



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, March 20, 2017  
5:30 p.m.**

**These minutes were approved at the  
April 10, 2017 City Council meeting.)**

**City Council met this date with the following Councilmembers present: Mayor Junie White, Councilmembers Erica Brown, Jerome Rice, Sterling Anderson and Rosalyn Henderson Myers. Mayor pro tem Laura Stille was absent. 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 with assistance from Boy Scouts from Troop 106 at Mt. Moriah Baptist Church.
- III. Swearing In of District 2 City Councilmember John Alan Jenkins**  
**Mr. Jenkins** was sworn in by Rev. Sally Beth Shore, with assistance from Mr. Jenkins wife and daughter. City Councilmembers welcomed Councilmember Jenkins to Council and wished him well. Councilmember Jenkins offered words of thanks to all who helped him during his campaign and pledged to do his best to serve the residents of City Council District 2.
- IV. Approval of the Minutes of the February 27, 2017, City Council Meeting** –  
*Councilmember Brown made a motion to approve the minutes as received. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.*
- V. Approval of Agenda of the March 20, 2017 City Council Meeting** –  
*Councilmember Henderson Myers made a motion to approve the agenda as received. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.*
- VI. Public Comment**  
\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk  
**Attorney John Strickland** spoke against the proposed changes for the wrecker and towing fees.  
**Victoria Prickett** spoke in favor of having an indoor pool at the new TK Gregg facility.

**Chris Cato** spoke regarding the proposed changes for the wrecker and towing fees, and expressed his desire for everyone to understand how dangerous the towing business can be.

**VII. Recognition of Spartanburg City Firefighter Retiree David Free II**

**Presentation: Mayor Junie White –**

**Mayor White** congratulated Firefighter Free on his retirement and thanked him for his many years of dedicated service to the City of Spartanburg. Firefighter Free’s wife and a standing room only assembly of his fellow firefighters was in attendance to honor him.

**VIII. Resolution**

**A. Authorizing the City Manager to Execute The Collaborative Partnership Agreement**

**Presenter: Martin Livingston, Neighborhood Services Director**

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

“Staff is requesting approval to allow the City Manager to execute a collaborative agreement between the City of Spartanburg, Spartanburg County, and the Housing Authority for the City of Spartanburg for the completion of an Affirmatively Furthering Fair Housing (AFFH) Study. The agreement allows the City, County, and Authority to partner to complete a joint AFFH study. The U.S. Department of Housing and Urban Development (HUD) will review and make a determination on the approval of the agreement prior to implementation.

ACTION REQUESTED: Staff is requesting approval of the resolution allowing the City Manager to execute the Collaborative Partnership Agreement with Spartanburg County on the implementation of the Affirmatively Furthering Fair Housing Study.”

*Councilmember Rice made a motion to approve the resolution as presented. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.*

**B. To Determine the Eligibility of 141/143 W. Main Street, 174 E. Main Street and 589 E. Main Street and to Reaffirm 130 Magnolia Street for Special Property Tax Assessment for Rehabilitated Historic Properties as Adopted by Ordinance of the City Council on September 9, 2013**

**Presenter: Chris Story, Assistant City Manager**

**Mr. Story presented the item to Council as follows:**

“In 2013, City Council established by ordinance a mechanism, consistent with state code, which allows City Council to provide an advantaged property tax treatment for eligible historic properties when those properties are significantly rehabilitated according to historic standards. The Council, by and through either resolutions or development agreements, have certified the following properties for the special property tax assessment for rehabilitated historic properties:

141/143 W. Main Street  
174 E. Main Street  
589 E. Main Street  
130 Magnolia Street

By state code, the Board of Architectural Design and Historic Review (HARB) is the reviewing authority and must provide preliminary certification for the proposed rehabilitation work for properties seeking the special assessment. Each of these properties is in the process of renovation and restoration and some of the properties have work being conducted under the supervision of the SC State Office of Historic Preservation ensuring that work is conducted according to appropriate preservation standards.

In order to enjoy the special assessment, these properties must also be certified by resolution of Spartanburg County Council. There was some inconsistency in which these properties have been certified and in order to facilitate the special assessment through Spartanburg County Council, these properties are requiring a consolidated resolution by City Council finding these properties as being eligible for the special property tax assessment for rehabilitated historic properties.

Staff recommends approval of the resolution.”

*Councilmember Henderson Myers made a motion to approve the resolution as presented. Councilmember Jenkins seconded the motion, which carried unanimously 6 to 0.*

## **IX. Ordinance**

### **A. To Amend the Code of the City of Spartanburg 1988, Chapter 23, “Wreckers and Wrecking Services by Adding Sections 23-14 Thru 23-19 to Provide for “Nonconsensual Booting and Towing.” (First Reading)**

#### **Presenter: Ed Memmott, City Manager**

**Mr. Memmott** presented the item to Council as follows:

“For decades the city has regulated the practices and charges associated with the towing of vehicles from public rights-of-way. The city has not, however, regulated towing practices or charges on private property. Over the past few months, staff has become aware of incidents when vehicles were towed from private property and the vehicle owner was charged fees that were substantially higher than what is allowed by city code for services performed in public rights-of-way.

Due to the potential cost and inconvenience on vehicle owners and the potential adverse impact on the commercial activities in the city, staff believes it is appropriate to set a regulatory framework for the nonconsensual towing of vehicles from privately-owned commercial property. The proposed code amendment would set maximum charges for towing and storage of vehicles. It

would also require tow truck operators providing services to privately-owned commercial property owners to register with the city and would set requirements for signage on property where towing is enforced.

Tow truck operators who are known to operate in the city have been provided notice of staff's intent to recommend these changes. The ordinance and the new requirements would take effect 30 days after second reading approval by Council. Staff will also provide tow truck operators and property owners where towing is enforced with written notice of the new requirement immediately following second reading.

**ACTION REQUESTED:** First reading approval of an ordinance to set standards and maximum charges for the nonconsensual towing of vehicles from privately-owned commercial properties.”

*After discussion, Councilmember Brown made a motion to approve the ordinance as presented with a correction of the amount of “Vehicles Exceeding 26,000 pounds – Maximum Fee \$400.00 Authorized fee for vehicles exceeding 26,000 pounds in weight” from \$400.00 to \$300.00 before second reading. Councilmember Jenkins seconded the motion, which carried unanimously 6 to 0.*

**X. Boards and Commissions – Accommodations Tax Committee, Design Review Board, and Spartanburg Housing Authority**

**Presenter: Connie McIntyre, City Clerk**

*Accommodations Tax Committee – Councilmember Rice made a motion to waive the rules and appoint Kathy Campbell to the committee. Councilmember Brown seconded the motion, which carried unanimously 6 to 0.*

*Councilmember Rice made a motion to waive the rules and appoint Eric Kocher to the committee. Mayor White seconded the motion, which carried unanimously 6 to 0.*

*Spartanburg Housing Authority – Councilmember Anderson made a motion to waive the rules and appoint Matthew Myers to the SHA. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.*

*Design Review Board – Mayor White made a motion to waive the rules and appoint Gabriela Giron to the DRB. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.*

**XI. City Council Updates –**

**Councilmember Anderson** shared he attended the bi-monthly Citizen Advisory Council meeting with Councilmember Stille and enjoyed sharing with the attendees. He mentioned that Burns Automotive had opened on the west side and was doing well. He also mentioned the new Aldi's that opened and was drawing large crowds.

**Councilmember Brown** mentioned that the Trees Coalition had worked in the northside area weekend before last in their continued efforts to remove invasive plants in the community. She shared that Spring Clean Up would be held on Saturday from 12:30 to 2:00 beginning at Green St. Baptist Church. She reminded everyone of Hub City Hog Fest on Friday and Saturday, April 7-8 in downtown. She thanked the Fire and Police Departments for their quick and effective response in handling the fire at the Montgomery Building.

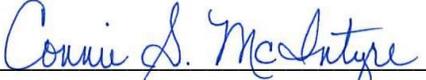
**Councilmember Jenkins** mentioned new eastside restaurants Guacamole Mexican Grill and Jersey Mike's. He reminded everyone of the "Walk with Elected Officials" event on March 25 on the Mary Black Rail Trail.

**Councilmember Henderson Myers** shared she attended the National League of Cities Conference in Washington, March 11-15. She mentioned that she attended a panel discussion regarding the opioid epidemic, and that WYFF news interviewed both she and Councilmember Rice regarding the statistics in Spartanburg. She also attended a Public Finance session on proposed budget cuts that will impact CDBG and affordable housing funds. She shared that the Habitat House project on Hampton St. needed volunteers.

**Councilmember Rice** also attended the NLC Conference. He mentioned a workshop he attended on "After School Programs" and shared that Council needed to keep a close eye on legislators regarding that subject. He shared that he rode through the St. Patrick's celebration and noticed that it was well attended and people were having a great time.

**XII. Adjournment –**

*Councilmember Brown made a motion to adjourn the meeting. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 6:45 p.m.*

  
**Connie S. McIntyre, City Clerk**