



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, January 23, 2017
5:30 p.m.**

**(These minutes were approved at
the February 13, 2017 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Laura Stille, Councilmembers Jerome Rice, Erica Brown, Sterling Anderson and Rosalyn Henderson Myers. Councilmember Jan Scalisi passed away on January 19, 2017. 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

Mayor White called on Mayor pro tem Stille for comments.

Mayor pro tem Stille, “I just wanted us all to take a minute to remember our friend and colleague, Jan Scalisi, who passed away last week. Our condolences certainly go out to her family and her friends. She was a valuable member of Council and her influence will be with us for years to come. We appreciate her service. Her memorial service will be on Thursday in the Chapman Center lobby at 11:00 a.m., and everyone is welcome.”

III. Approval of the Minutes of the January 9, 2016, City Council Meeting – Councilmember Brown made a motion to approve the minutes as received. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

IV. Approval of Agenda of the January 23, 2017 City Council Meeting – Councilmember Henderson Myers made a motion to approve the agenda as received. Mayor pro tem Stille 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 **Carolyn Reed-Smith** expressed concern regarding the closing of the Northwest Center. **Linda C. Dogan** spoke regarding the TK Gregg Center.

VI. Presentation by Spartanburg Chamber of Commerce – One Spartanburg: Spartanburg’s Community and Economic Development Strategy

Presenter: Allen Smith, IOM, CCE, President and CEO Chamber of Commerce

Mr. Smith updated Council on the One Spartanburg planning phases. He shared that the implementation plan was approved on October 12 and the next steps would be the public launch on January 24 at the Chapman Cultural Center, secure entire funding for the five year strategy in Q1 2017, make key hires in Q1 2017, begin implementation as defined in strategy in Q1 2017.

Council received the report as information.

VII. Ordinance

A. Authorizing the City Manager to Execute an Agreement to Purchase the Cammie Clagett Apartment Homes in the Highland Neighborhood in the City of Spartanburg from the Spartanburg Housing Authority and Transfer to Neighborhood Improvement Program (NIP) Partners (First Reading)

Presenter: Martin Livingston, Neighborhood Services Director

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

“In August 2016, the City received a Neighborhood Improvement Program (NIP) grant of \$1.6 million to purchase and demolish Cammie Clagett Apartments. NIP funds are administered by the South Carolina State Housing and Finance Authority. This funding will allow the City to purchase the two large blocks of 58 units on Bunker Street and Highland Avenue. Staff will request additional NIP funding for the other 52 units for a total of 110 units that would be purchased and demolished. Use of NIP funds will require that title of these properties be held by a non-profit that has been approved by the state. Staff will place property restrictions to insure that the properties are ultimately redeveloped in a manner that is consistent with city objectives. Additional information is attached for Council review.

Property Address	Tax Map Number	Property Type	Purchase/Sale Price
201 Bunker Street	7-16-01-211.00	Multifamily Townhomes	320,000.00
311 Highland Avenue	7-16-01-299.00	Multifamily Townhomes	260,000.00
350 Beacon Street	7-16-01-088.00	Multifamily Townhomes	60,000.00
350 Concord Avenue	7-16-01-152.00	Multifamily Townhomes	120,000.00
351 Concord Avenue	P/O 7-16-01-247.00	Multifamily Townhomes	20,000.00
410 Beacon Street	7-16-01-096.00	Multifamily Townhomes	120,000.00
410 Concord Avenue	7-16-01-169.00	Multifamily Townhomes	120,000.00
105 Norris Street	7-16-05-007.00	Multifamily Townhomes	30,000.00
107 Norris Street	7-16-05-008.00	Multifamily Townhomes	30,000.00
420 Bethlehem Drive	7-16-01-325.00	Multifamily Townhomes	20,000.00

Staff is requesting approval for the purchase and sale of the Cammie Clagett Public Housing sites as set forth in the Ordinance.

BUDGET AND FINANCIAL DATA: \$1,610,000 in NIP Grant Fun”
After discussion, Councilmember Rice made a motion to approve the ordinance as requested on first reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

VIII. Other Business

A. Butterfly Branch Mitigation Project

Presenter: Jay Squires, Streets and Storm Water Manager

Mr. Squires presented the item to Council as follows:

“Over the past two years, staff has been designing, obtaining regulatory approvals, and acquiring the land needed for the Butterfly Creek Mitigation Project. This project will restore the natural flow of the creek and establish protective creek buffers between Preston and College Streets. Once the mitigation project is near completion, the city will start construction of an adjacent linear park and trail project. These two projects will provide a significant community amenity for the Northside.

To move these efforts forward, staff advertised the creek mitigation project and received two bids from:

Shamrock Environmental Corporation	Browns Summit, NC	\$1,392,536
Lindler’s Construction of SC, LLC.	Newberry, SC	\$2,949,655

The low bidder, Shamrock Environmental Corporation, is a regional contractor with extensive experience in large civil projects including creek and wetlands restoration. Shamrock was the general contractor for the Arkwright Landfill Closure Project. Due to funding limitations, it was necessary to enter into negotiations with Shamrock to lower costs. As a result of these efforts, the project scope has been adjusted to reduce costs by \$250,815 to a total of \$1,141,721.

Shamrock is not a MWBE certified contractor, but has indicated MWBE subcontractor participation at 9.5% of the contract value. It is anticipated that the project will take 120 days to complete.

The Butterfly Creek project will also provide the city with offsetting stream mitigation credits for work being done at the Downtown Airport. Since the project provides these mitigation credits, Federal Aviation Administration (FAA) funding will pay 90% of project cost.

ACTION REQUESTED: Staff is requesting Council authorization to proceed with award of contract pending formal FAA approval.

BUDGET AND FINANCE DATA:
90% FAA, 10% City Storm Water funds”

After discussion, Councilmember Brown made a motion to approve the award of bid as requested to Shamrock Environmental Corporation in the amount of \$1,392,536. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.

B. Perrin Drive Culvert Replacement

Presenter: Jay Squires, Streets and Storm Water Manager

Mr. Squires presented the item to Council as follows:

“Staff received bids for the replacement of a culvert under Perrin Drive. This project consists of removal and replacement of a culvert from under Perrin Drive adjacent to 675 Perrin Drive.

The following bids were submitted:

Capitol Construction of the Carolinas, LLC	Spartanburg	\$189,210.00
Dillard Excavation	Pelzer	\$206,715.00

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that Capitol Construction of the Carolinas, LLC. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 30 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. A portion of Perrin Drive will be closed during construction for safety reasons. 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 Capitol Construction of the Carolinas, LLC and authorize the City Manager to enter into a contract with Capitol Construction of the Carolinas, LLC for the completion of the project.

BUDGET AND FINANCE DATA: \$ 189,210 from the Storm Water Utility fund will be used to complete the project.”

After discussion, Councilmember Henderson Myers made a motion to approve the award of bid to Capitol Construction of the Carolinas, LLC in the amount of \$189,210. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

C. FY 2016 Comprehensive Annual Financial Report

Presenters: Dennis Locke, Finance Director

David Phillips, Greene, Finney and Horton, LLP

Mr. Locke reviewed the FY 2016 CAFR for Council.

David Phillips, of Greene, Finney and Horton, LLP, shared with Council that the City had received the best possible review by his firm during their audit of the City. He added that there were no findings during the audit.

Council received the report as information.

D. Update on Housing Rehabilitation Program -

Presenter: Martin Livingston, Neighborhood Services Director

Mr. Livingston presented a report on an affordable housing program staff had been working on for the last couple of months. He stated the program was based on requests from the neighborhoods.

He discussed the details of the following options of the program:

1. Owner-Occupied Rehabilitation Program Loan Loss Reserve
2. Repair Loan Program – Terms and Examples
3. Homebuyer Program – Citywide
4. Homebuyer Program – Terms and Examples

Mr. Livingston stated that staff was working with several entities to administer the program.

Council received the report as information.

E. Boards and Commissions – Bicycle and Pedestrian Committee

Presenter: Connie McIntyre, City Clerk

Ms. McIntyre requested Council decision on the application of John L. “Luke” Perkins for appointment to the Bicycle and Pedestrian Committee.

Councilmember Sterling Anderson made a motion to waive the rules and appoint Mr. Perkins to the committee. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

F. Discussion of the Dr. TK Gregg Community Center

Presenter: Ed Memmott, City Manager

Mr. Memmott stated staff was back to council for direction on the TK Gregg Community Center for the scope of the project and whether or not it would include an indoor pool. He stated that there was a cost differential of approximately \$3.5 million dollars for an indoor pool and that the capital costs could be raised. He stated that there was, however, no definitive plan He stated that the challenge for the city in the recurring expenses associated with an indoor pool. Mr. Memmott stated that he was confident that operating expenses related to an indoor pool would be not less than \$350,000 annually. He added that replacement expenses could not be fully defined until the facility was designed. He stated that he did not recommend the indoor pool because he did not believe the expense associated with it justifies the benefit. He stated that, obviously, if Council chose to spend \$400,000 for recurring expenses of an indoor pool, they would not have that money to spend elsewhere. He added that building an indoor pool would have significant budget implications for the next 20 to 30 years. He stated that unless a majority of Council could come together with clear direction that evening, he did not think it wise to make a decision that would have implications for the city for decades. He recommended that Council wait until such time that they could make a majority vote decision in favor of or against the question of an indoor pool. He explained the downsides of waiting could result in a delay of construction of the TK Gregg Center until 2018; that anytime there is a delay there are risks – things can go wrong, interest rates could go up, a funding

source can go away, a new funding source can appear; the city still has to compete for the funds to complete the project. He stated that he had read through the minutes from 2012 when Council made the decision to close TK Gregg and gave staff direction to retain the \$100,000 in operating costs annually in a designated fund for the new TK Gregg Center. Council directed staff to a plan of closing the Northwest Center, and transferring the operating costs of that center to a smaller, more efficient new TK Gregg Center with an outdoor pool. There was never any expectation of an indoor pool in any of the discussions regarding a new TK Gregg Center. The new TK Gregg Center was always described as comparable to the CC Woodson Center, which has an outdoor pool. When Council voted to close the Swim Center there was no anticipation of any indoor pool in the future. During the planning process for the Northside, there was never any inclusion of an indoor pool at a new TK Gregg Center. Mr. Memmott stated again that he recommended waiting until there would be a majority vote of Council, one way or the other, and one with which all of Council would be comfortable. He stated he didn't think it was a good idea to get a decision that might possibly be compromised in the future with a different composition of Council. He stated that, if Council agreed with his recommendation, staff would return to Council in late May or June for direction on the new TK Gregg center. He reiterated that staff would do whatever Council directed them to do.

After a lengthy discussion by Council of their opinions in favor of or against an indoor pool at the yet to be built TK Gregg Center, Mayor White made a motion to build the TK Gregg Center with an outdoor pool. Mayor pro tem Stille seconded the motion. Mayor White, Mayor pro tem Stille, and Councilmember Anderson voted in favor of the motion. Councilmember Brown, Councilmember Rice, and Councilmember Henderson Myers voted against the motion. The motion died with a 3 to 3 vote.

Councilmember Anderson made a motion to postpone the decision and have staff look at indoor pools, and solicit people in the community to assist the city with the costs of an indoor pool and come back to Council with the information. The motion died from lack of a second.

Councilmember Rice made a motion to move forward with the construction of the new TK Gregg with an indoor pool. Councilmember Henderson Myers seconded the motion. Councilmember Rice, Councilmember Henderson Myers and Councilmember Brown voted in favor of the motion. Mayor White, Mayor pro tem Stille, and Councilmember Anderson voted against the motion. The motion died with a 3 to 3 vote.

Mayor White made a motion to postpone the decision until there was a full slate of Councilmembers, which would be after the April 18 Special Election.

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

IX. City Council Updates

Councilmember Brown shared that she thought all of the Martin Luther King activities were great, particularly the MLK Unity Celebration on Monday, January 16, with former Mayor of Charleston, Joe Riley as the speaker. She shared that Mayor White's comment

that stuck with her most was promoting diversity and tolerance and working together every day. She shared fond memories of Councilmember Jan Scalisi and expressed condolences to Ms. Scalisi's family.

Mayor pro tem Stille echoed sentiments about Councilmember Scalisi and sent condolences to her family and friends. She thanked everyone who participated in the Healthy Community Walk.

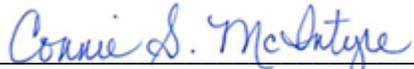
Councilmember Henderson Myers shared her memories of Jan and expressed condolences to her family. She shared that she thought Mayor Joe Riley's speech at the MLK Unity Celebration was good, and that she agreed we need to work toward more cohesiveness and unification. She shared that she participated in the Healthy Community Walk and looked forward to the next one.

Councilmember Rice shared memories of Jan and expressed condolences to her family. He thanked staff for the great job they did with the MLK activities and the Unity Celebration.

Mayor White shared his memories of Jan and expressed condolences to her family. He added that he thought staff did a tremendous job with the MLK activities, and that he particularly enjoyed the choir performance.

X. Adjournment –

Mayor White made a motion to adjourn the meeting. Councilmember Rice seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 7:40 p.m.



Connie S. McIntyre, City Clerk