



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, June 8, 2015  
5:30 p.m.**

**(These minutes were approved at the  
June 22, 2015 City Council meeting.)**

**City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Erica Brown, Councilmembers Jan Scalisi, Robert Reeder, Jerome Rice, and Laura Stille. Councilmember Sterling Anderson 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 with the help of two Boy Scouts in attendance.**
- III. Approval of the Minutes of the May 26, 2015 and June 1, 2015 City Council Meetings –**  
*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 June 8, 2015 City Council Meeting –**  
*Mayor pro tem Brown made a motion to amend the agenda by adding the words “Public Hearing” to Item VII. A. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.  
Councilmember Scalisi made a motion to approve the amended agenda. Councilmember Stille seconded the motion, which carried unanimously 6 to 0.*
- V. Public Comment**  
*\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk  
Zenobia Wade, 193 Briarcliff Rd., came forward to express concerns regarding overgrown grass, trees, and shrubs on the property next door to her house.*
- VI. FY14-15 Fraud Risk Assessment Report**  
**Presenter: James Kennedy, Budget & Accounting Director**  
**Mr. Kennedy presented the item to City Council as follows:**  
“At the upcoming Council meeting, we will present 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 2014 - 2015 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.

The attached report requires no Council action and it is presented for information only. However, we will welcome any questions you may have." (the document mentioned is available upon request)

*City Council received the report as information.*

## **VII. Ordinance – Public Hearing**

### **A. To Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2015 through June 30, 2016 (First Reading)**

**Presenter: James Kennedy, Budget & Accounting Director**

**Chris Story, Assistant City Manager**

**Ed Memmott, City Manager**

**Mr. Story** presented the item to City 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 budget workshops on 05/11/2015, 05/26/2015, 06/01/2015. During that time, discussions were held concerning General Fund revenues, proposed personnel cost changes, and other inflationary expenditure increases. The recommended FY 2015 – 2016 budget is reflective of management's efforts to meet long term funding obligations.

The FY 2015 – 2016 budget includes the following:

- No change to the current millage rate
- 4% projected increase in General Fund revenues
- 2.0% employee cost-of-living pay increase

- Acquisition of 85 Tasers for police \$30,000
- Approx. \$60,504 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 FY2014

ACTION REQUESTED: Adoption of an Ordinance to approve the operating budget for fiscal year July 1, 2015 – June 30, 2016.”

*Mayor White opened the public hearing. He asked if there was anyone to speak in favor of or in opposition to the proposed budget.*

**Monier Abusaft** came forward questioning one bid for body cameras and Tasers. He also questioned the priorities of distribution of discretionary funds compared to the priorities of the black community.

**Dr. Bill Bledsoe** came forward with a proposed ordinance for a procurement process.

**Linda Dogan** came forward to ask that councilmembers look after their districts. She asked that Hub-Bub be negated from any funding because it was time for them to stand on their own. She reminded council that there was a need for a new TK Gregg center and told them she would not forget about it.

*Councilmember Reeder made a motion to close the public hearing.*

*Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.*

**Councilmember Reeder** asked if there was only one bid on the cameras and Tasers. Mr. Story explained that there were no bids at present because they had not put the cameras and Tasers out for bid since council had not appropriated funds to do so. He added that the numbers council had been given relating to Tasers and body cameras were to inform budget discussions, not to purchase anything. He reiterated that there was a separate process for procurement that would have to be followed when the funds were identified and appropriated by Council.

**Councilmember Scalisi** asked Mr. Story to speak to the efforts in Columbia for the body cameras. He responded that staff presumed the governor would sign the legislation that passed the general assembly this year, which provides a mechanism for local governments to be funded by the state for the purchase of body cameras. Staff has recommended to council that the city pursue utilizing state funds, which, from what staff understands, will be a process that will play out over the coming state fiscal year, but there are funds appropriated, presuming the governor signs legislation that would provide a route for us to be granted funds to purchase the body worn cameras.

**Councilmember Reeder** asked that if the governor did not sign the legislation, could the city have an action plan to move forward with the body cameras.

**Mr. Memmott** explained that there were two potential funding sources, one being the state and one being federal funding. In the event that neither of those options develops for the city, staff would return to council with options to implement the purchase of Tasers and body cameras. It would require a budget amendment in which staff would identify options for council to cut, make reductions in the

existing budget or to fund with a onetime transfer from the fund balance the amount sufficient to purchase body cameras for the first year, recognizing that the recurring expenses in subsequent years would be at the top of the list of items that would have to go into the budget the following year. He stated that there would be an option for a backup plan in the event of no state or federal funding. He added that if staff could find a way, staff would do the due diligence, preparations, and specifications for the procurement process anticipating that there would be a funding source and doing everything staff could in advance to make sure our procurement process complied with the funding source. He added that staff would be as ready as they could, with the anticipation that the governor would sign the legislation.

**Councilmember Reeder** asked if Mr. Memmott was saying that there was no way council could look at having the body cameras in the proposed budget. Mr. Memmott responded that he was suggesting that if council amended the proposed budget now to include the body cameras, in order to balance the budget, they would have to either cut planned expenses or fund the first year's body cameras expense from the general fund balance. He reiterated that he could not tell council until the close out of the FY15 exactly where the fund balance would be. He stated that that generally took until the end of August to obtain.

**Councilmember Reeder** asked if Chief Thompson was fine with the Tasers versus the body cameras.

**Chief Thompson** came forward and stated that in the best case scenario he would prefer both, but with the budget constraints, he would prefer Tasers because Tasers save lives and reduce injuries for officers and citizens.

**Mayor pro tem Brown** asked if the Mary Black Foundation grant for law enforcement could be used to fund the first year expenses for the body cameras.

**Mr. Memmott** stated that staff had to request the funds and that he did not anticipate any problems with the funds being used for that purpose. He added that the gap in funding would have to come from the city budget.

**Mayor White** stated that he thought the police department needed both and that staff would need to find some funds for them. He added that there was an outcry for both and that it was not going to go away.

**Councilmember Stille** added that as a clarification of part of what she had read about the state bill was that there would be some standardization as to the handling of the storage and release of the data collected by the cameras and that to her was appealing that there would be some standardization across the state as to how that information would be released in a court of law or to the victim's family or used by the police.

**Councilmember Reeder** asked if the Mayor was saying by second reading council needed to have a budget showing purchase...**Mayor White** interjected either council would have to cut or eliminate, but council needed a budget that included cameras and Tasers because it was not going to go away. He looked to Mr. Memmott for a response.

**Mr. Memmott** recapped that it was his understanding that Council wanted a backup plan, in the event of no state funding for body cameras, by second reading

of the budget ordinance, to include funding for 85 Tasers and 85 body cameras for the police department.

**Mr. Memmott** asked for a motion from Council to amend the budget with recommended cuts across the budget to achieve the funding necessary for Tasers and body cameras, or Council always had the option of funding them from the fund balance.

**Councilmember Rice** asked for clarification that the request was for 85 Tasers and 85 body cameras.

**Mr. Memmott** replied that was not yet clarified by council and that the current proposed budget included 85 Tasers for patrol and traffic officers only, not all sworn police personnel. He suggested that council propose 85 Tasers and 85 body cameras.

**Councilmember Rice** asked for clarification that the recommendation for an amendment to the budget was only if the state and federal government approved funding of the body cameras.

**Mr. Memmott** stated that from a management level, if the state came through, he would put a “collar” on the funds to make sure they were spent only on Tasers and body cameras. He stated that staff would come back to council for direction on where the funds in the amended budget for Tasers and body cameras would be spent. He added that they could be put back in the general fund.

**Mayor White** stated the funds should be put back where they came from.

**Councilmember Reeder** made a motion that staff “redirect the budget to reflect the cost of the 85 body cameras and 85 Tasers before the second reading for us to look at”. **Councilmember Rice** seconded the motion, which carried unanimously 6 to 0.

**Mr. Story** advised that council needed to move forward with first reading of the budget and if there were other amendments to other aspects of the budget that council would like to entertain that night they should do so.

**Mayor White** stated that he needed a motion to approve the budget as amended on first reading.

**Councilmember Stille** stated that she was on the board of Partners for Active Living that would be receiving \$21,000 of the hospitality tax funding for Bike Town and ArtCycle. She recused herself and left council chambers.

**Councilmember Scalisi** made a motion to approve the recommendation for Hospitality Tax for Partners for Active in the amount of \$21,000 for FY16 on first reading. Mayor pro tem Brown seconded the motion, which carried unanimously 5 to 0.

**Mayor White** made a motion that council approve “everything else in the budget except PAL on first reading.” **Councilmember Scalisi** seconded the motion, which carried unanimously 6 to 0.

- B. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2015 – 2016 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 2015 – 2016 and to Provide Penalties**

**for the Delinquent Payment of Taxes Levied and Provided For (First Reading)**

**Presenter: James Kennedy, Budget & Accounting Director**

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

“The purpose of this Ordinance is to establish the property tax millage rate for the City of Spartanburg for FY 2015 – 2016. The current year’s millage is 105.0. This proposed millage Ordinance includes no change in the current millage rate of 105.0 mils.

ACTION REQUESTED: Adoption of an Ordinance to approve the millage for fiscal year July 1, 2015 – June 30, 2016.”

*Mayor pro tem Brown made a motion to approve the millage mortgage as presented on first reading. Councilmember Stille seconded the motion, which carried unanimously 6 to 0.*

**VIII. Consent Agenda**

- A. Ordinance Accepting the Property Owned by Bright-Meyers Cedar Springs, LLC, and Being Located at 203 and 205 Cedar Springs Road, and that Portion of Cedar Springs Road and Southport Road Abutting Said Property, and is Further Identified on Spartanburg County Tax Map as 7-17-15-025.00 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 (Second Reading)**

**Presenter: Chris Story, Assistant City Manager**

*Councilmember Reeder made a motion to approve the consent agenda as received. Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.*

**IX. City Council Updates**

**Councilmember Scalisi** stated that she was delighted to see council and community support in favor of Tasers and body cameras for the city police officers. She thanked staff for their work on the budget.

She mentioned that she was glad to see work beginning on the Sparkle City Mini-Putt Putt.

**Councilmember Stille** mentioned the bear sighting in Converse Heights.

She commended staff for their work on the budget. She stated that Council needs to find new ways to generate revenue for the city.

She mentioned that she was happy to see the new restaurant “Select” opened just off the MB Rail Trail.

**Councilmember Rice** reminded everyone of the groundbreaking at 10:00 a.m. the following morning for the Highland Crossing development.

He offered condolences to family and friends of Stewart Elliott, a long time educator and statistician with School District 7 who recently passed.

**Councilmember Reeder** shared that the Mt. Moriah Health Fair was a great success. He thanked the many partners who were a part of the event.

He also expressed appreciation of the support of the community for Tasers and body cameras for the city police officers.

**Mayor pro tem Brown** thanked everyone for their support and comments regarding body cameras and Tasers for city police officers.

She expressed appreciation to staff for their work on the budget.

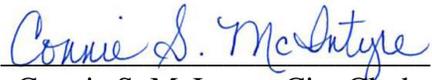
She reminded everyone of the farmer's market on Saturdays at Harvest Park and on Wednesdays on Wall Street.

She mentioned the \$30,000 Arts Grant for 4 Artlets on the Northside.

**Mayor White** thanked everyone for attending the council meeting and showing interest in what was going on in the city.

**X. Adjournment –**

*Councilmember Reeder made a motion to adjourn the meeting. Mayor pro tem Brown seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 6:40 p.m.*



Connie S. McIntyre, City Clerk