



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, September 12, 2016
5:30 p.m.**

**(These minutes were approved at the
September 26, 2016 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Sterling Anderson, Councilmembers Jerome Rice, Erica Brown, Laura Stille and Rosalyn Henderson Myers. Councilmember Jan Scalisi was absent due to illness. 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 the Minutes of the August 22, 2016, City Council Meeting –
Councilmember Rice made a motion to approve the minutes as received.
Councilmember Stille seconded the motion, which carried unanimously 6 to 0.

IV. Approval of Agenda of the September 12, 2016 City Council Meeting –
Councilmember Stille made a motion to approve the agenda as received.
Councilmember Henderson Myers 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
Dr. Tom Norrell, 233 N. Church St., Pastor of Central United Methodist Church,
spoke regarding concerns about Level 2 parking in the St. John St. Parking garage, used
by church parishioners. He asked that this issue be considered during the renovation of
the Montgomery Building.

VI. Ordinance

**A. Authorizing the City Manager to Execute a Deed to Northside Development
Group Conveying Property Located at 438 Mill Street, Block Map Number
7-12-05-336.00; 446 Mill Street, Block Map Number 7-12-05-335.00; and 464
Mill Street, Block Map Number 7-12-05-332.00 (First Reading)**
Presenter: Martin Livingston, Neighborhood Services Director
“Mr. Livingston presented the item to Council as follows:

In May 2010, the City of Spartanburg purchased property in the Northside Neighborhood using CDBG funds. In an effort to remove the existing substandard structures, staff is requesting the approval of the sale of the parcels to the Northside Development Group. The Northside Development Group will collaborate with VCOM and the Northside community to develop the sites at a later date. The Northside Development Group will use Neighborhood Improvement Programs (NIP) funds to purchase and demolish the structures.

Property Address	Tax Map Number	Property Type	Sale Amount
464 Mill Street	7-12-05-332.00	Vacant Lot	15,000.00
446 Mill Street	7-12-05-335.00	House	20,000.00
438 Mill Street	7-12-05-336.00	House	20,000.00

ACTION REQUESTED: Approval of an Ordinance conveying the property at 464 Mill Street, 446 Mill Street, and 438 Mill Street to the Northside Development Group for the total purchase price of \$55,000.00.

BUDGET AND FINANCIAL DATA: CDBG program income in the amount of \$55,000.”

After discussion, Councilmember Stille made a motion to approve the ordinance as requested on first reading. Mayor pro tem Anderson seconded the motion, which carried unanimously 6 to 0.

VII. Consent Agenda

- A. Authorizing the City Manager to Execute a Deed to Upstate Housing Partnership Conveying Property Located at 412 Highland Avenue, Block Map Number 7-16-01-255.00 and 414 Highland Avenue, Block Map Number 7-16-01-256.00 (Second Reading)
Presenter: Martin Livingston, Neighborhood Services Director**
- B. Approving a Development Agreement Between the City of Spartanburg and BF Spartanburg, Inc. (Second Reading)
Presenter: Chris Story, Assistant City Manager**

Councilmember Rice made a motion to approve the consent agenda on second reading. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.

VIII. Other Business

- A. Award of Contract for Demolition of Oakview Apartments
Presenter: David Cook, Construction Project Manager
Mr. Cook presented the item to Council as follows:**

“Staff solicited bids for the demolition of the Oakview Apartments. This work consists of asbestos and lead base paint abatement, demolition of the structures preparing the site and planting of grass. Bids were received from;

Webb-Harrell Construction	Kernesville, NC	452,461.00
Demtek LLC	Spartanburg, SC	496,183.00
TOA, LLC	Norcross, GA	537,500.00
Eastern Environmental	Hampstead, NC	689,875.00
D H Griffin Wrecking Co.	Duncan, SC	1,187,000.00

No bids from certified MWBE contractors were received. Staff has reviewed the qualifications of Webb-Harrell and determined that it is a qualified contractor. Staff is recommending award of the contract to Webb-Harrell.

Please note that the demolition of Oakview Apartments will be phased as buildings are vacated over the next several months. Abatement in advance of demolition of potentially hazardous materials will be conducted in accordance with all health and environmental standards and monitored by independent air quality sampling conducted by a third party contractor.

ACTION REQUESTED: Authorization for the City Manager to sign a contract with Webb-Harrell Construction for demolition of the Oakview Apartments.

BUDGET AND FINANCIAL DATA: \$452,461 from TK Gregg Project Fund.” *Councilmember Rice made a motion to approve the award of contract as requested to Webb-Harrell Construction, Kernesville, NC in the amount of \$452,461.00. Councilmember Stille seconded the motion, which carried unanimously 6 to 0.*

B. Boards and Commissions – Approval of Applicant for Zoning Board of Adjustment and Appeals

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre presented Ryan Edward Gaylord’s application for consideration by Council for appointment to the Zoning Board of Adjustment and Appeals.

Councilmember Rice made a motion to waive the rules and appoint Mr. Gaylord to the Zoning Board of Adjustment and Appeals. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.

IX. City Council Updates –

Councilmember Stille commented that Magnolia Street was looking great. She mentioned that she had visited the new Speed Factory Indoor Karting with her children and that it was big hit with them. She also shared that she had the opportunity to meet with Allen Smith and Todd Horne to discuss the Chambers envisioning process.

Councilmember Brown mentioned that “Beauty and the Beast” opened the previous Friday at Spartanburg Little Theatre to rave reviews, and encouraged everyone to go. She shared that the “Art Walk” would be on Thursday from 5 until 8. She also mentioned that she had attended the “Unity in the Community” event at Barnet Park.

She said it was a successful event and a great opportunity for engaging with city police officers.

Councilmember Henderson Myers mentioned the Town Hall meeting she held on September 6. She thanked city staff members who attended, particularly Chief Thompson, and provided information to the attendees. She shared that she also attended the “Unity in the Community” event at Barnet Park, and though it was an excellent event. She recognized Jalitha Moore, who she said was instrumental in organizing the event.

Councilmember Rice shared that the new Speed Factory Indoor Karting was a hit at his house also. He recognized County Councilmember Michael Brown, who was in attendance at the meeting.

Mayor pro tem Anderson shared that he was downtown on Friday evening and it was alive and vibrant. He commented that Magnolia St. was looking beautiful. He recognized the 15th anniversary of 911 and encouraged everyone to reflect on that day realizing that Americans survived the attack and were stronger. He thanked all those involved in the rescue and recovery, particularly the first responders.

X. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Relating to The Butterfly Creek Daylighting and Park Projects

Council may take action on matters discussed in Executive Session after exiting Executive Session.

Councilmember Brown made a motion to adjourn to Executive Session for the reason stated. Councilmember Rice seconded the motion, which carried unanimously 6 to 0. Council adjourned to Executive Session at 5:53 p.m.

Council reconvened at 6:25 p.m. Mayor White stated that discussion was held with no decisions made.

XI. Consideration of an Ordinance Authorizing the Condemnation of Tax Map Parcel 7-12-05-345.00 Needed for The Butterfly Creek Daylighting and Park Projects

Presenter: Ed Memmott, City Manager

Mayor White read Item XI.

Alex Evins, attorney with Parker Poe Attorneys, came forward to state that he represented the owner of the parcel in question and that if Council approved first reading of the ordinance, his client would file suit opposing the condemnation action because he feels it is inappropriate.

Mayor pro tem Anderson made a motion to approve the ordinance as stated. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.

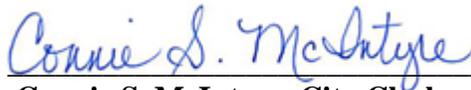
XII. Discussion of Rental Property Registration

Presenter: Ed Memmott, City Manager

After discussion, it was the consensus of Council that a no fee registration of all rental properties within the city limits would be required. Failure to register and comply with code enforcement citations could result in the revocation of a properties registration. A council appointed Housing Code Board would allow an appeal process for landlords. If the revocation is upheld by that board, the property owner/landlord and tenants would be given notice to vacate the property.

Mr. Memmott stated that staff would be back before Council with an ordinance in the near future.

- XIII. Adjournment – Councilmember Stille** made a motion to adjourn the meeting. Mayor pro tem Anderson seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:01 p.m.



Connie S. McIntyre, City Clerk