



**City Council Meeting
City Council Chambers
145 West Broad Street
Monday, May 14, 2012**

**(These minutes were approved at the
May 29, 2012 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Cate Ryba, Councilmembers Linda Dogan, Jan Scalisi, W. Sterling Anderson II, Robert Reeder, and Jerome Rice. 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
- III. **Approval of Minutes of the April 23, 2012 City Council Meeting – Councilmember Dogan** made a motion to approve the minutes as received. Councilmember Reeder seconded the motion, which carried unanimously 7 to 0.
- IV. **Approval of Agenda of the May 14, 2012 City Council Meeting – Mayor pro tem Ryba** made a motion to approve the agenda as received. Councilmember Anderson 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. **Presentation**
 - A. **Proclamation Declaring May National Teen Pregnancy Prevention Month**
Presenter: Mayor Junie White
Mayor White presented the proclamation to a group of teens representing Teen Pregnancy Prevention.
- VII. **Ordinance**
 - A. **Extended Moratorium on Simulated Gaming/Gambling Devices (First Reading)**
Presenter: Cathy McCabe, City Attorney
Ms. McCabe presented the item to City Council as follows:
“Gambling is illegal in the state of South Carolina. Spartanburg like many other cities has received inquirers about computer devices that can operate video sweepstakes games. The legal status of these devices/games in South Carolina is uncertain. Certain law enforcement agencies including SLED maintain the devices/games are illegal.

Staff is uncertain about the most appropriate way to treat these Gaming/Gambling devices under the Zoning Ordinance. There is a current Magistrate's ruling in this Circuit finding one type of these simulated gaming devices illegal.

Staff is requesting that Council consider a 90 day moratorium on zoning approvals of this business activity to give time for continued information and clarification of the legality of these devices.

Staff is requesting first reading approval of an Ordinance imposing a 90 day moratorium on this business activity as described in the Ordinance."

Councilmember Dogan made a motion to approve the ordinance as presented on first reading. Mayor pro tem Ryba seconded the motion, which carried unanimously 7 to 0.

VIII. Other Business

A. Group of 100 Project – Intersection of North Pine Street and Garner Road

Presenter: Jay Squires, Stormwater Manager

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

"The City of Spartanburg has partnered with the Group of 100, Inc. on several significant beautification projects that include the Art Park, fountain/landscaping at intersection of Union and Kennedy Streets, fountain/landscaping at intersection of North Pine and East Saint John Streets, and landscaping and statue at the intersection of Forest and West Saint John Streets.

The City now has the opportunity to continue this partnership with the Group of 100 Inc. for a landscape beautification project located near the intersection of North Pine Street and Garner Road. The Group of 100 is offering to make a significant landscaping improvement along a section of the Chinquapin Creek and would pay for all costs associated with the initial beautification. The project will encompass an area of approximately 35,000 sq. ft along 600 feet of the Chinquapin Creek just north of Garner Road. Designated planting areas will help with the sustainability of the landscape by facilitating maintenance, when it is necessary. The majority of the natural and established vegetation along the creek will remain to prevent unnecessary disturbance of the existing ecosystem. Additionally, the Group of 100 will contribute to offset the maintenance burden for the first two years after installation. The Group of 100, Inc. also agrees to reestablish the landscape material at their expense during the first two years in the event of a washout rain event.

Staff believes that the proposed location will create a colorful and exciting entrance to the City and significantly improve the aesthetic quality of the Chinquapin Creek and is recommending Council approval of this project.

Staff is requesting Council authorization to proceed with this project.

BUDGET & FINANCIAL DATA: Future maintenance costs estimated at less than \$2500 annually will be absorbed within operating budget levels."

Councilmember Dogan made a motion to approve the project as presented.

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

B. Proposed Budget Overview

Presenter: Ed Memmott, City Manager

Chris Story, Assistant City Manager

Messieurs Memmott and Story presented the item to City Council as follows: “Attached is the Management’s Annual Operating Budget for the upcoming fiscal year. Major points will be discussed below and staff will conduct an overview presentation at the meeting on May 14th during which we will welcome any questions you may have. Formal consideration is scheduled to begin at the subsequent City Council meeting on May 29th. That agenda will include a Public Hearing on the budget as well as first reading. You are encouraged to propose, discuss, and consider any Councilmember initiated amendments at that time. Second and final reading would then be held on June 11th.

The major policy decisions and other changes reflected in the proposed budget are those discussed with you in detail in the various budget workshops held over the last few months including:

- Over \$600,000 of annual net savings due to realignment within Public Works functions
- \$400,000 of increased transfers into the General Fund made available due to completion of the City’s capital commitment for the Chapman Center and the retirement of the debt on the Magnolia Street Parking Garage
- \$275,000 increase in the annual contribution to the City’s legacy pension system
- \$220,000 additional funding toward deferred maintenance of city-owned buildings
- \$200,000 for a one percent cost of living compensation increase for employees, most of which will offset mandated increase in employee’s required retirement contribution which would have otherwise resulted in reduced take home pay for all employees
- \$200,000 for a set of personnel-related inflationary costs (employer’s portion of mandated increase in retirement contributions, health insurance cost increases, and unemployment insurance premiums)
- \$100,000 for performance pay incentive fund to enable managers to reward high performing employees in methods customized by department (\$100,000 equates to roughly \$250 per employee)

Changes outside of those discussed at workshops (listed above) are rather limited. Growth in recurring projected General Fund revenues is approximately 1% providing little room for expanded or enhanced City endeavors. However, management believes additional expenditures beyond those listed above are necessary. These expenditures include:

1. Technology Enhancements - The recommended budget includes increased expenditure on technological tools to enhance employee productivity. The most notable are an upgrade to our enterprise payroll, purchasing, accounting, and budgeting system; an enhanced cloud-based email and interoffice system; and a number of expenditures necessary for data flow to Public Safety units. These expenses will total \$168,888.

2. Additional Employee Compensation - Management is recommending an additional 1% compensation increase for all employees (bringing the total recommended increase to 2%). This increase will add an additional \$200,000 in expenditures but management believes it is a necessary and important step to enable our employees, who have successfully managed to do more with less, to keep pace with the rising cost of living.

Aside from those areas of increase, and the previously discussed changes listed above, the remainder of the budget reflects status quo operations.

There are a number of capital purchases and one-time expenditures totaling approximately \$500,000 which we believe must be addressed soon but are not included herein. We anticipate that expenditure savings in the current year's budget will exceed \$500,000 and will thus provide us an opportunity to recommend a supplemental appropriation for additional one time expenditures later in the summer. While staff will continue to search for improved efficiency and effectiveness in operations, it is important to recognize that we believe we have reached the point at which any desired increased investment must by necessity be coupled with clearly identified service level reductions.

The City is in stable and sound financial condition and is continuing to make progress on many longtime city challenges, which is indicative of Council's disciplined approach to prioritization in recent years."

Extensive discussion was held regarding the \$100,000 performance pay incentive.

Council received the report as information.

C. Declaration of Vacancies on City Boards and Commissions

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre declared the following vacancies:

Airport Advisory Committee – 2 vacancies

Board of Architectural Design and Historic Review – 3 vacancies

Bicycle and Pedestrian Committee – 2 vacancies

Construction Board of Adjustments and Appeals – 2 vacancies

Housing Board of Adjustments and Appeals – 2 vacancies

Investment Oversight – 1 vacancy

MWBE Program Committee – 5 vacancies

Planning Commission – 2 vacancies

Public Safety Committee – 4 vacancies

Storm Water Appeals Board (SWAB) – 2 vacancies

Zoning Board of Adjustments and Appeals – 3 vacancies

Council agreed to receive applications for these vacancies until June 15.

IX. City Council Updates

Councilmember Scalisi mentioned that she would be bring back a report from the next ACOG meeting.

Councilmember Anderson thanked Sgt. Billy Mabry and Officer Lawrence Smith for going above and beyond regarding a recent incident in his district.

He also thanked all City Staff involved in Spring Fling for a great event.

He reminded everyone of the Engine 4 dedication to be held May 19 at the Camelot Fire

Station, the Dog Park Opening, the Silent Ride Biking Event on Wednesday, and the Pedal with the Politicians event on May 18.

Councilmember Reeder reminded everyone of the May 24 Spartanburg County Municipal Association event at the Marriott at 6:30 p.m. with Sheriff Chuck Wright as the guest speaker.

Mayor pro tem Ryba mentioned the Assault on Mt. Michel and Marion on May 21 beginning at 6:30 a.m.

Councilmember Rice mentioned that Stephen Davis, former Spartanburg High School football standout and Carolina Panther would be inducted into the SC Athletic Hall Fame that evening. He also mentioned the NAACP event at Silver Hill to discuss the "Stand Your Ground" law.

Mayor White thanked City Staff for their hard work on Spring Fling. He also thanked all Staff who had worked on the budget.

X. Adjournment

Councilmember Dogan made a motion to adjourn the meeting. *Mayor pro tem Ryba* seconded the motion, which carried unanimously 7 to 0 and the meeting adjourned at 6:53.



Connie S. McIntyre, City Clerk