



**City Council Meeting
City Council Chambers
145 West Broad Street
Monday, April 9, 2012**

**(These minutes were approved at the
April 23, 2012 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Cate Ryba, Councilmembers Jan Scalisi, W. Sterling Anderson II, Robert Reeder, and Jerome Rice. Councilmember Dogan was absent due to a death in her family. 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.

- I. Moment of Silence – observed.**
- II. Pledge of Allegiance – recited.**

Mayor White recognized Sgt. Harold “Dean” Hall for his retirement after 24 years with the City and for Sgt. Hall’s outstanding service award involving the Cleveland Park Train accident.

- III. Approval of Minutes of the February 27, 2012 City Council Meeting –**
Councilmember Anderson made a motion to approve the minutes as received. Mayor pro tem Ryba seconded the motion, which carried unanimously 6 to 0.
- IV. Approval of Agenda of the April 9, 2012 City Council Meeting –**
Councilmember Rice made a motion to approve the agenda as received. Councilmember Reeder 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 **Linda Bilanchone, 182 W. Hampton Avenue**, came forward to suggest that City tax payers be allowed to speak first at any public forums or public hearings held at City Council meetings. She also expressed her dismay that South Carolina annexation laws did not allow the City to grow and to receive the tax support of people who choose to live in the urban areas surrounding the City.

VI. Public Hearing

A. FY 12-13 CDBG/HOME Funds Allocation Requests

Presenter: Cathy Brown, Neighborhood Services Paralegal

Ms. Brown presented the item to City Council as follows:

“The Neighborhood Services Division is currently preparing the City’s FY12-13 Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Annual Action Plan. This plan must include the City’s proposed allocation

of CDBG and HOME funds. The United States Department of Housing and Urban Development (HUD) requires each grantee to conduct a public hearing to receive comments and funding requests.

Staff received a total of fourteen (14) CDBG and HOME public service funding requests for FY12-13. Under CDBG regulations, a maximum of 15% of the annual grant amount or \$93,212, may be budgeted for public service activities.

All of the funding requests are contained in a separate binder that will be provided for Council’s review. Staff is recommending that Council limit each organization’s proposal presentation to a maximum of five (5) minutes during the public hearing. Staff will prepare its final and full CDBG/HOME budget recommendations to City Council at the April 23rd Council meeting.

Staff is requesting that City Council conduct a public hearing for public service and HOME funding requests.

BUDGET & FINANCIAL DATA: CDBG and HOME FY12-13.”

Mayor White opened the Public Hearing.

Representatives from each of the entities listed below came forward and requested the amounts listed:

| <u>Public Service Agencies</u> | <u>Funded FY11-12</u> | <u>Requested FY12-13</u> |
|---------------------------------------|-----------------------|--------------------------|
| Art in Motion | 2,117 | 3,000 |
| Bethlehem Community Center | 5,098 | 6,200 |
| Big Brothers, Big Sisters | 4,638 | 9,569 |
| Butterfly Foundation | 2,550 | 40,000 |
| Christmas in Action – Operating | 10,200 | 15,000 |
| Christmas in Action – Project | 15,300 | 25,000 |
| C.O.L.O.R.S. | 5,385 | 10,000 |
| Drug Court | 24,352 | 30,000 |
| Operation Restoration – New Applicant | -0- | 27,000 |
| Stroble Glaucoma – New Applicant | -0- | 40,000 |
| SAFEHOME Rape Crisis | 5,950 | 7,000 |
| SC Legal Services | 3,653 | 4,500 |
| Upstate Homeless Coalition | 5,100 | 12,000 |
| Urban League – IDA | <u>3,247</u> | <u>25,000</u> |

Total Public Service **\$87,500** **\$254,269**
(Public Service 15% budget maximum for FY12-13 equals \$93,212)

| <u>Home Program</u> | <u>Funded FY11-12</u> | <u>Requested FY12-13</u> |
|---|-----------------------|--------------------------|
| Spartanburg Housing Development Corp. – HRC | -0- | \$25,000 |
| Spartanburg Housing Development Corp. – HRC | <u>-0-</u> | <u>\$75,000</u> |

Total HOME **\$100,000**

Mayor pro tem Ryba made a motion to close the public hearing. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.

City Council received the requests as information. Recommended funding is tentatively scheduled to be presented to Council by Neighborhood Services at the April 23, 2012 City Council meeting.

VII. Ordinance

A. **Authorizing the City of Spartanburg (The “City”) to Enter into an Amended Agreement with Wyoming Associates Inc. for Use of Land at the Spartanburg Downtown Memorial Airport (First Reading)**

Presenter: Chris Story, Assistant City Manager

Airport Director Darwin Simpson presented the item to City Council as follows:

“Wyoming Associates Inc., an entity created by Johnson Development Associates, currently leases land at the City’s Downtown Memorial Airport on which they have a corporate hangar for aircraft for their family of companies. The City benefits from this arrangement through annual land lease payments as well as a fuel flowage charge. They are proposing to lease additional space to construct a second hangar immediately adjacent to their current facility on unused city property. Enclosed is an ordinance and proposed lease agreement.

The proposed site plan calls Wyoming to remove a significant amount of dirt from the site to lower it to the grade of the taxiway. This dirt will be provided to the airport for use in other future facility upgrades. The site work and construction will enable the highest and best use for this otherwise unproductive property.

The attached documents are in complete form for first reading. However, we are presently negotiating a few remaining points which could result in minor changes prior to second reading.

In addition to potential long term benefits, this expanded lease will increase direct airport revenue by a minimum of approximately \$20,000 annually. We recommend your first reading approval of the attached ordinance. We welcome any questions you may have.

Staff is requesting first reading approval of the ordinance authorizing the City of Spartanburg to enter into an amended agreement with Wyoming Associates Inc. for use of land at the Spartanburg Downtown Memorial Airport.”

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

VIII. Resolutions

A. **Designating Certain Parcels for Inclusion in the Joint County Industrial and Business Park in Accordance with the Intergovernmental Agreement among the City of Spartanburg, County of Spartanburg, and County of Union (Business Corridor Program)**

Presenter: Patty Bock, Economic Development Director

Ms. Bock presented the item to City Council as follows:

“The City and Spartanburg County created the “Business Corridor Program” to encourage the redevelopment of underutilized or vacant properties in 1998. Sites that are designated under this program qualify for an annual rebate of real property taxes equal to 30% of the incremental real property taxes due to redevelopment. The rebate is provided for a maximum of 15 years or until cumulative rebates total 20% of the qualifying redevelopment investment. The intent of the program is to provide a partial offset of high costs (environmental, demolition, disposal) that typically discourages redevelopment of existing sites. Only sites located in one of five redevelopment districts are eligible for designation in this program.

Waterstone Retail Development is the owner of Converse Plaza shopping center, located at 1200 East Main Street. They recently commenced with demolition and redevelopment plans that include the construction of a Fresh Market grocery store, 18,000 square feet of retail space and renovation of 40,000 square feet of vacant space

including the former Harris Teeter grocery store which has been empty for over 10 years. They are making a substantial re-investment in this property and are marketing the center to attract new businesses that will revitalize the center as a vibrant destination. Once they have completed all the requirements under the designation, they will have created an area that contributes positively to the City's economic growth. Based on the projected investment made, these parcels meet all requirements of the Business Corridor Program.

City staff recommends designation into the MCIP Business Corridor Program.

Staff is requesting approval of a Resolution designating TMS 7-13-01-001.09, 7-13-01-001.07, 7-13-01-001.08 and 7-13-01-001.01 for incentives under the Business Corridor Program.

BUDGET AND FINANCE DATA: The City will positively benefit from redevelopment of the site.”

Mayor pro tem Ryba made a motion to approve the resolution as presented.

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

B. Adopting the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan

Presenter: Marion F. Blackwell, Jr., Fire Chief, SPSD

Chief Blackwell presented the item to City Council as follows:

“Every five years, Spartanburg County must review and update the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan. This requirement flows from the Disaster Mitigation Act of 2000 amending the Robert T Stafford Disaster Relief and Emergency Assistance Act. The purpose of this plan is to develop a county plan that includes participating jurisdictions, update existing plans to demonstrate progress and reflect current conditions, increase public awareness, maintain grant eligibility, update plans to reflect community and Community Rating System requirements and maintain compliance with state and federal legislative requirements. The plan includes all unincorporated areas of the county and all incorporated cities and towns, except the City of Greer.

The plan primarily seeks to identify the hazards that occur within the jurisdictions, the hazard's expected severity and frequency, the jurisdiction's vulnerability to the hazard and the capability to mitigate and/or respond to the hazard. These items are then utilized to develop a mitigation strategy and action plan for specific hazards.

The short term benefit is the strengthening of the community in regards to resisting the damaging forces of the identified hazard. The long term benefit is the ability to apply for disaster assistance relief grants and loans during a time of disaster.

Staff is requesting Council approval of a Resolution adopting the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan.

BUDGET AND FINANCE DATA: N/A – Continuation of currently funded programs.”

Councilmember Anderson made a motion to approve the resolution as presented.

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

IX. Other Business

A. Approval to Purchase Fire Services Record Management System

Presenter: Marion F. Blackwell, Jr., Fire Chief, SPSD

Chief Blackwell presented the item to City Council as follows:

“Over the past two years, the Fire Division has researched and prepared a bid specification to serve the needs of our division, citizens and city. The proposed Record Management System will provide functionality for the division now and the future.

This system is a replacement for a system that does not meet the needs of the division.

The bid document was prepared by the Accreditation Manager under the direction of Asst. Chief Culbreth with input from numerous line personnel. The bid document was reviewed and approved by Chief Blackwell.

The City's Procurement and Property staff received two bids on January 4, 2012 (proposal# 1112-11-22-01) one Record Management System to be implemented and functional. No M.W.B.E. responded.

| Company | Amount |
|---|---|
| ACS FIREHOUSE software | \$49,149 Base Bid \$119,525 Five Year Cost |
| ZOLL Data System RescueNet FireRMS (includes NFIRS 5 Alive) | \$48,986 Base Bid \$146,899 Five Year Cost |
| ACS FIREHOUSE bid met all technical specifications | |
| | |

The Fire Department requests approval to purchase ACS FIREHOUSE software, in accordance with proposal number 1112-11-22-01, with the additional purchase of 10 iPad 2 with 3G (\$529 each) and iPad Inspector (\$500 per iPad).

BUDGET & FINANCIAL DATA: The software and hardware is funded through the Equipment Replacement Fund.”

Councilmember Reeder made a motion to approve the request as presented.

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

B. Award of Elevator Replacement at Kennedy Street Parking Garage

Presenter: David Cook, Construction Project Manager

Mr. Cook presented the item to City Council as follows:

“Council is aware that replacement and upgrades are needed at the Kennedy Street Garage. Over the next several months, staff will undertake work to replace elevators, painting and protective coatings, caulking, repair to interior stairwells, lowering interior lighting, installation of security cameras, and emergency phones.

Staff is now prepared to move forward with elevator replacement. This work will consist of demolition and replacement of hydraulic pumps, controllers, and components.

Proposals were submitted from four firms:

| | |
|----------------------------|---------------|
| Southern Elevator Co. Inc. | \$ 110,808.00 |
| ThyssenKrupp Elevator | \$ 125,532.00 |
| Premier Elevator Co. Inc. | \$ 134,039.00 |
| Otis Elevator Co. | \$ 165,314.00 |

After reviewing the submittal proposals, staff recommends awarding the project to Southern Elevator. No proposals were submitted from MWBE's.

Staff is requesting authorization for the City Manager to negotiate and sign a contract with Southern Elevator for construction services for the Kennedy Street Parking Garage.

BUDGET AND FINANCIAL DATA: \$ 110,808.00 Contract Amount
GP 1254.”

Mayor pro tem Ryba made a motion to approve the request as presented.

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

C. Award of Stairwell Painting at Kennedy Street Parking Garage

Presenter: David Cook, Construction Project Manager

Mr. Cook presented the item to City Council as follows:

“Staff requested proposals for construction services for the sand blasting, cleaning, and painting the exterior stairwells at the Kennedy Street Parking Garage. This work will consist of cleaning and preparing the existing steel, installing primer, and painting existing steel stairs. Proposals were received from two firms:

Bobby Johnson Painting \$ 24,500.00 Alternate 1 \$ 1,800.00 Total \$ 26,300.00

Dunbar Construction Co. \$ 51,944.00 Alternate 1 \$ 6,561.00 Total \$ 58,505.00

After reviewing the submittal proposals, staff recommends awarding the project to Bobby Johnson Painting. No proposals were received from MWBE’s.

Staff is requesting authorization for the City Manager to negotiate and sign a contract with Bobby Johnson Painting for construction services for the Kennedy Street Parking Garage.

BUDGET AND FINANCIAL DATA: \$ 26,300.00 Contract Amount GP 1254.”

Councilmember Scalisi made a motion to approve the request as presented.

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

D. Briefing Regarding Proposed Project at Magnolia Street Station

Presenter: Ed Memmott, City Manager

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

“Staff has been approached by representatives of the Spartanburg Railroad Museum about moving a caboose to the grounds of the Magnolia Street Station. A caboose was offered for donation to the Railroad Museum. The museum group wants to refurbish the caboose, place it on the grounds of the Magnolia Street Station, and then make the caboose available for tours and events.

Staff has conducted preliminary due diligence on this proposal and consulted with Mr. Martin Meek to determine if locating a caboose on the grounds of the depot would present any historic concerns. Mr. Meek advised that he supported the concept and suggested a location on the site. Staff also consulted with Craig Lewis of the Lawrence Group. Mr. Lewis was instrumental in developing the Downtown Master Plan. Mr. Lewis concurred with the location suggested by Mr. Meek and indicated that he believed the placement of a caboose at the recommended level would be positive and that it would help invigorate this section of Magnolia Street. Based on this work, staff is supportive of relocating the caboose to the station. The Railroad Museum has asked staff whether the City would financially support the project. Management is not recommending that the City commit any funding to the project but agree to make the site available provided that the Museum can raise funding necessary for the project.

A site plan showing the proposed location and a digital perspective of the caboose are attached to this Request for Council Action. Staff would like to discuss this project with Council at the April 9th meeting. Mr. Frank Ezell will attend the meeting on behalf of the Railroad Museum. If Council is supportive of this project, staff will draft a project agreement that will be scheduled for Council consideration at the April 23rd meeting.

Staff is requesting Council discussion of the proposal to move a caboose to the Magnolia Street Station.”

City Council received the report as information.

E. Award of Design Contract for the Healthy Food Hub
Presenter: Mitch Kennedy, Community Services Director

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

“Council previously authorized the City to participate in a joint development effort with Hub City Farmers Market, Butterfly Foundation, and the Mary Black Foundation to construct the Healthy Food Hub on the Northside. Under the terms of a development agreement, the City agreed to manage construction. Consistent with that effort, the City solicited qualification statements from architectural firms for the project. Proposals were received from the following ten firms.

Sinclair & Associates
DP3 Architects
Mark Eggl Architects
Neighboring Concepts
Lawrence Group

Langley & Associates
Henthorne Architectural
GPN Architecture
McMillan Pazdan Smith
Craig, Gulden & Davis

A committee comprised of staff and representatives from the project partners reviewed qualification statements and then interviewed four firms. After careful consideration, the selection committee recommended award of the design services contract to McMillan Pazdan Smith. No proposals were submitted by MWBE firms.

Staff is requesting authorization for the City Manager to negotiate final terms and sign a contract with McMillan Pazdan Smith for design services for the Healthy Food Hub. Contract expenses are expected to be less than \$50,000 and will be paid from project funds.

BUDGET AND FINANCIAL DATA: Less than \$50,000 from project funds.”

Councilmember Rice made a motion to approve the request as presented.

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

F. Award of Contract for Website Design and Construction
Presenter: Will Rothschild, Communications Manager

Mr. Rothschild presented the item to City Council as follows:

“The current annual operating budget includes a \$75,000 appropriation for enhancing the ways in which we communicate with our citizens and other stakeholders via the web. An important element in fulfilling that goal is a well designed and fully functional City website. We have been working over the last several months to plan that project and select the ideal professional partners.

After reviewing a number of awarding winning municipal website and forming a diverse committee to oversee the project, we released a thorough Request for Qualifications (RFQ) to identify the firm with the optimal balance of creativity, technical capacity, understanding of our needs, and a cost-effective approach to achieving great results with our limited resources.

Twelve firms responded to the RFQ. Six were invited for one-hour presentations to the committee. Slant Media was the unanimous choice. We were particularly impressed with their creativity and their ingenious approach to marrying uniquely designed creative elements with existing well-tested content management systems currently successfully utilized by a number of local governments.

Slant’s fee schedule and projected full project costs fell in the middle of the firms that submitted. Total project costs will be between \$50,000 and \$60,000 depending on various elements that may or may not prove cost effective to include as the project proceeds. As you know, a website is never “complete” – we will always be updating content and changing features and elements as technologies change. We are optimistic that this responsible approach will provide us a strong foundation for those changes in the coming years.

We request authorization to enter into a professional services contract with Slant Media.”

Councilmember Reeder made a motion to approve the request as presented.

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

G. Report on Global Bike Trip to Tanzania

Presenter: Mayor Pro Tem Cate Brandt Ryba

Mayor pro tem Ryba updated City Council on her recent trip to Tanzania.

X. City Council Updates

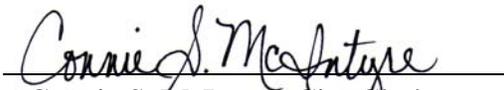
Councilmember Anderson mentioned the progress of the ongoing Downtown Airport expansion project. He also stated that he would continue to advocate with the Neighborhood Association for parks and recreation opportunity in his district.

Councilmember Reeder reminded everyone of the Christmas In Action project on Saturday in the Forest Parks neighborhood.

Mayor pro tem Ryba reminded everyone of the Second Chance Prom to be held on Saturday at the Hub-Bub Showroom.

XI. Adjournment – Councilmember Reeder made a motion to adjourn the meeting.

Councilmember Anderson seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:55 p.m.



Connie S. McIntyre, City Clerk