative and the City Manager is hereby authorized to pursue the development of a 2012 Holiday Ice Rink, negotiate the final terms and conditions of a sponsorship agreement for the Ice Rink, and sign agreements necessary to effectuate the Ice Rink project.

Section 2. City Council authorizes the provision of City staff necessary to operate the facility estimated at a cost of \$25,000 from Broad Street Tax Increment Financing funds.

Section 3. This Resolution shall become effective immediately upon its enactment.

DONE AND RATIFIED this _____ day of _____, 2012

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk



REQUEST FOR CITY COUNCIL ACTION

TO: Mayor and Members of City Council

FROM: Ed Memmott, City Manager

SUBJECT: Resolution to Approve Use of Broad Street Tax Increment District Financing Funds for West Main Street Improvement Project

DATE: August 8, 2012

BACKGROUND: Staff is recommending the use of \$130,000 in Broad Street Tax Increment Financing District Funds for streetscaping improvements for a portion of West Main Street. This project, while outside of Broad Street TIF district, is immediately adjacent to the boundaries of the district and is an eligible public improvement as defined in the TIF Redevelopment Plan. This action requires the approval of City Council.

ACTION REQUESTED: Approval of a Resolution approving use of Broad Street TIF funds for the West Main Street Improvement Project.

BUDGET AND FINANCE DATA: \$130,000 in Broad Street TIF

RESOLUTION

TO MAKE CERTAIN FINDINGS OF BENEFIT WITH RESPECT TO BROAD STREET REDEVELOPMENT PLAN AS ADOPTED BY ORDINANCE OF CITY COUNCIL ON APRIL 3, 1989, AND AS AMENDED ON DECEMBER 15, 1997.

WHEREAS, City Council of the City of Spartanburg, South Carolina (the "City"), adopted an ordinance on April 3, 1989, adopting the Broad Street Redevelopment Plan which was subsequently amended by an ordinance of the City Council on December 15, 1997; and

WHEREAS, City Council has determined that undertaking parks and park improvements in an area adjacent to the Broad Street Redevelopment Project Area would be of direct benefit to the Broad Street Redevelopment Project Area and an integral part of the plan and the park improvements within the municipal limits; and

WHEREAS, the bond ordinance adopted by City Council on June 12, 2000 states that the definition of "2000 Redevelopment Projects" includes any Redevelopment Projects provided under Title 31, Chapter 6, of the Code of Laws of South Carolina 1976, as amended, such being the Tax Increment Financing Law and permitted under the Broad Street Redevelopment Plan; and

WHEREAS, street and sidewalks constitute project improvements under the Broad Street Redevelopment Plan and a redevelopment project as defined in the Tax Increment Financing Law.

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

Section 1. City Council makes a finding that the West Main Street Improvement Project which is adjacent to the Broad Street Redevelopment Project area will benefit the Broad Street Redevelopment Project area.

Section 2. Proceeds of the Broad Street Redevelopment TIF Funds may be used for the purpose specified in Section 1 above.

Section 3. The Clerk shall provide written notice to the affected taxing districts of the adoption of this Resolution

Section 4. This Resolution shall become effective immediately upon its enactment.

DONE AND RATIFIED this _____ day of _____, 2012.

Junie L. White, Mayor

ATTEST:

Connie S. McIntyre, City Clerk

VII. A



REQUEST FOR COUNCIL ACTION

TO: Ed Memmott, City Manager
FROM: Tim Carter, Engineering Manager
SUBJECT: West Main and Lafayette Streetscaping Projects
DATE: August 13, 2012

BACKGROUND

Staff received competitive bids for streetscaping a portion of West Main and Lafayette Streets on August 7. The West Main Street project will include urban streetscaping (wider sidewalks, pedestrian lighting, additional trees, and reduction of travel lanes) from the West Main Street/Daniel Morgan Avenue intersection to the CSX rail crossing. Staff has discussed this project with Council and believes it would significantly enhance the appearance of West Main Street as an entrance to downtown. Improvements to Lafayette Street (Henry Street to Ribault Street) were included in the bid package as an add alternate bid of \$34,556 to take advantage of more competitive unit cost pricing. Staff is proposing to install wider sidewalks, new curb and gutter, and repaving on Lafayette Street. Staff believes these improvements will complement the YMCA project. The following bids (including the Lafayette Street add alternate) were submitted:

Raby Construction Company, LLC (Greenville, SC)	\$ 275,263.40
Sossamon Construction (Gaffney, SC)	\$ 277,132.00
Secor Construction Company, LLC (Anderson, SC)	\$ 296,522.20
Vaughn Curbing Company (Woodruff, SC)	\$ 302,313.85

Staff has reviewed the bids and the qualifications of each contractor and has determined that Raby Construction Company, LLC, 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 Raby Construction Company, LLC for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 140,000 - Spartanburg County Road Fee
\$ 130,000 - Broad Street TIF District
\$ 35,000 - Multi-county Park Infrastructure Funding

VII. B



REQUEST FOR COUNCIL ACTION

TO: City Councilmembers
FROM: Connie McIntyre, City Clerk
SUBJECT: City of Spartanburg Boards and Commissions Update
DATE: August 9, 2012

Listed below you will find an applicant for your consideration for the referenced board and/or commission. The application submitted by the applicant is attached.

Minority and Women Business Enterprise Program

Lakeidra Barber

1 vacancy remains

ACTION REQUESTED: City Council approval of the applicant.



Boards and Commissions Nominee Form

(Please print or type information)

BOARD/COMMITTEE: ~~Minorities~~ ~~Women~~ Minorities + women

CITY RESIDENT: YES NO

SEX: M F

RACE: African-American

NAME: Lakeidra Barber

ADDRESS: 128 Turning Leaf Circle, Boiling Springs SC, 29316
Street City, State, Zip Code

BUSINESS PHONE: 803 371-0892 HOME PHONE: EMAIL barberlsz@yahoo.com

OCCUPATION: ~~Landscaping~~ Landscaping Business / K-cutter's Affordable Landscaping

EMPLOYER: Lakeidra + Terrence

OTHER VOLUNTEER OR CIVIC ACTIVITIES: Family Healing Outreach
ministries youth leader.

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD?

Wanting to learn and be more hands on in community
~~work~~ by involving my Business

RECOMMENDED BY: Jackie wood

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES NO IF YES, PLEASE LIST:

6/26/12
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