



**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC  
Monday, April 10, 2017  
5:30 p.m.**

**(These minutes were approved  
at the April 24, 2017 City Council meeting.)**

**City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Laura Stille, Councilmembers Erica Brown, Jerome Rice, Sterling Anderson and Rosalyn Henderson Myers. 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 the Minutes of the March 20, 2017, City Council Meeting –**  
*Councilmember Brown made a motion to approve the minutes as received. Mayor pro tem Stille seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of Agenda of the April 10, 2017 City Council Meeting –**  
*Councilmember Jenkins made a motion to approve the agenda as received. Councilmember Henderson Myers 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 **Latreace Jones, Angela Dawkins, Margaret Dawkins, Sonya Ellis, Patricia Lipscomb, April Worthy, Norvell Briggs, Kendrick Anderson, Roushell Swindler, and Khasmir Turley** expressed their concerns regarding towing by Cole Towing. **Chance Lebron** stated that he would like for E. Wood St. to be named after Rico Matthews
- VI. Presentation of Proclamation to Christmas In Action – 20<sup>th</sup> Annual ReBuild Day**  
**Presenter: Mayor Junie White –**  
**Mayor White** presented the proclamation to Christmas in Action Executive Director Amanda Mathis, and thanked her for the many things they do to help others.

**VII. 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” (Second Reading)**

**Presentation: Ed Memmott, City Manager**

**Prior to second reading, Mr. Memmott stated the following:**

“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 owners were 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:** Second reading approval of an ordinance to set standards and maximum charges for the nonconsensual towing of vehicles from privately owned commercial properties.”

*Councilmember Brown made a motion to approve the ordinance as presented on second reading. Councilmember Jenkins seconded the motion, which carried unanimously 7 to 0.*

**VIII. Resolutions**

- A. To Extend the Term of the Commissioners of The Housing Authority of the City of Spartanburg From Ending on June 30<sup>th</sup> to Ending on September 30<sup>th</sup>**

**Presenter: Ed Memmott, City Manager**

Mr. Memmott presented the item to Council as follows:

“The terms of Spartanburg Housing Authority (SHA) Board of Commissioners expire on June 30<sup>th</sup>. The SHA’s fiscal year ends on September 30<sup>th</sup>. SHA

management has requested that City Council change the term of SHA Commissioners to end on September 30<sup>th</sup> as it would allow a Commission member's term to coincide with the SHA budget cycle.

Staff believes this change is warranted and recommends Council approval.

ACTION REQUESTED: Approval of the Resolution.”

*Councilmember Henderson Myers made a motion to approve the resolution as presented. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*

**B. To Extend the Term of the Members of the Design Review Board From Three (3) Year Terms to Four (4) Year Terms and to Allow Current Members to Remain on the DRB for One (1) Additional Term**  
**Presenter: Chris Story, Assistant City Manager**

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

“The Design Review Board (DRB) was established 2011. The DRB is composed of five members who are either a resident of the City or who have significant business interests in the City. DRB members are to have expertise in building design or construction.

The ordinance originally establishing the DRB called for 3 year terms and allowed for members to be reappointed once. The members of the DRB have served their initial term and were reappointed but over the course of their six years of service had limited matters come before the Board.

With the increased pace of the downtown development, staff believes it is in the City's best interest to extend the terms of current DRB members to four years and to allow the current members to remain on the DRB for one additional term. This will provide for continuity in review of projects at what is a critical time of increased downtown development.

ACTION REQUESTED: Approval of the Resolution.”

**Mayor pro tem Stille** made a motion to approve the resolution as presented. Councilmember Henderson Myers seconded the motion, which carried unanimously 7 to 0.

**IX. Other Business**

**A. Declaration of Boards and Commissions Vacancies for Council Annual Review**

**Presenter: Connie McIntyre, City Clerk**

**Ms. McIntyre** presented the item to Council as follows:

“City Council annually reviews vacancies on City of Spartanburg Boards and Commissions. Vacancies are declared in April, unless circumstances dictate otherwise, with the goal of Council having all the appointments/reappointments

made by the second meeting in June. This procedure meets the requirements of the resolution Council approved regarding June 30 term expirations dated June 9, 2003.

Applications for vacancies will be accepted through June 20, 2017. In the event of multiple applications for the number of vacancies on a particular board, Mayor White will appoint a committee to conduct interviews of the applicants. The committee will bring forward their recommendation/s for Council approval.

The application and the vacancies on each Board or Commission are posted on the City's website. The information is also available upon request to the City Clerk."

**Accommodations Tax Committee – 1 vacancy**

1 is eligible to serve again

**Airport Advisory Board – 4 vacancies**

3 are eligible to serve again

**Architectural Design and Historic Review Board (HARB) – 4 vacancies**

2 are eligible to serve again

**Bicycle and Pedestrian Committee – 3 vacancies**

1 is eligible to serve again

**Civil Service Commission - 1 vacancy**

**Construction Board of Adjustments and Appeals – 6 vacancies**

1 is eligible to serve again

**Design Review Board – 4 vacancies**

Resolution to be presented at April 10 meeting to extend terms of members to 4 years and allow current members whose terms are expiring to remain on the board an additional term with staggered expiration dates.

**Housing Authority** – Resolution to be presented at April 10 meeting to extend the term of the SHA commissioners from ending on June 30 to ending on September 30 to accommodate Terril Bates request.

**Planning Commission – 3 vacancies**

2 are eligible to serve again

**Public Safety Committee – 5 vacancies**

2 are eligible to serve again

**Storm Water Appeals Board – 5 vacancies**

2 are eligible to serve again –

**Board of Zoning Appeals – 2 vacancies**

1 is eligible to serve again

**X. City Council Updates –**

**Councilmember Anderson** stated that the 2017 Hub City Hog Fest was a great event, with good food and fellowship, and was for a good cause in that the proceeds go to Mobile Meals.

**Councilmember Brown** echoed Councilmember Anderson’s comments regarding Hog Fest. She mentioned that the “Spartanburg Soars” event would be held on April 22, 2017 at the Chapman Cultural Center. She invited everyone to the unveiling of 4 Northside Artlets the next day, all of which are a part of the Northside Master Plan.

**Mayor pro tem Stille** welcomed Councilmember Jenkins to council since she was absent when he was sworn in. She thanked all the people who attended the council meeting, adding that there were amazing things happening in Spartanburg.

**Councilmember Jenkins** shared he had attended the Fernwood Neighborhood Association meeting with 100 or so people in attendance. He stated that it was a great event and a good opportunity to meet residents in that community. He mentioned that Jersey Mikes and Precision Tune has opened on the east side, and echoed comments about Hog Fest. He mentioned Earth Day Festival on April 22, and the SRHS Criterium on April 28.

**Councilmember Henderson Myers** thanked the citizens who spoke regarding the towing incidents. She invited everyone to her Town Hall Meeting to discuss Domestic Violence on Thursday, April 13, 7:00 p.m. at CC Woodson. She shared that she took part in the “Walk with Elected Officials” event, that there was a good crowd, and invited everyone to the next walk. She, too, echoed comments regarding the successful Hub City Hog Fest event.

**Councilmember Rice** stated that he appreciated citizens speaking on the towing issue and that it would be looked into. He reminded everyone of the “Seeing Spartanburg in a New Light” closing ceremonies on Tuesday, April 18. He mentioned the Mary H. Wright play “101 Dalmatians” on April 20.

**XI. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Relating to a Contractual Matter**

**Council may take action on matters discussed in Executive Session after exiting Executive Session.**

*Councilmember Henderson Myers made a motion to adjourn to Executive Session. Councilmember Brown seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 6:45 p.m.*

*Council reconvened at 7:08 p.m. Mayor White stated that discussion was held with no decisions made.*

**XII.** **Adjournment** – *Councilmember Anderson made a motion to adjourn the meeting. Councilmember Jenkins seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:10 pm.*



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**Connie S. McIntyre, City Clerk**