



# **CITY OF SPARTANBURG**

SOUTH CAROLINA

## **CITY COUNCIL AGENDA**

**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, August 12, 2013  
5:30 p.m.**

**I. Moment of Silence**

**II. Pledge of Allegiance**

**III. Approval of Minutes of the July 22, 2013 City Council Meeting**

**IV. Approval of Agenda of the August 12, 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. Authorizing the sale of TMS 7-12-05-266.00 and TMS 7-12-05-267.00 to the Northside Development Corporation for the Development of the Healthy Food Hub (Second Reading)**

**Presenter: Ed Memmott, City Manager**

**VII. Resolution**

**A. Approving the Purchase from Northside Development Corporation of Seven Vacant Parcels on Folsom Street and Howard Street**

**Presenter: Mitch Kennedy, Community Services Director**

**VIII. Other Business**

**A. Award of Contract for Installation of Emergency Generator for City Hall**

**Presenter: David Cook, Construction Project 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, July 22, 2013  
4:30 p.m.**

**(These minutes are subject to approval at the  
August 12, 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 July 8, 2013 City Council Meeting –**  
*Councilmember Dogan made a motion to approve the minutes as received. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of Agenda of the July 22, 2013 City Council Meeting –**  
*Councilmember Reeder made a motion to approve the agenda as received. Councilmember Ryba 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. Recognition of Retiring Public Safety Director Tony Fisher**  
**Presenter: Mayor Junie White**  
**Mayor White** presented Director Fisher with a retirement plaque and thanked him for his many years of dedicated service to the City. Director Fisher was honored with a retirement reception in the Barrett Room at the Public Library immediately following the meeting.
- VII. Proclamation for “National Night Out in Spartanburg”**  
**Presenter: Mayor Junie White**  
**Mayor White** presented the proclamation to Phillip Stone, a representative of the

Citizens Advisory Council. Several representatives of the City's Neighborhood Associations were also present for the presentation. National Night Out will be held on Tuesday, August 6, 2013.

**VIII. Resolution and Declaration**

**A. Directing the Abandonment of a Portion of a Street in the City of Spartanburg, Being the Northern-Most Portion of Oakdale Court that Dead-Ends at South Daniel Morgan Avenue. This Will Also Abandon a Portion of the Existing Right-of-Way Terminating at the End of the Street**

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

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

“Staff has received a request by Bill Bailey to close a section of Oakdale Ct. that dead-ends into S. Daniel Morgan Avenue. The section that is being proposed is surrounded by properties that are owned by Mr. Bailey on either side of the road and a small property that is owned by SCDOT. Mr. Bailey has stated that individuals congregate at this end of the street on a regular basis and he would like to try to prevent any unnecessary activity from occurring at that end of the street.

A Public Notice concerning this site appeared in the Spartanburg Herald-Journal on July 7, 2013. Letters to all property owners within 400 feet of the subject street were sent on July 5, 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 street abandonment on services each department provides to the surrounding areas, and they had no objections to the request once revised and a blanket easement was submitted for the utility lines in the street.

*Additional Information:* Site Map; Declaration of Street Abandonment; and a Resolution.

**ACTION REQUESTED:** That City Council approves the requested Street Abandonment of the desired portion of Oakdale Ct. and additional right-of-way by Resolution.”

*After discussion, Mayor pro tem Rice made a motion to approve the resolution and declaration as presented. Councilmember Dogan seconded the motion, which carried unanimously 7 to 0.*

**IX . Update on Northside Initiative**

**Presenters: Bill Barnet, Chairman, Northside Development Corporation**  
**Curt McPhail, Northside Development Corporation**

**Mr. Barnet** shared that the Northside Development Corporation had raised in excess of 3 million in either private donated funds or money lent on very positive terms so that the corporation could buy property and control the assets of the Northside in hopes that the will of the city and the partners could be accomplished in a very challenged and forgotten area. He asked everyone's patience as this project would be a journey of 5 to 10 years with no quick fixes.

**Mr. McPhail** brought Council up to date on the transformative redevelopment of the area stating that every effort was being made to engage the community and its residents toward the success of the project. He mentioned that the project was creating a community of choice and invited Council to visit the area often to view the progress.

*Council received the report as information.*

**X. Resolution**

**A. Authorizing the Reallocation of \$250,000 in HOME Funds for Infrastructure Improvements Associated with the “Brawley Street Project”**

**Presenter: Mitch Kennedy, Director, Community Services**

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

“In September of 2012, Council approved an Ordinance allowing the City to enter into a Memorandum of Understanding with Spartanburg Housing Authority (SHA) for the development of housing on Brawley Street. Council is aware that the “Brawley Street Project” is an early effort to comprehensively redevelopment the Northside.

Through this project, in-fill construction of 12 affordable housing units will be developed by SHA. Staff has approved the design and is very pleased with the plans for the project. In assessing the condition of the sanitary sewer system serving this section of the Northside and the condition of paving, sidewalks, and street lighting on Brawley Street, staff is recommending to proceed infrastructure improvements to serve this area. These improvements will include:

- Installation of a new sanitary sewer collection line to serve a portion of Brawley and Forest Streets
- Construction of a new alley to allow rear access and complement the urban design
- Reconstruction of new sidewalks, curb, and gutter (portion of Brawley)
- Street Repaving (portion of Brawley)

The \$250,000 was previously budgeted for the Midtowne Heights Project that is on hold until further plans are decided.

**ACTION REQUESTED:** Approval of a Resolution to allow the reallocation of \$250,000 in HOME Funds for infrastructure improvements associated with the “Brawley Street Project”.

**BUDGET & FINANCIAL DATA:** HOME Funds.”

*After discussion, Councilmember Dogan made a motion to approve the resolution as presented. Mayor pro tem Rice seconded the motion, which carried unanimously 7 to 0.*

**B. Approving Various Actions Associated with the Development of the Healthy Food Hub**

**Presenter: Ed Memmott, City Manager**

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

“Earlier this year, Council authorized a development agreement for the Healthy Food Hub. At the time of this request, staff felt it was appropriate to get Council’s early approval of the project based on our best projections of costs, funding sources, and agreements with various project partners. As planning has moved forward, it has been necessary to rework certain aspects of the project. Staff is happy to report that it now believes the project is ready to move to the construction phase. Prior to taking that step, I am requesting Council approval of a Resolution that will authorize execution of an Amended and Restated Development Agreement. Additionally, the Resolution would authorize staff to negotiate and sign an agreement with the owner of property

which is adjacent to the Food Hub to provide for a construction easement, lease of land for overflow parking, and a joint study of a master storm water detention facility to serve multiple nearby sites. The Resolution would also authorize the transfer of \$140,000 of funds which were tentatively budgeted for the Food Hub to be used for Northside land acquisition.

Development costs for the Food Hub will total approximately \$1.6 million. The City's principal role in the project will be construction management. City staff will provide inspection services and coordinate contractor payment for the project. The Northside Development Corporation and Butterfly Foundation have jointly arranged for project financing and will own various improvements for the project. Curt McPhail (Northside Development Corporation) and I will provide a full review of the project plans and funding at the Council meeting.

**ACTION REQUESTED:** Approve a Resolution authorizing certain actions associated with the Healthy Food Hub.

**BUDGET AND FINANCE DATA:** Authorize reallocation of \$140,000 in CDBG funding from Food Hub to Northside Land Acquisition”

*After discussion, Councilmember Dogan made a motion to approve the resolution as requested. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.*

## **XI. Ordinance**

### **A. Authorizing the Sale of TMS 7-12-05-266.00 to the Northside Development Corporation for the Development of the Healthy Food Hub**

**Presenter: Ed Memmott, City Manager**

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

“Staff is requesting authority to sell TMS 7-12-05-266.00 to the Northside Development Corporation for \$10. This parcel will be used as part of the Healthy Food Hub project site.”

**ACTION REQUESTED:** First reading approval of Ordinance authorizing the sale of TMS 7-12-05-266.00.

**BUDGET AND FINANCE DATA:** \$10.00.”

Mr. Memmott mentioned that there would be another parcel added to the ordinance before second reading due to a last minute addition.

*After discussion, Councilmember Dogan made a motion to approve the ordinance as presented on first reading. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.*

## **XII. Consent Agenda**

### **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 (Second Reading)**

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

*Councilmember Dogan made a motion to approve the consent agenda as presented.  
Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.*

**XIII. City Council Updates - none**

**XIV. Adjournment –**

*Councilmember Dogan made a motion to adjourn the meeting. Mayor pro tem Rice seconded the motion, which carried unanimously 7 to 0, and the meeting adjourned at 5:35 p.m.*



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Connie S. McIntyre, City Clerk



**AN ORDINANCE**

**AUTHORIZING THE SALE OF TMS 7-12-05-266.00 AND TMS 7-12-05-267.00 TO THE NORTHSIDE DEVELOPMENT CORPORATION FOR THE DEVELOPMENT OF THE HEALTHY FOOD HUB**

WHEREAS, the City of Spartanburg (the "City") is supportive partner of the Northside Initiative, seeks to facilitate job creation, improve citizen access to healthy foods; and

WHEREAS, the City, the Northside Development Corporation, the Butterfly Foundation and multiple other partners have worked collaboratively to develop the Healthy Food Hub (the "Project") on the City's Northside; and

WHEREAS, the City is owner of TMS 7-12-05-266.00 and TMS 7-12-05-267.00 that will be incorporated into the Food Hub project site.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND MEMBERS OF COUNCIL OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. The City hereby approves the sale of TMS 7-12-05-266.00 and TMS 7-12-05-267.00 to the Northside Development Corporation for \$10.

Section 2. The City Manager is authorized to execute documents necessary to accomplish this property transaction.

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK.

APPROVED AS TO FORM: \_\_\_\_\_ 1<sup>ST</sup> Reading

\_\_\_\_\_  
CITY ATTORNEY \_\_\_\_\_ 2<sup>nd</sup> Reading





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Mitch Kennedy, Community Services Director  
**SUBJECT:** Resolution to Purchase Property  
**DATE:** August 12, 2013

**BACKGROUND:** Staff is requesting approval of a Resolution to purchase seven vacant parcels from the Northside Development Corporation. All of these parcels are located in the Northside Project area. The City will hold title to these properties until such time that the Northside master plan has been developed and the parcels are needed for redevelopment. Purchase of these lots will free up financial resources of the NDC and let it proceed with other projects on the Northside. The purchase price of \$151,948.05 is based on the acquisition prices paid by the NDC.

**ACTION REQUESTED:**

Approval of a Resolution authorizing purchase of properties from the Northside Development Corporation.

**BUDGET AND FINANCE DATA:**

\$151,948.05.05 in CDBG funding.

A RESOLUTION

APPROVING THE PURCHASE FROM NORTHSIDE DEVELOPMENT CORPORATION OF SEVEN VACANT PARCELS ON FOLSOM STREET AND HOWARD STREET

WHEREAS, the City of Spartanburg (the “City”) is actively partnering in the Northside Initiative and seeks to improve the health, safety, employment, education and welfare of the residents in the Northside; and

WHEREAS, Northside Development Corporation (“NDC”) owns the following parcels and is interested in selling these parcels to the City which would free NDC’s financial resources to permit NDC to proceed with other projects in the Northside:

| <u>Parcel Location</u>       | <u>Tax Map Parcel</u> | <u>Purchase Price</u> |
|------------------------------|-----------------------|-----------------------|
| 214 Folsom St                | 7-12-05-078.00        | \$ 25,303.71          |
| 215 Folsom St                | 7-12-05-228.00        | \$ 25,303.71          |
| 218 Folsom St                | 7-12-05-079.00        | \$ 25,303.71          |
| 219 Folsom St                | 7-12-05-227.00        | \$ 25,303.71          |
| 225 Folsom St                | 7-12-05-225.00        | \$ 25,303.71          |
| 556 Howard St                | 7-12-05-077.00        | \$ 4,855.00           |
| 560 Howard St                | 7-12-05-076.00        | \$ 20,574.50          |
| <b>Total Purchase Price:</b> |                       | \$151,948.05          |

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 City Attorney is hereby authorized to proceed with the purchase of the following parcels from Northside Development Corporation with CDBG Funds: 214 Folsom Street for \$25,303.71, 215 Folsom Street for \$25,303.71, 218 Folsom Street for \$25,303.71, 219 Folsom Street for \$25,303.71, 225 Folsom Street for \$25,303.71, 556 Howard Street for \$4,855.00, and 560 Howard Street for \$20,574.50.

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

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

\_\_\_\_\_  
MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** David Cook, Construction Project Manager  
**SUBJECT:** Contact Award - Installation of Emergency Generator for City Hall  
**DATE:** August 12, 2013

**BACKGROUND:** Staff has previously briefed Council on the need to replace the existing emergency generators at City Hall. Currently, there are two permanent generators which supply emergency power. One of these generators is World War II vintage (likely moved from old City Hall) and the other is more than 50 years old. These units are difficult to maintain. After considering all options, staff believes it is the City's best interest to replace the current generators with one large generator capable of providing reliable emergency power to the entire City Hall. With the assistance of a consulting electrical engineer, staff prepared bid specifications and the project was competitively advertised. This work will consist of supplying, delivery, and installation of a new emergency generator. Three bids were received from the following electrical contractors:

|                               |                 |            |
|-------------------------------|-----------------|------------|
| J. Frank Blakely Company      | Spartanburg, SC | 174,700.00 |
| White Electrical Construction | Apex, NC        | 178,070.00 |
| El De Co. Inc.                | Greenville, SC  | 179,500.00 |

No bids were received from qualified MWBE's. After reviewing the bids, staff recommends awarding the project to J. Frank Blakely Company.

### **ACTION REQUESTED:**

Authorization for the City Manager to sign a contract with J. Frank Blakely Company for replacement emergency generator at City Hall.

### **BUDGET AND FINANCE DATA:**

\$174,700 from Building Facilities Fund