



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

**(These minutes were approved at the
October 14, 2013 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Jerome Rice, Councilmembers Linda Dogan, Cate Ryba, Robert Reeder, Jan Scalisi, and Councilmember W. Sterling Anderson II. 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 -** Boy Scouts from Cudd Memorial Church Troop lead everyone in the pledge.
- III. Approval of Minutes of the September 9, 2013 City Council Meeting –**
Councilmember Dogan made a motion to approve the minutes as received. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.
- IV. Approval of Agenda of the September 30, 2013 City Council Meeting –**
Mayor pro tem Rice made a motion to approve the agenda as received. Councilmember Ryba seconded the motion, which carried unanimously 7 to 0.
- 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
Mr. Pitts and Mr. Henderson presented the item to City Council as follows:
“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 15th and 16th 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 –

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

Council congratulated each awardee.

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

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

“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.

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.”

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

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

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

“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.”

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

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

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

Councilmember Dogan made a motion to approve the consent agenda as presented.

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

X. Other Business

A. Award of Contract for Hillbrook Drive Culvert Improvement Project

Presenter: Jay Squires, Storm Water Manager

Mr. Squires presented the item to Council as follows:

“Staff received bids for the Hillbrook Drive Culvert Improvement Project on August 6th 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 receive, 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.”

Councilmember Scalisi made a motion to approve the award of bid as requested.

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

**B. Approval to Purchase One Self Contained Breathing Apparatus Air Compressor
Presenter: Marion Blackwell, Fire Chief**

Chief Blackwell presented the item to City Council as follows:

“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 21st, 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.”

***Councilmember Dogan** made a motion to approve the request as presented.*

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

**C. Award of Contract for Demolition of Swim Center
Presenter: David Cook, Construction Project Manager**

Three citizens contacted the clerk prior to the meeting and were allowed to speak on this item.

Mike Fowler, 1405 Fernwood-Glendale Road, Spartanburg, SC, Sara Romney, 305 Pineville Road, Spartanburg, SC, and Becky Elliott, 1675 Nazareth Church Road, Spartanburg, SC spoke against demolishing the Swim Center.

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

“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.”

After discussion, Councilmember Anderson made a motion to award the contract for demolition of the Swim Center to D H Griffin Wrecking Co. Inc. in the amount of \$75,832. Councilmember Dogan seconded the motion. The vote was 5 to 2 with Mayor White, Councilmember Dogan, Councilmember Ryba, Councilmember Scalisi, and Councilmember Anderson voting in favor of award of the demolition contract. Mayor pro tem Rice and Councilmember Reeder voted against award of the demolition contract.

XI. City Council Updates –

Councilmember Scalisi welcomed new businesses The Green Canary and The Local Hiker to the City. She also reminded everyone of International Festival that would take place on Saturday.

Councilmember Anderson welcomed Mayor White back after knee replacement surgery. He mentioned several completed projects, Indigo Hall, Wofford housing, Pocket Park, and the Airport terminal and thanked Council for working together and settling differences to move the City forward.

Councilmember Ryba mentioned the Annual Spark in the Park Halloween Parade for dogs to be held on October 27.

Councilmember Dogan shared that she had presented a key to the City to Dr. Tisdale, the president of Claflin University, and a proclamation at a celebration at Barnet Park recognizing the Callahan Funeral Home. She also mentioned that The Piedmont Interstate Fair would be in town the following week.

Mayor pro tem Rice thanked Chief Blackwell for the dedication to training and excellence of the fire department. He mentioned that National Walk to School Day would be on October 9. He also shared that his friend, Clyde Norris, had opened a new gym on Kennedy Street.

Mayor White expressed his thanks to Mayor pro tem Rice for filling in during his absence after his recent surgery and recuperation.

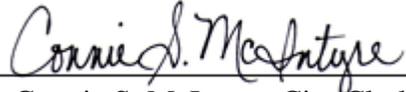
XII. Executive Session to Discuss Two Potential Downtown Economic Development Projects

Councilmember Anderson made a motion to adjourn to Executive Session for the reason stated. Councilmember Dogan seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 6:50 p.m.

Council reconvened at 7:25 p.m. Mayor White stated that discussion was held with no decisions made or vote taken.

XIII. Adjournment –

Councilmember Dogan made a motion to adjourn the meeting. Councilmember Ryba seconded the motion, which carried unanimously 7 to 0, and the meeting adjourned at 7:26 p.m.

A handwritten signature in cursive script that reads "Connie S. McIntyre". The signature is written in black ink and is positioned above a horizontal line.

Connie S. McIntyre, City Clerk