



CITY OF
SPARTANBURG

SOUTH CAROLINA

City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC

Monday, December 10, 2012

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

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Cate Ryba, Councilmembers Linda Dogan, Robert Reeder, Sterling Anderson, Jerome Rice, and Jan Scalisi. 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 Minutes of the November 26, 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 December 10, 2012 City Council Meeting –
Councilmember Dogan made a motion to approve the agenda as received. Mayor pro tem Ryba 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. Ordinance

**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 (First Reading)**

Presenter: Marion Blackwell, Fire Chief

Chief Blackwell presented the item to City Council as follows:

“Spartanburg Fire Division has partnered with the National Institute of Standards and Technology, International Society of Fire Service Instructors and SC Fire Marshal’s Office to conduct research that will improve firefighter safety. This research is possible through a grant provided by Grants Program Directorate of the Federal Emergency Management Agency, Fire Prevention and Safety category of the Assistance to Firefighters Grant. The grant will provide funds to prepare eight residential structures located on Folsom Street for fire research. These structures

would be ignited and allowed to burn under very controlled conditions. Very precise monitoring and recording equipment will be used to measure the effectiveness of various fire fighting techniques. All hazardous materials would be removed from the structures in advance of the test burn. This testing and research will be conducted January 22nd – 31st.

Removal of these structures will assist the Northside Initiative by funding the abatement of hazards and removal of structures to provide sites for future development. Cleveland Academy of Leadership will be contacted and asked if their faculty and students would like to participate in the field experimentation as a walking field trip. This partnership is a great example of how federal, state, local, and private entities can come together and conduct research and create training programs that will improve service to the citizens and firefighter safety while supporting the needs of the community.

Councilwoman Dogan, Community Services Director Mitch Kennedy, and Curt McPhail (Program Manager with the Mary Black Foundation) have met with Northside residents to discuss this effort. The community is very supportive. Additional outreach efforts will be conducted in January to include door-to-door notification.

To facilitate this research and training, and to avoid any questions or concerns from state regulatory agencies, a text amendment to Chapter 7 of the City Code is proposed. This amendment would specifically allow the city to issue a permit for the burning of structures for the purpose of fire personnel training or research.

Staff is requesting First Reading Approval of an Ordinance to Amend Chapter 7 – Fire Prevention and Protection.

BUDGET & FINANCIAL DATA: No financial impact to budget. Grant funding of \$80,000 to prepare structures for research and removal of debris after research and training is concluded.”

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

VII. Resolutions

A. **Approving the Purchase of 665 Saxon Avenue, Block Map Sheet 7-11-08-115.00** **Presenter: Wesley Corrothers, Neighborhood Services Director**

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

“The City owns several parcels on Saxon Avenue near the Northwest Center which were either purchased with Neighborhood Stabilization Program (NSP) funds or donated for future redevelopment. The owner of the property at 665 Saxon Avenue has offered that property for sale to the City. Based on appraisals of properties previously purchased, \$9,000 is a fair purchase price for the property and the owner has agreed to accept that offer.

Staff is requesting approval of Resolution approving the voluntary purchase of property at 665 Saxon Avenue, Block Map Sheet 7-11-08-115.00.

BUDGET AND FINANCIAL DATA: CDBG funds in the amount of \$9,000.00.”

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

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

B. **Approving Donation of Property Located at 0 North Converse Street** **Presenter: Wesley Corrothers, Neighborhood Services Director –**

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

‘Staff has been approached by the owner of a parcel of vacant land located on North Converse Street, TMS 7-12-06-140.00, (formerly known as 142 Keene Street) regarding her desire to donate the property to the City of Spartanburg. This property is located adjacent to a triangular parcel owned by the City, TMS 7-12-06-141.00. Both of these parcels are located within the Renaissance Park area. The only cost to the City would be payment of 2011 taxes, which are delinquent in the amount of \$339.89.

Staff is requesting approval of a Resolution accepting the donation of TMS 7-12-06-140.00 to the City of Spartanburg.

BUDGET & FINANCIAL DATA: A payment of 2011 taxes for \$339.89 is to be funded by CDBG funds.’

Councilmember Dogan made a motion to approve the resolution as requested. Mayor pro tem Ryba seconded the motion, which carried unanimously 7 to 0.

VIII. Consent Agenda

A. To Amend Chapter 10, “Motor Vehicles and Traffic,” to Add a Section to Provide that a Vehicle Owner is Presumed Responsible for Parking Violations (Second Reading)

Presenter: Mark Cleveland, Downtown Manager

Councilmember Reeder made a motion to approve the consent agenda on second reading. Councilmember Dogan seconded the motion, which carried unanimously 7 to 0.

IX. Other Business

A. Presentation of *The Main Street Challenge*

Presenter: Patty Bock, Economic Development Director

Ron Thomas, Economic Development Project Developer

Ms. Bock presented the item to City Council as follows:

“The City’s Economic Development staff has been working on an innovative recruitment program that is intended to attract new businesses to downtown Spartanburg. Called the Main Street Challenge, it is a business start up competition that will take place over a period of five months and will generate viable business concepts to open up in the empty storefronts along Main Street. The contest will benefit the downtown of Spartanburg in many ways.

Highlights of the program are below. A significant amount of preparatory work is underway in anticipation of a public competition launch on January 6, 2013.

Purpose and Benefits

- To generate ideas, leads and other information to aid our efforts to support job creation and revenue growth.
- To proactively initiate recruitment of new and existing businesses that will enhance the retail mix along Main Street.
- To highlight available downtown properties and transform storefronts into attractive places of business.
- To increase consumer traffic and generate sales in the downtown.
- To create a buzz and promote Spartanburg as a great place to open a business.

- To showcase Spartanburg's creative approach to assisting entrepreneurs with the support they need and to remove some of the barriers that prohibit some from starting or expanding a business.
- To strengthen the economy and downtown environment of Spartanburg.

Program Description

- The City will administer a contest designed to select up to three (3) business concepts submitted by those desiring to open a new or expand an existing business to downtown Spartanburg.
- The City has confirmed with six property owners and their representatives of downtown properties/buildings, to secure their premises for promotion in the program. Confirmed properties are street level, with storefront exposure on Main Street. Should the chosen storefronts become occupied prior to the awarding of the winners, the City shall expand within the corridor beginning at Spring St. and West Main St., extending to the intersection of Converse St, and East Main St., or alternative corridors within close proximity of this designated area.
- The City will award up to three (3) cash incentives of \$12,000 each and distributed in monthly \$1,000 dollar increments for a period of one year (these distributions will represent a forgivable loan once contingencies are met). Total program funding of \$40,000 (\$36,000 in cash awards and \$4,000 in advertising costs), is available in the MCIP Fund.
- An additional \$8,000 of in-kind professional services will be awarded by local businesses. These services include, but are not limited to the following: accounting, architectural, payroll, signage, telephone/internet, website design, office supplies, and advertising. In-kind services bring the total value of the combined awards to approximately \$20,000 per winner.
- Applicants will go through several phases of a selection process with the top finalists preparing a business presentation to a Selection Committee. The Selection Committee will be comprised of up to six (6) individuals from the Spartanburg community with solid business and civic minded attributes.
- There are eligibility requirements for applicants and additional requirements that contest winners must adhere to. This information will be available upon the date of the launch, January 6, 2013.

Program Timeline for Phase I of Contest

- Pre-Announcement- now through January 5, 2013 City staff is securing all arrangements needed prior to the program launch. This includes confirming details with Selection Committee and property owners, preparing storefronts, acquiring all professional in-kind services and completing all marketing and promotional collateral for the contest.
- Program launch on Sunday, January 6, 2013 City will promote through various print and social media and have applications accessible in City offices.
- First Submittal Deadline, Friday February 8, 2013

Much upfront planning and groundwork is required in order to successfully launch the Main Street Challenge. Staff is confident that this program will be welcomed by downtown stakeholders. Other positives will flow from this contest, include future leads and business ideas that staff can pursue and hopefully develop into additional

businesses opening in our city. Downtown property owners will notice firsthand that the City is creating positive change in a unique way. The enhanced business mix and increased vacancy may influence them to become more receptive to development projects that include their property. All of this will help to drive consumer traffic, consumer spending at new and existing businesses and spur the demand for residential projects.

Staff is optimistic that this is the ideal time to launch the Main Street Challenge. I encourage each Council member to feel free to contact me for any questions. Program packets containing more detailed information will be provided to each Council member at the December 10, 2012 City Council meeting.”

Ms. Bock stated that the winner of the challenge would be announced at the end of May 2013 with a deadline for opening the business of November 1, 2013.

After extensive discussion, it was the consensus of City Council to proceed with the program.

B. Discussion of Swim Center

Presenter: Chris Story, Assistant City Manager

Ed Memmott, City Manager

Mr. Story presented information to City Council as follows:

“Since our last discussion about the possibility of closing the Swim Center, staff has met with the leadership of the Spartanburg YMCA about the possibility of helping economically disadvantaged city-resident swim center users transition to that facility. We believe a mutually beneficial program can be arranged. Should Council choose to pursue such a program, we would recommend that Council endorse the following program guidelines.

To be eligible for City assistance, individual must be:

City resident, and

Active Swim Center user as verified by Swim Center user rolls, and

Able to provide documentation of household income below area median.

The subsidy provided by the City would be sized to fund the difference between the applicable monthly membership fees of the two facilities for a period of 12 months. (We should note that it would be inaccurate to directly compare the two facilities. In addition to two state of the art pools, a Y membership entails access to a wide variety of wellness programs and amenities not available at the Swim Center.)

The YMCA, through its Gateway program, currently offers a sliding scale reduced monthly fee for the economically disadvantaged. The application process for their Gateway program provides a fair and credible method of assessing financial need.

We average 80 city resident members at the Swim Center. We do not know what percentage of that number would apply or qualify for this transitional subsidy and we have yet to pursue a formal agreement with the Y. However, we are confident that the full cost of the subsidy program as described here would not exceed \$25,000.”

After extensive questions, answers, concerns, and discussion concerning the effects on the community of closing the Swim Center and the adverse economic effects on the City of keeping it open, *Councilmember Anderson made a motion to close the Swim Center in the spring or summer, keeping the center open during the remaining winter months, continued offering of swimming lessons to low income children, and income based subsidy offerings for a YMCA membership to current members.*

Mayor pro tem Ryba seconded the motion. Mayor White clarified that the subsidy would be for just one budget year after closing the Swim Center and would have to be reconsidered by council each budget year.

Councilmember Scalisi stated that she would recommend just closing the center with no subsidies.

Councilmember Rice questioned closing the center for the summer.

Mayor White called for the question.

The vote was 5 to 2 against the motion. Mayor pro tem Ryba and Councilmember Anderson voted in favor of the motion. Councilmembers Dogan, Rice, Scalisi, Reeder, and Mayor White voted against the motion.

Councilmember Dogan made a motion to close the Swim Center in the fall of 2013 and that the City provide a subsidy, as stated above, to the current members of the Swim Center for a YMCA membership and for swimming lessons for the youth.

Councilmember Anderson seconded the motion. The vote was 4 to 3 in favor of the motion. Mayor White, Mayor pro tem Ryba, and Councilmembers Dogan and Anderson voted in favor of the motion. Councilmembers Scalisi, Reeder and Rice voted against the motion.

X. City Council Updates -

Councilmember Ryba shared that the past Tuesday she attended the CD release of “Voices of the Northside”, which the Mary Black Foundation and HubBub put together. It is a compilation of oral presentations of the histories of people on the northside.

She also shared that she would be riding a B-Cycle in the Christmas parade the next evening at 6:30 p.m. along with Councilmember Anderson.

Councilmember Dogan wished everyone a good holiday. She shared that she, Councilmember Scalisi and Councilmember Reeder had attended the NLC Conference in Boston and that she had brought back valuable information. She mentioned that she was on the National Board of Human Development and that she was on the Regional Director for the National Black Caucus for Local Elected Officials. She mentioned the rendition of “Twas the Night Before Christmas” written by City Clerk Connie McIntyre and read at the Annual Administration Luncheon enjoyed by all.

Councilmember Rice mentioned the Shrine Bowl and that both teams were practicing at Spartanburg High School. He asked that everyone support their efforts and stated his appreciation of the positive economic impact the event would have on the City.

Councilmember Anderson echoed Ms. Dogan’s positive reaction to the Administrative Luncheon and thanked everyone involved. He thanked the Fire Chief for the positive reaction of his staff on a couple of incidents in his area the previous week.

Councilmember Anderson congratulated Mayor pro tem Ryba on accepting the position of Executive Director at HubBub.

Councilmember Scalisi echoed Ms. Dogan’s comments on the positive experience at the NLC Conference and all the opportunities for gaining valuable knowledge for the City.

City Manager Memmott mentioned the many positive effects that “Skating on the Square” had already had for the downtown area.

Mayor White echoed Mr. Memmott’s comments regarding the skating rink.

XI. Executive Session to Provide Legal Advice Concerning the City Election Commission

Mayor pro tem Ryba made a motion to adjourn to Executive Session at 6:53 p.m. for the stated reason. Councilmember Dogan seconded the motion, which carried unanimously 7 to 0.

Council reconvened to regular session at 7:09 p.m. Mayor White stated that discussion was regarding the election commission with no decisions made and no action taken.

Councilmember Dogan made a motion to have the City Attorney draft an ordinance transferring the responsibilities and duties of the city elections to the Spartanburg County Voter Registration and Election office and to abolish the City's Election Commission. Councilmember Anderson seconded the motion, which carried unanimously 7 to 0.

XII. Adjournment -

Councilmember Dogan made a motion to adjourn the meeting. Councilmember Anderson seconded the motion, which carried unanimously 7 to 0, and the meeting adjourned at 7:10 p.m.



Connie S. McIntyre, City Clerk