



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, July 14, 2014  
5:30 p.m.**

**(These minutes are subject to approval at the  
July 28, 2014 City Council meeting.)**

**City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Jan Scalisi, Councilmembers Cate Ryba, Erica Brown, Robert Reeder, and Jerome Rice. Sterling Anderson 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 June 23, 2014 City Council Meeting –**  
*Councilmember Reeder made a motion to approve the minutes as received.*  
*Councilmember Ryba seconded the motion, which carried unanimously 6 to 0.*
- IV. Approval of Agenda of the July 14, 2014 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 - None**  
\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Special Presentation from 2014 SAIYL Program**  
**Presenter: Kathy Hill, Community Services Coordinator**  
Students of the 2014 SAIYL program shared the many experiences they had during the summer as they learned about the City and County.
- VII. Ordinance – Public Hearing**
  - A. To Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically Parcel #7-21-03-077.01 – Located on 241 Cedar**

**Springs Road, which is Currently Zoned R-6 with a Land Use Designation of General Residential District) to Zone GID with a Land Use Designation of General Institutional District, and Providing for Severability and an Effective Date (First Reading)**

**Presenter: Josh Henderson, Planning Coordinator**

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

“On June 19, 2014, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Craig Jacobs, Spencer Hines Properties, on behalf of Hope Center for Children (formerly the Ellen Hines Smith Girl’s Home), Owner, to rezone parcel 7-21-03-007.01 from Zone R-6/General Residential District to GID/General Institutional District, in order to allow the owner the opportunity to develop the property as either another group home of some type or another institutional type use. The use of the property as a group home is permitted by right under the zoning classification of GID.

The Planning Commission held a public hearing on the proposal on June 19, 2014. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcel from R-6 to GID.

PLANNING COMMISSION RECOMMENDATION: The request was unanimously endorsed by the Planning Commission on April 17, 2014.”

**Mayor White** opened the Public Hearing.

He asked if there was anyone to speak in favor of the rezoning request.

Craig Jacobs, Spencer Hines Properties, and Chamlee Loscuito, Chief Executive Officer of the Hope Center for Children spoke in favor of the rezoning.

Bea Dillard, Fredrika Wilson, and Cathy Miller spoke against the rezoning.

*After discussion, Mayor White made a motion to approve the rezoning as presented. Councilmember Ryba seconded the motion. The vote was 1 to 5 and the motion failed. Mayor White voted in favor of the rezoning. Mayor pro tem Scalisi and Councilmembers Ryba, Brown, Rice and Reeder voted against the rezoning.*

**VIII. Resolutions**

**A. To Approve the City to Enter into a Ground Lease Agreement with Saint Matthew’s Episcopal Church for the Purpose of a Neighborhood Park in the West Side of Spartanburg**

**Presenter: Kim Moultrie, Parks and Recreation Superintendent**

**Ms. Moultrie** presented the item to City Council as follows:

“Over the past few weeks, staff has reached a tentative agreement with Saint Matthew’s Episcopal Church for the development of a City park on property owned by the church. Please see Exhibit 1 for the general location of the proposed park. Exhibit 2 provides a more precise location of the proposed playground on the Saint Matthew’s property. Staff believes this location would be very accessible and convenient to citizens residing in the nearby Wadsworth Hills subdivision and Westgate Pines Apartments.

Under the agreement being proposed to Council, the City would enter into a 10 year ground lease of the park area. The full ground lease is provided as Exhibit 3. After

10 years the lease would renew annually unless terminated by either party. The park would be open to the public and function as all other City parks. Staff believes the ground lease to be in its final form, but it will require formal approval by the church vestry. We understand consideration by the vestry will occur on Monday, July 14. Assuming that the ground lease is approved by both parties, the City would purchase and pay for the installation of playground equipment. Total costs for improvements are estimated at \$51,080 as detailed in Exhibit 4. The City would have responsibility for maintenance of the grounds (of the lease area) and playground equipment as set forth in the ground lease.

**ACTION REQUESTED:** To move forward with this proposed project, staff is requesting approval of the attached Resolution. The Resolution will authorize the City Manager to enter into a ground lease with Saint Matthew's. Additionally, the Resolution will authorize the expenditure of \$51,080.27 funds from the \$400,000 budgeted for Westside park improvements and authorize purchase of the playground equipment from Cunningham Recreation in accordance with its bid submitted to US Communities Purchasing Alliance.

**BUDGET AND FINANCE DATA:** \$51,080 estimated costs paid from Westside park improvements funds.”

*After discussion, Councilmember Reeder made a motion to approve the resolution as presented. Councilmember Ryba seconded the motion, which carried 6 to 0.*

## **IX. Other Business**

### **A. Traffic Signal Installation at Intersection of Dupre Drive and Fernwood Drive Presenter: Tim Carter, Engineering Administrator**

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

“The intersection of Dupre and Fernwood Drives is currently served by a flashing warning signal. Over the past several months, city staff has worked with representatives from South Carolina Department of Transportation (“SCDOT”) and Spartanburg County School District 7 to evaluate options to upgrade the signalization of this intersection. Please see Exhibit 1 for the location of this proposed signal.

Based on an engineering assessment, it was determined that traffic volumes at this intersection warrant the installation of traffic signals to fully control this intersection. The upgrades recommended at this intersection include traffic signals, pedestrian controls and signals, installation of sidewalk from Beechwood to Dupre, and crosswalk pavement markings. SCDOT accepted the assessment and approved the improvements. After receiving SCDOT approval, staff sought funding from the Spartanburg County Transportation Committee. On May 1, the CTC technical committee recommended approval to the CTC Policy Committee. Staff anticipates full CTC approval on July 17.

Subject to this final CTC approval, staff is requesting Council authorization for the City Manager to enter into a contract with MCH & Sons Contracting, LLC for the signal installation at a cost of \$107,000. MCH is the on-call signal contractor for SCDOT. Under its procurement code, the City has the option to “piggy back” on the contract pricing of SCDOT. See Exhibit 2 for detailed costs for signal installation.

In addition to the installation of the signal, sidewalk, curb and gutter, and other miscellaneous work associated with the project will be performed by other contractors.

This other work will total approximately \$76,000 and will be awarded to multiple contractors based on quotes of various elements of the project. None of these other contracts will exceed \$25,000 and do not require Council approval. A full listing of this work is attached as Exhibit 3.”

ACTION REQUESTED: Subject to approval of the full CTC, authorize staff to enter into contract with MCH and Sons Contracting, LLC for the installation traffic signals at the intersection of Dupre and Fernwood Drives in the amount of \$107,126.41.

BUDGET AND FINANCE DATA:

\$ 107,126.41	Signal Installation
\$ 76,062.03	<u>Other Work</u>
\$ 183,188.44	Total Expenditures

Funded by CTC and County Road Fee.”

*After discussion, Councilmember Reeder made a motion to approve the project as presented. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.*

**B. Award of Bid for 2014 Annual Street Resurfacing**

**Presenters: Tim Carter, Engineering Administrator**

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

“Staff received bids for the 2014 Street Resurfacing Project on June 24, 2014. Please see attached listing of streets which were previously approved by Council for repaving. This project consists of approximately 6,350 tons of surface Type C Asphalt, 5,355 square yards of full depth patching, and 23,000 square yards milling. The following bids were submitted:

Ashmore Bros. Inc. (Greer, SC)	\$ 715,931.58
Panagakos Asphalt Paving (Greenville, SC)	\$ 753,003.42

The low bid from Ashmore Bros. Inc. is slightly lower than staff’s estimate and, barring unforeseen circumstances, should allow the completion of all of the streets approved for resurfacing by Council. Staff has reviewed all bid information and has determined that Ashmore Bros. Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED: Allow staff to accept the bid from Ashmore Bros. Inc. and authorize the City Manager to enter into a contract with Ashmore Bros. Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 350,000.00	County Transportation Committee Funds (CTC)
\$ 365,931.58	from the Spartanburg County Road Fee Funds”

*After discussion, Councilmember Brown made a motion to approve the award of bid to Ashmore Bros. Inc. in the amount of \$715,931.58. Mayor pro tem Scalisi seconded the motion, which carried unanimously 6 to 0.*

**C. Approval of Applicants for Boards and Commissions – Bicycle and Pedestrian Committee, HARB, Housing Authority, Public Safety, SADAC, and Zoning Board of Adjustment and Appeals**

**Presenter: Connie McIntyre, City Clerk**

Council took the following actions:

*Councilmember Reeder made a motion to waive the rules and appoint **Ralph Daniels to the Alcohol and Drug Abuse Commission**. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.*

*Councilmember Rice made a motion to waive the rules and reappoint **Mack Amick, Elizabeth Brady, and Paul LaFrancois to the Bicycle and Pedestrian Committee**. Councilmember Rice made a motion to waive the rules and appoint **Thomas Koenig, Sarah Love and Matthew Manley to the HARB**. Councilmember Ryba seconded the motion, which carried unanimously 6 to 0.*

*Councilmember Reeder made a motion to waive the rules and reappoint **Marshall Irby to the Board of Zoning Appeals**. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.*

*Mayor pro tem Scalisi made a motion to waive the rules and reappoint **Suzanne Cole and Thomas Lounds, and to appoint Molly Talbot-Metz, Brenda Thomas, and Thomas White to The Housing Authority**. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.*

*Mayor White made a motion to waive the rules and appoint **Cassandra Lindsey-Williams, Brandon Lybrand, and Brad Wright to the Public Safety Committee**. Mayor pro tem Scalisi seconded the motion, which carried unanimously 6 to 0.*

#### **X. City Council Updates**

**Councilmember Rice** commended the Parks and Recreation Department for their great summer programs and encouraged all to visit the City's recreation centers.

**Councilmember Brown** encouraged everyone to take part in the Chapman Cultural Center's "Cultural Counts" events. She shared that they were listed on the CCC website.

**Councilmember Reeder** shared that he would be St. Paul, Minnesota July 23 – 27 at the 2014 NLC Summer Policy Forum. He stated that he would be sharing the City's success on the south and north sides of town.

Mayor pro tem Scalisi mentioned restaurants recently opened downtown: Renato's, Coffee Café and Deno's. She reminded everyone of the "Kill the Frog" event during the Art Walk from 5:30 to 8:00 on Thursday. She shared that the Harvest Park was moving along, and that the Brawley St. housing project was progressing and very attractive. She stated that she was glad to see the Sunshine Motel coming down, and the demolition of the old Thai restaurant property on West Main.

#### **XI. Executive Session to Discuss a Potential Economic Development Project –**

*Mayor pro Scalisi made a motion to adjourn to Executive Session for the reason stated. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0. Council adjourned to Executive Session at 6:40 p.m.*

*Council reconvened at 7:14. Mayor White stated that discussion was held with no decisions made.*

#### **XII. Adjournment - Councilmember Reeder made a motion to adjourn the meeting.**

*Mayor pro tem Scalisi seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:15 p.m.*

