



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, January 14, 2013**

**(These minutes were approved at the  
January 28, City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Cate Ryba, Councilmembers Robert Reeder, Sterling Anderson, Jerome Rice, and Jan Scalisi. Councilmember Linda Dogan was absent due to a personal matter. 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 – Terrance Dawkins, Eagle Scout, lead everyone in the pledge of allegiance.**
- III. **Approval of Minutes of the December 10, 2012 City Council Meeting –**  
*Mayor pro tem Ryba made a motion to approve the minutes as received.  
Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*
- IV. **Approval of Agenda of the January 14, 2013 City Council Meeting –**  
*Councilmember Scalisi made a motion to approve the agenda as received.  
Councilmember Rice 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. **Election of 2013 Mayor Pro Tempore**  
**Presenter: Mayor Junie White**  
*Mayor White thanked Councilmember Ryba for her service as Mayor pro tem 2012.  
Councilmember Ryba made a motion to appoint Councilmember Rice as Mayor pro tem 2013. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*
- VII. **Briefing on Fire Department Structure Burns/Scientific Testing**  
**Presenter: Shane Ray, State Fire Marshal**  
*Shane Ray, SC State Fire Marshal, briefed the Mayor, City Council and Staff on the scientific testing that will take place January 22 through February 1 on Folsom Street. SFM Ray is the past president of International Society of Fire Service Instructors, which is the grant recipient for conducting the scientific analysis of fire service suppression techniques*

and fire behaviors under different environmental conditions. SFM Ray will entertain questions pertaining to the testing from the Mayor, City Council, and Staff. Mr. Ray invited Council to observe the burns on any of the specified dates.

### VIII. Ordinance

- A. **To Amend the Code of the City of Spartanburg 1988, Chapter 6, “Elections” to Transfer the Conducting of Municipal Elections to the Spartanburg County Election Commission and to Provide that Public Notice be Given by the (First Reading)**

**Presenter: Cathy McCabe, City Attorney**

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

“In the December 10, 2012 Council Meeting, City Council voted to do away with the City Election Commission and transfer the responsibilities for conducting municipal elections to the Spartanburg County Election Commission. This Ordinance amends Chapter 6, “Elections,” to accomplish this. Also, Chapter 6 is amended to reflect the current state law concerning when no election is necessary by adding a new Section 6-3.

Council’s consideration and approval of the proposed transfer by first reading of the ordinance.

BUDGET AND FINANCE DATA: The City will still be responsible for paying for the costs of holding the City elections and for the costs of public notice requirements. However, the City will no longer need to expend funds for training the Commissioners of the City Election Commission or paying their transportation costs for such training.”

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

### IX. Consent Agenda

- A. **To Amend Chapter 7, Fire Prevention and Protection, Article I, Section 7-6, “Burning Rubbish, Etc.” to Provide for the Public Safety Director to Permit Burning of Debris or Structure(s) for the Purpose of Fire Personnel Training or Research (Second Reading)**

**Presenter: Marion Blackwell, Fire Chief**

*Councilmember Robert Reeder made a motion to approve the consent agenda as received on second reading. Mayor pro tem Rice seconded the motion, which carried unanimously 6 to 0.*

### X. Other Business

- A. **Award of Bid for Wood/Brush Chipper**

**Presenter: Mark Ford, Grounds Maintenance Manager**

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

“This piece of equipment is routinely used by the Grounds Maintenance Division’s Tree Crew in performing their limb and brush chipping responsibilities.

Five companies submitted bids, but only the two that provided the required on-site demo were accepted. Those companies were:

Morbark Inc. Winn, Michigan	\$42,198.00
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Vermeer Inc., Simpsonville, SC 43,579.00

No MWBE bids were submitted.

The Grounds Maintenance Division is recommending the Vermeer unity over the Morbark unit based on the following:

- a) Vertical feed rollers provide increased safety to the user
- b) Winch and feed system do not operate simultaneously – a very critical safety feature.

Staff is requesting that Council approve the award of bid to Vermeer Inc. in the amount of \$43,855.00 based on the evaluations performed by Grounds and Fleet Maintenance during the on-site demo.

**BUDGET AND FINANCIAL DATA:** Funds for procurement of the equipment will allocate from the Equipment Replacement Fund.”

*Mayor pro tem Rice made a motion to approve the award of bid for the wood/brush chipper as requested. Councilmember Ryba seconded the motion, which carried unanimously 6 to 0.*

**B. Award of Bid for Arkwright Dump Post Closure Groundwater and Methane Gas Monitoring**

**Presenter: Jay Squires, Storm Water Manager**

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

“Under the terms of an agreement with South Carolina Department of Health and Environmental Control, the city agreed to conduct post closure ground water and methane gas monitoring of the Arkwright dump for 3 years. To obtain the professional services needed for this work, staff prepared technical specifications and a request for proposals. The RFP was advertised. A proposal review committee comprised of city employees and Arkwright project consultant (Mike Garrett) reviewed all proposals submitted and interviewed several firms. After this review, the committee determined that Rogers and Collcott Engineers, Inc. to be the most qualified firm for the completion of this work.

Proposals were submitted by:

- Rogers & Collcott Engineers, Inc.
- Schnabel Engineering Consultants, Inc.
- Altamont Environmental, Inc.
- Crawford Environmental Services, Inc.
- S&ME
- Froehling & Robertson, Inc.
- ECS Carolinas, LLP
- Davis & Floyd, Inc.
- Terracon Consultants, Inc.

No bids were submitted from MWBE certified contractors.

Staff is requesting City Council allow staff to accept the proposal from Rogers & Collcott Engineers, Inc. and authorize the City Manager to enter into a contract with Rogers & Collcott Engineers, Inc. for the completion of the project.

**BUDGET AND FINANCE DATA:** \$ 113,000 from the Arkwright Capital Project fund.”

*Councilmember Reeder made a motion to approve the award of bid as requested. Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.*

**C. Skating on the Square Update**

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

**Mandy Merck, Special Events Manager**

**Ms. Merck** reported the following to City Council:

14, 255 skaters enjoyed the ice during the 8 week session.

There were 11 birthday parties.

29 students enrolled in skating lessons.

18 large groups came to skate.

4 student field trips came to the ice rink.

*Council received the report as information and congratulated and thanked all involved in the ice rink project.*

**D. 2012 United Way Campaign Update**

**Presenter: James Rice, City Recreation Supervisor**

**Mr. Rice** reported the following to City Council:

The total pledge from 212 participating City employees was \$46,311, which surpassed the \$46,000 goal. Mr. Rice mentioned that the committee members were:

Lisa Gosnell, Kerlando Glymph, Mark Ford, Tony McAbee, Tim Suber, Chris Story, Ingrid Crawford, and Mr. Rice.

*Council received the report as information and congratulated and thanked all involved in the United Way Campaign.*

**E. Declaration of Vacancy on Planning Commission**

**Presenter: Connie McIntyre, City Clerk**

**Ms. McIntyre** informed Council that a vacancy now existed on the Planning Commission due to the death of Dr. B. J. Staggs. She asked that councilmembers send any recommendations to fill the vacancy to her as soon as possible.

**XI. City Council Updates –**

**Councilmember Scalisi** reminded everyone of the MLK events planned for the upcoming weekend and on Monday, January 21.

**XII. Executive Session to Receive Legal Advice Regarding a Contractual Matter -**

*Councilmember Ryba made a motion to adjourn to Executive Session. Mayor pro tem Rice seconded the motion, which carried unanimously 6 to 0, and Council adjourned to executive session at 6:16 p.m.*

*City Council reconvened to regular session at 7:07 p.m. Mayor White stated advice was received, discussion held, and no decision made.*

**XIII. Adjournment**

*Mayor pro tem Rice made a motion to adjourn the meeting. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0 and the meeting adjourned at 7:08 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