



# **CITY OF SPARTANBURG**

SOUTH CAROLINA

## **CITY COUNCIL AGENDA**

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

**I. Moment of Silence**

**II. Pledge of Allegiance**

**III. Approval of Minutes of the September 9, 2013 City Council Meeting**

**IV. Approval of Agenda of the September 30, 2013 City Council Meeting**

**V. Public Comment**

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

**VI. 2011 and 2012 Excellence In Design Awards Presentation**

**Presenters: Cullen Pitts, Former Planning Commission Chair**

**Joshua Henderson, Planning Coordinator**

**VII. Ordinance**

- A. Accepting the Property Owned by Michael and Velma Session, and Being Located at 409 Ransdell Drive, and that Portion of Ransdell Drive and Harrell 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-15, Single Family Residential Upon Annexation (First Reading)**

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

**VIII. Resolution**

- A. Approving an Amendment to the Forest Park Project Development Agreement with the Spartanburg Housing Development Corporation**

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

**IX. Consent Agenda**

- A. Providing for the Issuance and Sale of a Series of Water System Revenue Bonds of the City of Spartanburg, South Carolina, in a Principal Amount Not to Exceed Thirty Million Dollars (\$30,000,000); and Other Matters Relating Thereto (Second Reading)**  
**Presenter: Chris Story, Assistant City Manager**

**X. Other Business**

- A. Award of Contract for Hillbrook Drive Culvert Improvement Project**  
**Presenter: Jay Squires, Storm Water Manager**
- B. Approval to Purchase One Self Contained Breathing Apparatus Air Compressor**  
**Presenter: Marion Blackwell, Fire Chief**
- C. Award of Contract for Demolition of Swim Center**  
**Presenter: David Cook, Construction Project Manager**

**XI. City Council Updates**

**XII. Executive Session to Discuss Two Potential Downtown Economic Development Projects**

**XIII. 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, September 9, 2013  
5:30 p.m.**

**(These minutes are subject to approval at the  
September 30, 2013, City Council meeting.)**

**City Council met this date with the following members present: Mayor pro tem Jerome Rice, Councilmembers Linda Dogan, Cate Ryba, Robert Reeder, Jan Scalisi, and Councilmember W. Sterling Anderson II. Mayor White was out on medical leave. 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 – Cub Scout Micah Kennedy lead everyone in the pledge.**
- III. Approval of Minutes of the August 26, 2013 City Council Meeting –**  
*Councilmember Dogan made a motion to approve the minutes as received. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.*
- IV. Approval of Agenda of the September 9, 2013 City Council Meeting –**  
*Councilmember Dogan made a motion to approve the agenda as received. Councilmember Ryba 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*  
**Harry Ragsdale and Sara Ragsdale** introduced themselves to City Council. They recently moved to Spartanburg from Charleston and wanted to make Council aware of Ms. Ragsdale’s food truck “Sara on the Go”. Council welcomed them and wished them well.
- VI. Ordinance**
  - A. Providing for the Issuance and Sale of a Series of Water System Revenue Bonds of the City of Spartanburg, South Carolina, in a Principal Amount Not to Exceed Thirty Million Dollars (\$30,000,000); and Other Matters Relating Thereto (First Reading)**  
**Presenter: Chris Story, Assistant City Manager**  
**Mr. Story** presented the item to City Council as follows:

“As you know, the City of Spartanburg Commission of Public Works (“CPW”) operates the Spartanburg Water System and from time to time bond debt is issued to fund system needs. City Council action is required in order for water system revenue bonds to be issued. Earlier this year, the CPW and City Council executed an agreement, which among other things, describes the conditions under which City Council will authorize such debt. We have received a request which is in full compliance with that agreement. Passage of the attached ordinance is necessary for the issuance to proceed.

We recommend City Council adopt the attached ordinance.

BUDGET AND FINANCE DATA: The bonds are secured solely by water system revenues. There is no financial impact or exposure to the City budget.”

*Councilmember Anderson made a motion to approve the ordinance as presented on first reading. Councilmember Dogan seconded the motion, which carried unanimously 6 to 0.*

## VII. Consent Agenda

### A. To Amend the Code of the City of Spartanburg 1988, Chapter 18, By Adding Article III to Provide for a Special Property Tax Assessment for Rehabilitated Historic Property (Second Reading)

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

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

## VIII. Other Business

### A. Request for Approval for the City Manager to Enter Into a Contract with a Benefits and Wellness Consultant

**Presenter: Michelle Clyburn, Director of Human Resources**

“We consider it important to provide a competitive collection of benefits to city employees. We expend considerable city resources to provide our employees and their families with medical, dental, and vision coverage as well as short and long-term disability, life insurance, and accidental death and dismemberment insurance. These benefits make a meaningful difference in the lives of our employees and their families and in the city’s ability to attract and retain a talented workforce.

Likewise, it is very important that we carefully manage our investments in these employee benefits to stretch the dollars we spend in the arena to yield the maximum possible. We are proud of the improvements made in recent years and believe we maintain a cost effective approach to the design and administration of these programs. However, we believe we can further improve in the years to come. To that end, we have conducted an open procurement process to identify a Benefits and Wellness Consultant best suited to advise us through the shifting marketplace to identify the best benefits package we can afford.

In this process we emphasized a commitment to employee wellness, a proven track record of cost containment, a commitment to full cost transparency, the ability to utilize data and technology to ease administration, new approaches to rising drug costs,

and experience designing high performing health plans for firms our size. Our effort was not to identify the consultant with the lowest fees. Instead it was to identify the firm that could help us to achieve the most cost effective benefits program overall when all costs are considered.

Seven firms responded to our request for proposals. A committee, which included two neutral industry experts from outside of the City staff, scored the proposals and interviewed three finalists. The selection committee recommends Argus Benefits of Greenville, SC. Argus Benefits is a Division of Gallagher Benefit Services, Inc. Annual compensation paid to Argus will be in the \$70,000 - \$90,000 range depending on subsequent decisions on specific tasks. This cost will replace the commissions and administrative fees which have been built in to the various insurance costs we have paid in recent years. Therefore no net added expense is expected.

We request Council approval for the City Manager to enter into a three-year contract with Argus Benefits. The contract shall automatically renew for additional periods of one (1) year each, unless either party should elect to terminate. Renewal shall be based on acceptable performance under the terms of the contract.”

*Councilmember Dogan made a motion to approve the request as presented and allow the City Manager to enter into a three-year contract with Argus Benefits.*

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

#### **IX. City Council Updates -**

**Councilmember Scalisi** mentioned the article in the newspaper regarding V-Com’s nearly \$50 million impact on the local economy. She reminded everyone of the Pride March to be held on Saturday, September 14 at 11:30 at Barnet Park.

She share that the Growler Haus on Church Street had opened.

**Councilmember Ryba** mentioned that David Ball, musician recently inducted into the Music Trail, would be performing at the Hub Bub Showroom on Friday night. She encouraged everyone to become a part of the entrepreneurial program at Wofford as mentors.

**Councilmember Anderson** reminded everyone of the High Heel Hundred Run sponsored by Converse College to raise awareness of pay discrepancies between women and men.

He shared that he was excited about the possibilities of Food Trucks in the City.

**Councilmember Reeder** reminded everyone about the event at Stewart and Irwin Parks on Saturday at 11:00 a.m.

**Councilmember Dogan** reminded everyone that the longtime residents of the Northside were central to its success, not just investments of public and private partnerships.

She also shared that she had given greetings and welcome to those attending the Nepalese Group Convention the previous Sunday.

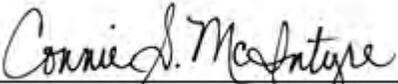
**Mayor pro tem Rice** mentioned an article about Landon Cohen, a recent hire of the Dallas Cowboys, and his love of his hometown Spartanburg.

**Mr. Memmott** thanked Human Resources Director Michelle Clyburn and Benefits Coordinator Ingrid Crawford for their efforts in recruiting a Benefits and Wellness

Consultant. He also thanked Mark Ford and his team for their efforts in grounds maintenance and ground waste pickup.

**X. Adjournment –**

*Councilmember Dogan made a motion to adjourn the meeting. Councilmember Ryba seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 5:56 p.m.*

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





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Joshua Henderson, Planning Coordinator  
**SUBJECT:** 2011 and 2012 Excellence in Design Honorees  
**DATE:** September 30, 2013

### **BACKGROUND:**

On an annual basis, the Planning Commission presents “Excellence in Design” Awards to projects that have adhered to high standards of excellence in building and/or landscaping. In its 15<sup>th</sup> and 16<sup>th</sup> year, the award program recognizes those whose work showcases the unique and exemplary projects that have exceeded City requirements.

After several months of reviewing site, building and landscaping plans, the Planning Commission has selected winners in two (2) categories for 2011, and three (3) categories for 2012.

### **2011 Excellence In Design Awards**

#### **Renovation & Adaptive Reuse Architecture –**

**Spartanburg Preparatory School - Carlie Smith, Facilities & Safety Coordinator, & Kristin White, Vice-Principal**

**Warren Smith, Project Manager, Hoke Enterprises  
Ted Petoskey, Facilities Volunteer, Sptbg Prep. Sch.  
Donald L. Love, Jr., AIA Preservation Architect, MPS**

#### **New Construction –**

**Converse College Senior Housing - Betsy Fleming, President**

**Scott May, AIA, LEED, Principal of Greenville Office  
Cindy Benjamin, Chuck Hultstrand & Scott Crichton  
LS3P Associates, Ltd., Harper Corporation, General  
Contractors, David Wise, President & Andy Hall, Business  
Development Brad L. Noyes, Sr. Vice Pres., Brailsford &  
Dunlavey Inc.**

**Edward Via College of-  
Osteopathic Medicine  
Carolinas Campus**

**Marc Benz, Dir. of I. T. Dept., VCOM Carolina Campus**

**Tipton Pitts, ASLA Principal, LandArt Design Group, Inc.  
Kenya Trenthem, AIA, Assoc., McMillan Pazdan Smith  
Bryant Nixon, Proj. Mgr. Triangle Construction Co., Inc.  
George Sweet, Superintendent, Triangle Construction Co.  
J. David McCutchen, PE, McCutchen Eng. Assoc., PC  
Samuel L. Lionberger, Jr., Lionberger Consulting, LLC  
Mr. Lionberger, Marc Benz, Dir. of I. T. Dept VCOM  
Carolina Campus, Bill Price, Associate Vice President,  
Operations VCOM – Virginia – Carolina (Marc Benz)**

**2012 Excellence In Design Awards**

**Renovation and Adaptive Reuse Architecture –**

**City of Spartanburg Downtown Airport - Darwin Simpson, Airport Manager**

**Sara Ashworth Robinson, AIA, McMillan Pazdan Smith  
David Cook, Construction Manager, City of Spartanburg  
Noble Tree Foundation – Bill Barnet, III  
Harper Corporation, General Contractors – David Wise,  
President & Andy Hall, Business Development  
Federal Aviation Administration – Darwin Simpson**

**Wofford College Music Building -**

**Jason Burr, Assoc. V. Pres. Of Facilities & Capt. Proj.**

**Joseph Lauer, Project Manager and Owner's  
Representative, Clerestory Projects Group, Inc.  
Claudia McAninch & Lynne Wilson, MPS Arch.  
J.M. Solesbee Construction Co., Inc., General Contractors,  
Ed Waldrop, Project Mgr. & Tim Thompson, President  
Mark Byington, Landscape Archt., Innocenti & Webel  
Betty Montgomery, Trustee, and Walter Montgomery**

**Indigo Hall Phase II Outdoor Garden -**

**Chris Cox, Vice Pres. J M Smith Corp.**

**Steve Brown, Facilities Superintendent JM Smith Corp.  
Chris Cox, Vice Pres., J M Smith Corporation  
Jolly and Associates, Architects, Al Jolly, Owner  
Tipton Pitts, ASLA, Principal, The LandArt Design Grp.**

**Meeting Street Academy – Spartanburg - Trish Scarry, Director**

**Jill H. Rodgers, AIA., McMillan Pazdan Smith  
Thomas E. Lockhart, AIA., McMillan Pazdan Smith  
Bryant Nixon, Proj. Mgr., Triangle Construction Co., Inc.  
David Berry, Asset Manager, Johnson Dev. Corporation**

**New Construction** –

**Thomas E. Hannah Family YMCA -**

**Parker Champion, Bldg. Comm. Chair**

**W.R. Bill Joslin, AIA, LEED AP, NCARB, Assoc. , MPS  
Joseph Lauer, Proj. Mgr & Owner's Rep.,  
Clerestory Projects Group, Inc.  
Harper Corporation, General Contractors – David Wise,  
President, & Andy Hall, Business Development**

**Recreation Development** –

**Downtown Pocket Park -**

**M. Dale Gillespie, Junior Warden of St. Johns 333,  
Pres. of the Sptbg. County Free Masons Club, & Mgr.  
of the Downtown Masonic Temple Committee, plaque**

**Jay Squires, Stormwater Manager, City of Spartanburg  
Tipton Pitts, ASLA, Principal, The LandArt Design Grp.  
J. Carrol Cox, Structural Engineer  
Scott Parris, Owner, Parris Lawn Management  
Betsy Teter & The Hub City Writers Project – Betsy Teter  
Upstate Forever Spartanburg – Angela Viney, Dir. of  
Sptbg Office**





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager

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

**SUBJECT:** Ordinance Accepting the Property Owned by Michael & Velma Session, and being Located at 409 Ransdell Drive, and that Portion of Ransdell Drive and Harrell 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-15, Single Family Residential Upon Annexation.

**DATE:** September 30, 2013

### **BACKGROUND:**

Staff received a request from Michael & Velma Session, owner of 409 Ransdell Drive for annexation of the property into the City of Spartanburg. Because this property will be zoned R-15, Single Family Residential upon Annexation, there is no need to obtain zoning designation by the Planning Commission.

Additionally, said parcel is located in the Hillbrook Forest Subdivision. Since the parcel is contiguous to the City Limits, the property owners have submitted an annexation petition under the 100 percent Petition and Ordinance method. Since the zoning designation for the contiguous parcel is R-15, Single Family Residential; Staff is requesting Council to designate the parcel as R-15.

### **ACTION REQUESTED:**

Staff recommends that the City Council take the following actions:

- a) Approve the annexation of 409 Ransdell Drive (TMS 7-10-13-036.00).
- b) Designate the zoning for this property as R-15 (Single Family Residential) upon annexation.

### **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 MICHAEL SESSION AND VELMA SESSION, AND BEING LOCATED AT 409 RANDELL DRIVE, AND THAT PORTION OF RANDELL DRIVE AND HARRELL DRIVE ABUTTING SAID PROPERTY, AND IS FURTHER IDENTIFIED ON SPARTANBURG COUNTY TAX MAP AS 7-10-13-036.00 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.**

WHEREAS, heretofore, the City of Spartanburg, on July 17, 2013, received a Petition, filed by City Attorney Cathy McCabe for Michael and Velma Session, Owners, 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 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 Michael and Velma Session, dated July 17, 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.

Section 3: That said property is described as follows:

All that certain piece, parcel or lot of land, situate, lying and being in the County of Spartanburg, State of South Carolina, being shown and designated as Lot No. 1, Block 10, on Plat No. 12, of Hillbrook Forest, on a plat thereof, prepared by Gooch & Taylor, dated January 15, 1967 and recorded in Plat Book 54 at Page 12-13 in the ROD Office for Spartanburg, South Carolina; and being further shown on that plat entitled "Survey for Dina C. Georgas", prepared by Archie S. Deaton and Associates, dated August 30, 1993 and recorded in Plat Book 122 at Page 203 in the aforesaid ROD Office. Reference is hereby made to most recent plat of record for a more complete and accurate description as to the metes and bounds, courses and distances as appear thereon.

This being the same property conveyed unto Teresa Georgas by Deed of Dina C. Georgas dated November 16, 2011 and recorded November 18, 2011 in Deed Book 99-P, Page 490, in the ROD Office for Spartanburg County, South Carolina. Dina C. Georgas reserved unto herself a life estate interest; subsequently, Dina C. Georgas died January 27, 2012, with reference being made to Certificate of Death filed in the Division of Vital Records, SC Department of Health and Environmental Control and also filed in Deed Book 100-C at Page 50 in the Office of the Register of Deeds for Spartanburg County, SC.

The County Block Map Number of the above tract of land is 7-10-13-036.00. (See attached plat)

Section 4: That upon annexation, the property shall be zoned as Zone R-15 (Single Family Residential District).

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)

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

0 25 50 75 100  
Feet







## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Mitch Kennedy, Community Services Director  
**SUBJECT:** Resolution to amend the Development Agreement for the Forest Park Project  
**DATE:** September 26, 2013

### BACKGROUND:

On October 10, 2011, City Council approved a resolution authorizing the City Manager to sign a Development Agreement designating the Spartanburg Housing Development Corporation (SHD) as the developer for the Forest Park Project. SHD is a 503(c)(3) affordable housing developer. It was organized several years ago by the Spartanburg Housing Authority to support their HopeVI activities. SHD is an affiliate of NeighborWorks America. NeighborWorks is a congressionally chartered federal trust that provides community development funds to communities across America via their local affiliates.

To date, SHD has successfully constructed 3 houses along High Street (2 of the 3 have sold). The City and SHD continue to work cooperatively but recently recognized the need to restructure the working relationship for the Forest Park project. To that end, staff is recommending a revised agreement that should position SHD to move the Forest Park project more expeditiously. Key elements of the proposed amended agreement include:

- **Construction Financing** - City will make available \$400,000 in construction financing ("Construction Fund"). Disbursements from the Construction Fund will be limited to direct construction costs for the single family homes built in the Forest Park subdivision. No advances, reimbursements, or other funding will be provided for any other SHD expenses from the Construction Fund.
- **Infrastructure and Project Build-out** - SHD will build homes in the following sequence: High Street, Collins Avenue, Everett Street, and Lawrence Johnson, Sr. Blvd. City will complete construction of Lawrence Johnson, Sr. Blvd. to include installation of curb and gutter, sidewalk (one side of street), storm drainage, and pavement so that the lots on Lawrence Johnson, Sr. Blvd. are available for housing construction when SHD has completed construction on all other streets of the Forest Park subdivision. Estimated cost of infrastructure construction is \$150,000.

- **Green space** - City will pay up to \$25,000 for the construction of a green space amenity to include walkways, park benches, landscaping, and a small gazebo. City agrees that it will maintain the space at its expense for two years after completion. Thereafter, either the SHD or the subdivision homeowners association assumes all responsibility for green space maintenance.
- **Project Management Fee** - City agrees to pay a monthly project management fee of \$2,000 to the SHD. City agrees that it will provide a minimum of 60 day written notice of termination of the project management fee.
- **Developer's Fee** - City will pay a fee to the SHD for the next 12 homes sold in the development.
- **Homeownership Resource Center** - The City recognizes the need to identify and develop prospective low and moderate income home buyers and will fund \$43,000 for FY14.

Additionally, the proposed amended agreement specifies City and SHD responsibilities for joint marketing efforts and project coordination. All of the funding specified in the proposed amended agreement is budgeted for the Forest Park project.

While the proposed amended agreement is focused on the Forest Park project, staff believes significant community development benefit will be derived if SHD can maintain its relationship with NeighborWorks and build its project development capacity going forward. Advancing the Forest Park project with appropriate support from the City is a critical next step if the SHD is to transition to a high performing affordable housing producer.

#### **ACTION REQUESTED:**

Approval of a Resolution to allow the City Manager to amend the Development Agreement with Spartanburg Housing Development Corporation for the Forest Park Project

**BUDGET AND FINANCE DATA:** HOME and CDBG funding is budgeted and available to move forward with the Forest Park project in accordance with the proposed Development Agreement.

## A RESOLUTION

### APPROVING AN AMENDMENT TO THE FOREST PARK PROJECT DEVELOPMENT AGREEMENT WITH THE SPARTANBURG HOUSING DEVELOPMENT CORPORATION

WHEREAS, the City of Spartanburg (“City”) seeks to encourage development and investment in its neighborhoods; and

WHEREAS, the City has entered into partnership agreements to facilitate such development; and

WHEREAS, in 2011 an agreement with Spartanburg Housing Development Corporation (“SHD”) for the Forest Park project was approved; and

WHEREAS, the City and the SHD have determined that amending the initial Forest Park project agreement would serve the redevelopment objectives of both organizations and more clearly define the respective roles of both entities.

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

Section 1. To allow the City Manager to execute an Amended Forest Park Development Agreement.

Section 2. The City Manager is authorized to terminate any prior development agreements associated with the Forest Park project.

Section 3. 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.



### Project Management Fee

6. Pays a monthly project management fee of \$2,000 to SHD.
7. Retains the option of termination or restructuring the amount of the project management fee after June 30, 2014. Will provide a minimum of 60 days written notice of termination of the project manager fee.

### Developer's Fee

8. Pays a fee to SHD for the next 12 homes sold in the development. The developer fee will be paid as follows:
  - (1) \$7,500 for homes sold within 60 days of construction completion.
  - (2) \$6,500 for homes sold within 90 days of construction completion.
  - (3) \$5,500 for homes sold within 120 days of construction completion.
  - (4) \$4,500 for homes sold within 150 days of construction completion.
  - (5) \$3,500 for homes sold after more than 150 days of construction completion.
  - (6) \$3,500 for sale of 107 High Street.
9. Retains the option to restructure the Developer's fee after the construction completion and sale of 12 homes in the Forest Park subdivision.
10. Secures Construction Fund advances by recording first priority liens on the properties being developed using the Fund.

### Infrastructure

11. Completes construction of Lawrence Johnson, Sr. Blvd. to include installation of curb and gutter, sidewalk (one side of street), storm drainage and pavement so that the lots on Lawrence Johnson, Sr. Blvd. are available for housing construction when SHD has completed construction on all other streets of the Forest Park subdivision. Estimated cost of infrastructure construction is \$150,000.

### Project and Neighborhood Marketing

12. Produces a marketing video of the Forest Park development and the amenities/features of the Southside area. Agrees that it will post this video on its website and make the video available to SHD for its direct marketing effort.

AS TO SHD

Number of Homes Constructed and Limitations of Speculative Basis

1. Is responsible for construction of single-family homes.
2. A maximum of four homes (inclusive of 107 High Street) will be built on a speculative basis at any one time utilizing the Construction Fund.

Construction Financing

3. Provides City with approved payment requests from its contractors for the drawdown of construction funding from the City.

Buyer Downpayment Assistance and/or Purchase Subsidies

4. Procures all funding necessary to provide down payment and/or buyer subsidies.

Permanent Mortgage Financing

5. Arranges for mortgage financing that will be made available to home buyers.

Construction of Homes

6. Pre-qualifies, selects and enters into contracts for the construction of homes.
7. Inspects the quality of workmanship and compliance with its plans and specifications for each home built.
8. Requires its contractors to secure all City of Spartanburg permits, inspections and business licenses.
9. Requires its contractors to obtain all water and sewer taps as required for construction. Costs associated with utility connections will be the responsibility of SHD or its contractors.

Builders Risk/Casualty Insurance

10. Provides the City with proof of either builders' risk or casualty insurance for every home built using Construction Fund proceeds.

11. Maintains insurance coverage until the house is sold.

#### Infrastructure and Project Build-out

12. Builds homes in the following sequence: High Street, Collins Avenue, Everett Street and Lawrence Johnson, Sr. Blvd.

#### Project and Neighborhood Marketing

13. Responsible for direct marketing of the Forest Park subdivision to prospective buyers.
14. Provides a written marketing and buyer recruitment plan to the City for the City's approval, which approval will not be unreasonably withheld by City.

### AS TO BOTH PARTIES

#### Greenspace

1. City pays up to \$25,000 for the construction of a green space amenity to include walkways, park benches, landscaping and a small gazebo. SHD and City agree to jointly develop specific plans for this improvement. SHD is to establish a homeowner's association fee enforceable by deed covenants that will provide necessary funding for the maintenance of the green space. City agrees that it will maintain the space at its expense for two years after completion. Thereafter, either the SHD or the subdivision homeowners association assumes all responsibility for green space maintenance.

#### Identification and Development of Prospective Buyers for the Homeownership Resource Center (HRC)

2. City recognizes the need to identify and develop prospective low and moderate income home buyers and will fund \$43,000 for the HRC budget for FY 14. SHD will provide the City with not less than quarterly reports regarding the activities of the HRC.

#### Project Coordination & Communication with Community Stakeholders

3. City and SHD management personnel will meet not less than monthly to review Forest Park project development progress and work cooperatively to resolve problems.

4. City's Community Services Director and/or City Manager and SHD's Executive Director will meet with community stakeholders not less than every two months to update progress.

IN WITNESS WHEREOF, the undersigned have executed this instrument the day and year first-above written.

IN THE PRESENCE OF:

SPARTANBURG HOUSING DEVELOPMENT CORPORATION

\_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

CITY OF SPARTANBURG

\_\_\_\_\_

By: \_\_\_\_\_

Ed Memmott

Its: City Manager

\_\_\_\_\_





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Jay Squires, Storm Water Manager  
**SUBJECT:** Hillbrook Drive Culvert Improvement Project  
**DATE:** September 23, 2013

### BACKGROUND

Staff received bids for the Hillbrook Drive Culvert Improvement Project on August 6<sup>th</sup> 2013. This project consists of removal and replacement of approximately 212 feet of storm drainage pipe from under Hillbrook Drive.

The following bids were submitted:

Upstate Grading & Engineering, Inc. (Spartanburg, S.C.)	\$171,411
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$227,900
McAbee Contracting, Inc. (Inman, S.C.)	\$230,212

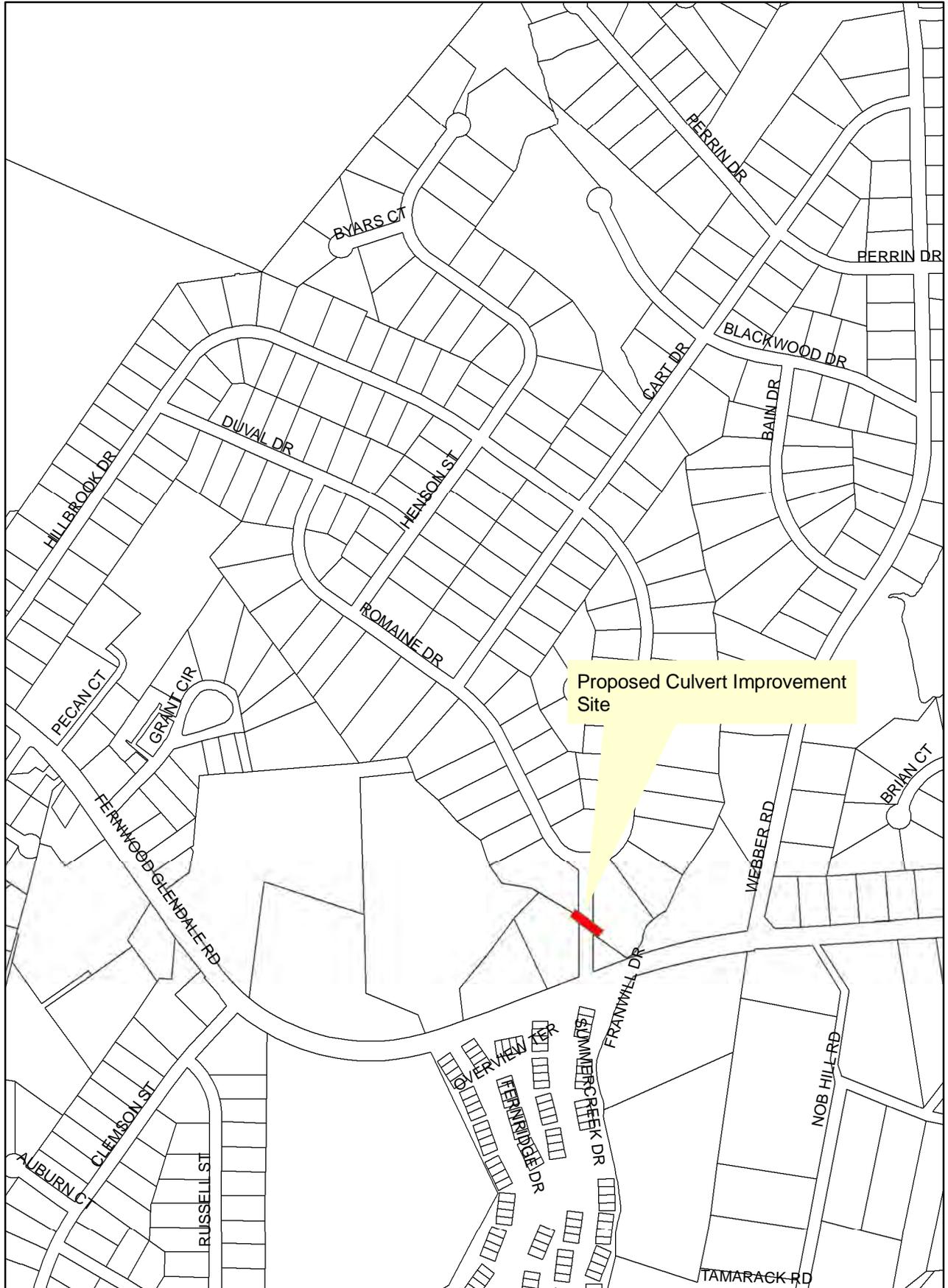
Staff has reviewed the bids received, and the qualifications for each of these contractors, and determined that, Upstate Grading & Engineering, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 60 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice, with door hangers and mailers, Hillbrook Drive between Fernwood-Glendale Rd. & Romaine Dr. will be closed during extended segments of construction for public safety and for the safety of the contracting personnel. A detour route will be in place for convenience while the segment of road is closed.

### ACTION REQUESTED:

Allow staff to accept the bid from Upstate Grading & Engineering, Inc. and authorize the City Manager to enter into a contract with, Upstate Grading & Engineering, Inc. for the completion of the project.

### BUDGET AND FINANCE DATA:

\$ 171,411 from the Storm Water Utility fund will be used to complete the project.











## REQUEST FOR CITY COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Marion Blackwell, Fire Chief  
**SUBJECT:** Approval to Purchase One Self Contained Breathing Apparatus Air Compressor  
**DATE:** September 10, 2013

**BACKGROUND:** Over the past year, the Fire Department has researched and prepared a bid specification to serve the needs of our citizens and city. The proposed SCBA Breathing Air Compressor will provide safe reliable breathing air for our firefighters when engaging in fire suppression and/or rescue in an environment immediately dangerous to life and health. This compressor is a replacement for a 1989 compressor that is no longer in service and not feasible to repair. The bid document was prepared Asst. Chief Bobby Culbreth. The bid document was reviewed and approved by Chief Blackwell.

The bid was advertised in the local newspaper and through the normal City Procurement and Property approved websites. The City's Procurement and Property staff along with Fire Department staff held one pre-bid meeting. The City received one bid on August 21<sup>st</sup>, 2013, (proposal# 1314-08-27-01) one SCBA Breathing Air Compressor to be delivered and installed to the Fire Department. No M.W.B.E. responded.

Company	Amount
Safe Air Systems	\$35,033.05

**ACTION REQUESTED:** The Fire Department requests approval to purchase one (1) SCBA Breathing Air Compressor from Safe Air Systems, in accordance with proposal number 1314-08-27-01

**BUDGET & FINANCIAL DATA:** The SCBA Breathing Air Compressor is funded through the Equipment Replacement Fund.



*Request for Proposal*

A breathing air station to refill self-contained breathing apparatus (SCBA)

Proposal No: 1314-08-27-01

(Show this number on envelope and all correspondence)

Provide separate sealed envelopes for bid and bid bond

Safe Air Systems submits here with our proposal in response to the bid request  
(Company Name)

number shown above in compliance with the description(s) and specifications (s) for the following:

	Total Cost
A breathing air station to refill self-contained breathing apparatus (SCBA) <i>This includes \$3000.00 for trade in of your system.</i>	32,055.63
Labor	900.00
South Carolina Sales Tax	2,077.42
	35,033.05

In compliance with the proposal invitation and subject to all conditions thereof, the undersigned agrees:

- A. This proposals is stated, is open for acceptance for a period of 60 calendar days from day of pending.
- B. To furnish any and all items at the prices set forth the items unless otherwise specified, within 30 Calendar days after receipt of purchase order; contract and/or notice proceed.
- C. By Signing this Proposal form Proposer agrees all Addendum have been read and understood.

Company Name:	Safe Air Systems, Inc.
Street Address:	210 Labrador Drive
City, State, Zip:	Randleman, NC 27317
Telephone #:	336-674-5120
Fax #:	336-674-3688
Federal ID or SS #:	56-1773439

SIGNATURE OF PROPOSALER'S REPRESENTATIVE

Name & Title:

*Jim McSwain* President

Date:

8-21-13

Shall be submitted with Price page

Air Compressor/Fill Station Unit  
6000 PSI SERVICE

Comparison Grid

Model	FAD <sup>6</sup> SCFM	Charging Rate <sup>7</sup> SCFM	HP	RPM	Compressor Model	Purification System	Air Processing Capability <sup>8</sup> (cu ft)
City Specification	10.8	13.0	10	1420	K12.14 II	Electric Moisture Monitor	67,000
Make and Model of your submittal							
<u>M/V13-E3</u>	<u>10.8</u>	<u>13.0</u>	<u>10</u>	<u>1420</u>	<u>K12.14 II</u>	<u>YES</u>	<u>67,000</u>

I am submitting (please enter Make and Model) Bauer Min-Unicus/13-E3





## REQUEST FOR CITY COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** David Cook, Construction Project Manager  
**SUBJECT:** Award of Contract for Demolition of Swim Center  
**DATE:** September 23, 2013

### BACKGROUND:

Staff received bids from six contractors for demolition of Swim Center. This work will consist of asbestos and lead base paint abatement, demolition of the structure, site grading, and grass planting.

Bids were submitted by:

D H Griffin Wrecking Co. Inc.	\$ 75,832
Demteck LLC.	123,432
Carolina Wrecking Inc.	138,700
Complete Demolition	175,600
NEO Corporation	204,750
NCM Demolition	264,600

No bids were received from certified MWBE firms. After reviewing the bids and contractor qualifications, staff recommends awarding the contract to D H Griffin Wrecking, Co. in the amount of \$75,832.

### ACTION REQUESTED:

Authorization for the City Manager to sign a contract with D H Griffin Wrecking Co for demolition of the Swim Center.

### BUDGET AND FINANCIAL DATA:

Expenses will be paid from Swim Center Demolition Fund.