



# **CITY OF SPARTANBURG**

SOUTH CAROLINA

## **CITY COUNCIL AGENDA**

**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, July 8, 2013**

**I. Moment of Silence**

**II. Pledge of Allegiance**

**III. Approval of Minutes of the June 24, 2013 City Council Meeting**

**IV. Approval of Agenda of the July 8, 2013 City Council Meeting**

**V. Public Comment**

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

**VI. Ordinance**

- A. Accepting the Property Owned by Steven R. Thompson, and Being Located at 149 Phifer Drive, and that Portion of Phifer 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-6, General Residential Upon Annexation. Designating the Same Property as a Part and Parcel of the Beaumont Village Local Historic District Upon Annexation (First Reading)**

**Presenter: Joshua T. Henderson, Planning Coordinator**

**VII. Resolution**

- A. Authorizing the City Manager to Execute a Quit Claim Deed for a Small Portion of Excess Right-of-Way Located on the Southwest Corner of the Magnolia Street and Saint John Street Intersection**

**Presenter: Ed Memmott, City Manager**

**VIII. Other Business**

- A. Discussion of Various Downtown Street Enhancement Projects**

**Presenters: Ed Memmott, City Manager**

**Chris Story, Assistant City Manager**

**B. Boards and Commissions**  
**Presenter: Connie McIntyre, City Clerk**

**IX. City Council Updates**

**X. 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, June 24, 2013**

**(These minutes are subject to approval at the  
July 8, 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, W. Sterling Anderson II, Robert Reeder, 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 - recited**
- III. Approval of Minutes of the June 10, 2013 City Council Meeting –**  
*Councilmember Dogan made a motion to approve the minutes as received. Councilmember Anderson seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of Agenda of the June 24, 2013 City Council Meeting –**  
*Councilmember Ryba made a motion to approve the agenda as received. Mayor pro tem Rice seconded the motion, which carried unanimously 7 to 0.*
- V. Public Comment - none**  
\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Special Presentation of Proclamation Declaring “Carolina Day”**  
**Presenter: Mayor Junie White**  
*Mayor White presented the proclamation to Daniel Morgan Chapter of the Sons of the American Revolution.*
- VII. Resolution**
  - A. Directing the Abandonment of an Unopened Right-of-Way in the City of Spartanburg, Being the Unopened Right-of-Way Located South of the Property at 1029 W. O. Ezell Boulevard**  
**Presenter: Joshua T. Henderson, Planning Coordinator**

**Assistant City Manager Chris Story** presented the item to City Council as follows: “Staff has received a request from Charles Drummond Cox to abandon an unopened right-of-way located south of his property at 1029 W. O. Ezell Boulevard. Mr. Cox owns the two lots both north and south of the unopened right-of-way, and would like to be deeded the unopened right-of-way which will then become part of his property. A Public Notice concerning this request appeared in the Spartanburg Herald-Journal on June 9, 2013. Letters to all property owners within 400 feet of the proposed property were sent on June 10, 2013.

The City’s engineering, public works, and public safety departments, as well as, Spartanburg Water were contacted to determine the impact of the proposed unopened right-of-way abandonment on services each department provides to the surrounding areas, and they had no objections to the request.

Staff is requesting City Council approval of the requested unopened Right-of-Way Abandonment on the desired portion of 1029 W. O. Ezell Boulevard by Resolution.”

*Councilmember Anderson made a motion to approve the resolution as requested.*

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

**VIII. Ordinances**

**A. Ordinance to Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2013 Through June 30, 2014 (Second Reading)**

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

**James Kennedy, Budget and Accounting Director**

*Councilmember Ryba made a motion to approve the budget on second reading with the exception of the hospitality tax portion. She recused herself from voting on that portion as the organization she worked for benefited from those grants. Mayor pro Rice seconded the motion, which carried unanimously 7 to 0.*

*Councilmember Ryba left the room.*

*Councilmember Dogan made a motion to approve the hospitality tax portion of the budget on second reading. Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.*

*Councilmember Ryba returned to Council Chambers.*

**B. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2013 – 2014 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 2013 – 2014 Based on Estimated Assessment Values and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided For (Second Reading)**

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

*Councilmember Dogan made a motion to approve the ordinance as presented on second reading. Councilmember Ryba seconded the motion, which carried unanimously 7 to 0.*

**IX. Other Business**

**A. Schuyler Building – Special Assessment for Rehabilitated Historic Property**

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

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

“For several months city staff has been working with the new owner of the 88 unit Schuyler apartment building located at 275 S. Church Street to ensure that the property undergoes a high quality renovation. We believe this project can provide a significant boost to downtown development and provide a new desirable residential option in downtown. At the upcoming Council meeting, the project owner and developer, Pace Burt, will describe the project and his plans for the building.

The project is eligible to be considered for a Special Assessment for Rehabilitated Historic Property as described in state code. After a thorough review of project finances and renovation plans, we believe such special assessment is a necessary and appropriate financial incentive to facilitate this project.

We recommend that City Council vote to authorize the City Manager to take necessary actions to designate the property for a Special Assessment for Rehabilitated Historic Property for a minimum of five years and establish by agreement the conditions that would allow the special assessment to be extended to a total of ten years.”

Mr. Burt came forward and presented his thoughts on the project.

*After discussion, Councilmember Reeder made a motion to grant the authorization as requested. Councilmember Anderson seconded the motion, which carried unanimously 7 to 0.*

**B. Consideration of Extension of Municipal Judge Employment Contract**

**Presenter: Mayor Junie White**

**Mayor White** stated that the committee – he, Councilmember Ryba, and Mayor pro tem Rice - had met with Municipal Judge Erika McJimpsey for her annual review. He stated that the consensus was that Judge McJimpsey had done a great job, that she was consistent in handling cases, that she works forty plus hours a week, and that she was always prepared and professional.

*Councilmember Dogan made a motion to extend Municipal Judge Erika McJimpsey’s contract for two years and include a \$4,000 raise. Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.*

**X. City Council Updates –**

*Councilmember Ryba shared that she was excited with all that was happening in downtown with over 15 new businesses opened or opening in the next year.*

*Councilmember Reeder expressed excitement regarding the Schuyler Building project. He shared that on June 8 the City Express Lane Track Team, coached by Mayor pro tem Rice’s wife, Shea, came in second at the Brian Wofford Invitational.*

*Councilmember Rice mentioned the 29<sup>th</sup> Cammie Claggett Summer Celebration in Highlands on Saturday at 11:00 a.m. He shared that the event was co-sponsored by Mt. Moriah and Macedonia churches.*

*Mayor White welcomed Pace Burt to the City, and thanked everyone for coming to the meeting.*

**XI. Adjournment -**

*Councilmember Ryba made a motion to adjourn the meeting. Councilmember Dogan seconded the motion, which carried unanimously 7 to 0 and the meeting adjourned at 5:55 p.m.*

A handwritten signature in cursive script that reads "Connie S. McIntyre". The signature is written in black ink and is positioned above a horizontal line.

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 Steven R. Thompson, and being located at 149 Phifer Drive, and that portion of Phifer 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-6, General Residential upon Annexation. Designating the same property as a part and parcel of the Beaumont Village Local Historic District upon annexation.

**DATE:** July 8, 2013

### **BACKGROUND:**

Staff received a request from Steven R. Thompson, owner of 149 Phifer Drive for annexation of the property into the City of Spartanburg. This parcel is located in Beaumont Village and is contiguous to properties already located in the City of Spartanburg's Beaumont Village Local Historic District. Since the parcel is contiguous to the City limits the property owner has submitted an annexation petition under the 100 percent Petition and Ordinance method. The parcel will also become a part of the Historic District.

Since the zoning designation for the contiguous parcels is R-6, General Residential; Staff is requesting Council to designate the parcel as R-6.

### **ACTION REQUESTED:**

Staff recommends that the City Council take the following actions:

- a) Approve the annexation of 149 Phifer Drive (TMS7-08-16-020.00).
- b) Designate the zoning for this property as R-6 (General Residential) upon annexation.
- c) Designate the annexed property as a part and parcel of the Beaumont Village Local Historic District.

### **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 STEVEN R. THOMPSON, AND BEING LOCATED AT 149 PHIFER DRIVE, AND THAT PORTION OF PHIFER DRIVE ABUTTING SAID PROPERTY, AND IS FURTHER IDENTIFIED ON SPARTANBURG COUNTY TAX MAP AS 7-08-16-020.00 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. DESIGNATING THE SAME ANNEXED PROPERTY AS A PART AND PARCEL OF THE BEAUMONT VILLAGE LOCAL HISTORIC DISTRICT.**

WHEREAS, heretofore, the City of Spartanburg, on June 4, 2013, received a Petition, filed by Steven R. Thompson, Owner, 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 said property is contiguous to the Beaumont Village Local Historic District; 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 Steven R. Thompson, dated June 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. Since the property is a part of the Beaumont Mill Village and is contiguous to the Beaumont Village Local Historic District, the property is also designated as a part and parcel of the Beaumont Village Local Historic District.

Section 3: That said property is described as follows:

All that certain piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Spartanburg, being shown and designated as Lot No. 26, as shown on plat of Beaumont Mill Village and recorded in Plat Book 30, Page 452, RMS Office for Spartanburg County, S.C. For a more complete and particular description, reference is hereby made to the above referred to plat and record thereof.

This being the same property conveyed to Bobby Dean Simmons and Susana F. Simmons by deed of James N. Poteat dated January 2, 1992 and recorded in Deed Book 58-K, Page 703, RMC Office for Spartanburg County, S.C.

(continued)

The above described property is conveyed subject to the Restrictive Covenants as recorded in Deed Book 29-H, Page 342, RMC Office for Spartanburg County, S.C.

The County Block Map Number of the above tract of land is 7-08-16-020.00.

Section 4: That upon annexation, the property shall be zoned as Zone R-6 (General 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)

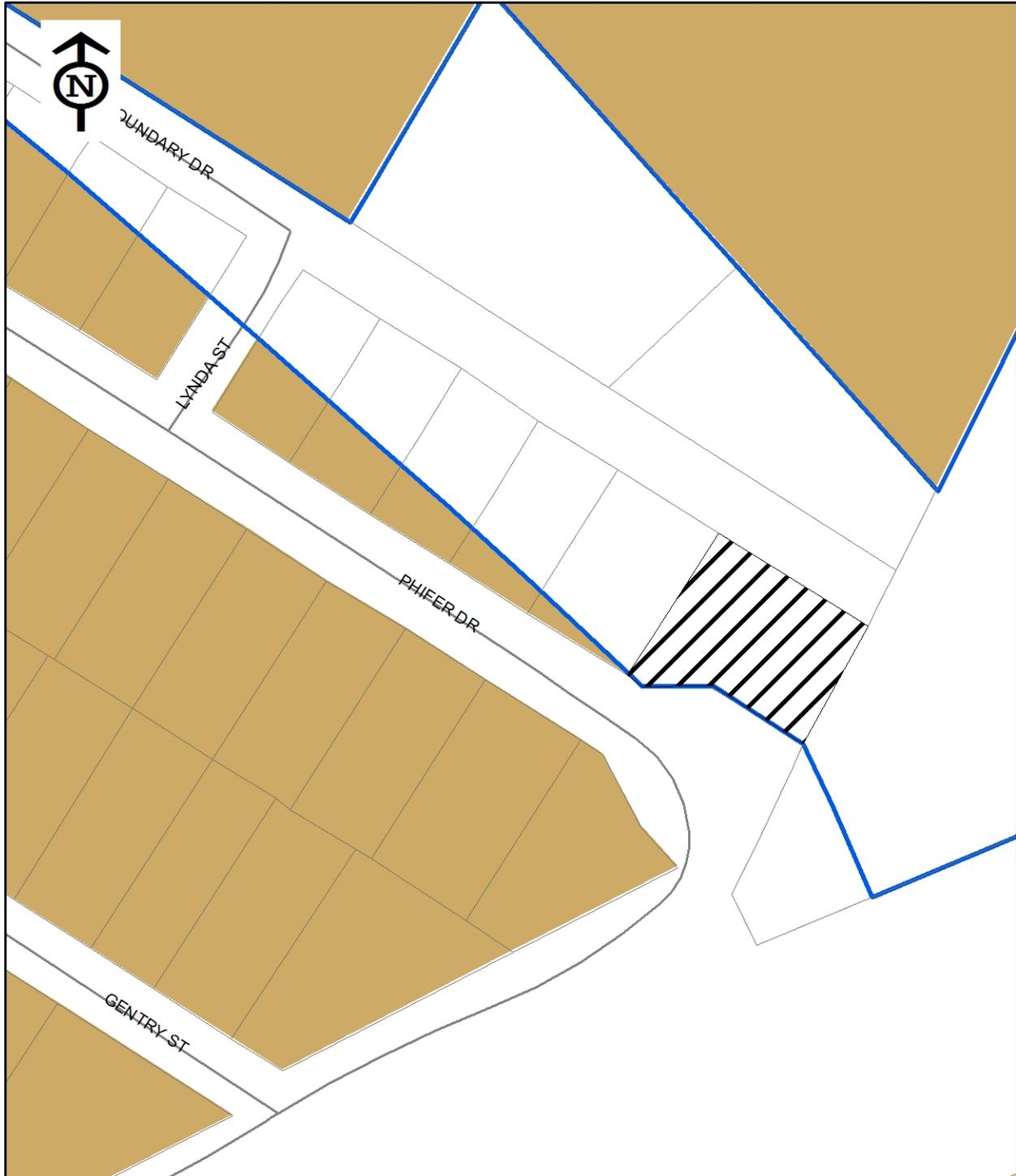
# Location Map

## 149 Phifer Dr.

Planning Department  
596-2068

Annexation Meeting: July 8, 2013  
 Time: 5:30 PM  
 Location: City Council Chambers  
 145 W. Broad St.

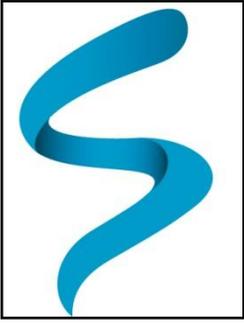
0 25 50 75 100  
 Feet



-  Proposed property under consideration
-  Proposed Zoning upon Annexation - R-6, General Residential District
-  Property will fall under the Beaumont Village Local Historical District upon annexation
-  Properties currently in the City
-  Zoning - R-6, General Residential District

City of Spartanburg  
 Planning Department  
 J. Henderson 6-20-13





## REQUEST FOR COUNCIL ACTION

**TO:** Mayor and Members of City Council

**FROM:** Ed Memmott, City Manager

**SUBJECT:** Remnant Portion of Right-of-Way near Intersection of Saint John and Magnolia Streets

**DATE:** July 3, 2013

### BACKGROUND

The building and property located at 156 Magnolia Street was recently sold to Spring and Magnolia, LLC. The Subway restaurant is located on the first floor of this building. While it is expected that the Subway will remain as a tenant at this location, the second floor is being remodeled and will be leased to Pure Barre. Pure Barre is a personal fitness business that utilizes the ballet barre method of physical training. Pure Barre operates a network of 100 franchise locations in 29 states. Pure Barre corporate headquarters is located in the One Morgan Square Building. The second floor of the Magnolia Street building will serve as a training facility for Pure Barre. Staff believes the development of this “store front” corporate studio is a very positive occurrence for downtown.

In consultation with representatives of Pure Barre, staff has determined that the City may have a limited right-of-way interest in a small section of property located on the southwest corner of the Saint John Street and Magnolia Street intersection. In researching this matter, staff believes that this land is a remnant parcel dating back to the widening of Saint John Street and abandonment of a street identified as Wofford Street on old plats. The property has been used as private parking for years for the building located at 156 Magnolia Street. The area of land is identified on the attachment.

Given this positive downtown development with Pure Barre, staff believes it is an opportune time to “clean-up” any ownership issues associated with this strip of property and remove any liability and maintenance obligations for the City. Staff is recommending that the City relinquish any ownership interest it may have in this parcel.

### ACTION REQUESTED:

Approve a Resolution authorizing the City Manager to sign a quitclaim deed for the property.

**BUDGET AND FINANCE DATA:** N/A

**A RESOLUTION**

TO APPROVE THE TRANSFER OF A SMALL PARCEL OF REAL ESTATE LOCATED NEAR THE SOUTHWEST CORNER OF THE INTERSECTION OF MAGNOLIA AND SAINT JOHN STREETS TO SPRING AND MAGNOLIA, LLC

WHEREAS, in conducting its duties and responsibilities to provide for road improvements and other public needs, the City may acquire an interest in various rights-of-way and public easements; and

WHEREAS, from time-to-time it is possible for the City to determine that it has no ongoing or future need for a certain area or portion of a right-of-way; and

WHEREAS, the City may determine that it is in the best interest of the City to relinquish its rights associated with a particular right-of-way.

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

Section 1. The City Manager is authorized to execute a quitclaim deed for a portion of right-of-way located near the southwest corner of the Saint John and Magnolia Street intersection.

Section 2. This Resolution shall become effective immediately upon its enactment.

DONE AND RATIFIED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Junie L. White, Mayor.

ATTEST:

\_\_\_\_\_  
Connie S. McIntyre, City Clerk.



7-12-17-014.00

7-12-17-001.00

W SAINT JOHN ST

Abandon Right of Way

7-12-17-017.00

Sidewalk

MAGNOLIA ST

7-12-17-002.00

7-12-17-003.00

7-12-17-004.00

7-12-17-005.00

N SPRING ST

7-12-20-001.00

7-12-17-019.00

7-12-17-018.00

7-12-10-065.00

**Legend**

-  Abandon Right of Way
-  Property Lines

7-12-20-002.00

7-12-20-057.00





## MEMORANDUM

**TO:** Mayor and Members of City Council

**FROM:** Ed Memmott, City Manager

**SUBJECT:** Discussion of Various Downtown Street Enhancement Projects

**DATE:** July 3, 2013

Staff would like to start discussions with City Council concerning possible downtown streetscape projects that would be funded with Tax Increment Financing District funds. Staff will not be seeking any specific action from Council at the July 8 meeting but will brief Council on various options with the intent of developing a specific schedule of improvements.





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager

**FROM:** Connie McIntyre, City Clerk

**SUBJECT:** Annual Review of Vacancies/Reappointments on City of Spartanburg Boards and Commissions

**DATE:** July 3, 2013

**BACKGROUND:** City Council annually reviews term expirations of individuals who are appointed by Council to serve on City of Spartanburg Boards and Commissions.

**ACTION REQUESTED:** Staff requests that City Council review the applicants below and consider appointment and/or reappointment:

**Board of Architectural Design and Historic Review (HARB)**

Michael Chewning is willing to serve another term

Dr. Phillip Stone is willing to serve another term

**Bicycle and Pedestrian Committee**

Monique Watson is willing to serve another term

**Construction Board of Adjustments and Appeals**

Bobby L. Black is willing to serve another term

Royce Camp is willing to serve another term

Joseph L. Crissinger is willing to serve another term

Paul Desmond is willing to serve another term

**Public Safety**

James Chambers III (application attached)

**Planning Commission**

Due to multiple applicants interviews will be scheduled in the next week.



**CITY OF  
SPARTANBURG**  
SOUTH CAROLINA

**Boards and Commissions Nominee Form**

(Please print or type information)

BOARD/COMMITTEE: Public Safety Committee

CITY RESIDENT: YES  NO

SEX  M  F

RACE: African-American

NAME: James L. Chambers, III

ADDRESS: 203 Quartermaster Road Spartanburg, SC 29301-1311  
Street City, State, Zip Code

BUSINESS PHONE: - HOME PHONE: <sup>(cell)</sup> 494-9867 EMAIL -

OCCUPATION: Retired from Spartanburg County School District Seven

EMPLOYER: -

OTHER VOLUNTEER OR CIVIC ACTIVITIES: None at this time. I have served on the SADAC Board.

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? To help develop and support programs of the Public Safety Department.

RECOMMENDED BY: Mrs. Florence Kennedy

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES  NO  IF YES, PLEASE LIST: -

February 13, 2013  
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