



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, June 12, 2017
5:30 p.m.**

**(These minutes were approved at the
June 26, 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, Sterling Anderson, Rosalyn Henderson Myers and Alan Jenkins. Councilmember Erica Brown 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**
- III. Approval of the Minutes of the May 22, 2017 City Council Meeting -**
Councilmember Henderson Myers made a motion to approve the minutes as received. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.
- IV. Approval of the Agenda of the June 12, 2017 City Council Meeting –**
Councilmember Jenkins made a motion to approve the agenda as received. Councilmember Rice 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
Dean Plaia, 796 Plume St., spoke regarding an issue he has with his neighbor regarding an alley.
Emily Powell, 736 Lucerne Drive, spoke regarding the Paris Climate Agreement support.
- VI. Recognition of City of Spartanburg Retiree Jemel Lawter**
Presenter: Mayor Junie White

Mayor White presented Mr. Lawter with his retirement plaque and thanked him for his many years of dedicated service to the City.

VII. Spartanburg Convention and Visitors Bureau Update

Presenter: Chris Jennings, Executive Vice President

Mr. Jennings presented Mayor White with a poster for display in City Hall, commemorating the recent hosting, by the City of the SC State Tourism Conference.

VIII. Spartanburg Housing Authority Update

Presenter: Terril Bates, Executive Director

Ms. Bates updated Council on recent activities, events and accomplishments of SHA.

IX. Ordinances

- A. To Amend the City of Spartanburg, South Carolina Zoning Ordinance and Comprehensive Plan Land Use Element, by Amending Section 206, Changes to District Boundaries, Specifically a Portion of Parcel #7-11-04-206.00 Located at 254 Franklin Avenue, Which Are Currently Zoned R-8, with a Land Use Designation of General Residential District and B-1, with a Land Use Designation of Neighborhood Shopping to Zone DT-4, with a Land Use Designation of General Urban District; and Providing for Severability and an Effective Date (First Reading)**

Presenter: Natalia Rosario, Planner III

Ms. Rosario presented the item to Council as follows:

“On May 18th, 2017 the Planning Commission held a public hearing and reviewed a rezoning request submitted by Ed Memmott, on behalf of the City of Spartanburg, Owner, of a portion of 254 Franklin Avenue, to rezone a portion of the parcel 7-11-04-206.00 from Zone R-8: General Residential District and B-1: Neighborhood Shopping Center to DT-4: General Urban District, in order to bring the property into conformity with the urban form code in the Northside and to enable the construction of the Early Childhood Learning Center (as called for by the Northside Master Plan) upon the lot.

The Northside Master Plan calls for the properties in the area to be zoned in such a manner that encourages the type of pedestrian friendly urban design that the plan calls for. To this end the majority of the Northside Neighborhood has been rezoned to the zoning categories of DT-5, DT-4, and DT-3, which are urban form codes that structure design in a pedestrian friendly manner as prescribed. The DT-4: General Urban District Zone permits residential, institutional, and civic uses, and is an appropriate zone for both the intended use of the property and the surrounding properties.

The Planning Commission held a public hearing on the proposal on May 18th, 2017. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and Northside Master Plan, the

Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcel from B-1 and R-8 to DT-4.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on May 18th, 2017 by a vote of 6 to 0.”

Mayor White opened the public hearing. He asked if there was anyone to speak against the rezoning. Hearing none, he asked if there was anyone to speak in favor of the rezoning.

Hearing none, Mayor pro tem Stille made a motion to close the public hearing. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

Councilmember Rice made a motion to approve the ordinance as received on first reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0

- B. Accepting the Property Owned by the Estate of Robert G. Ivey, Jr., and Being Located at 2111 Ashbury Court; and that Portion of Ashbury Court Abutting Said Property. Said Property is Located in the County of Spartanburg; and is Not Zoned. Request is for Annexation of the Property to be Annexed into City Limits and the Request Zone of Entire Parcel is R-8 Upon Annexation, and is Further Identified as Being the Property Located on Spartanburg County Tax Map 7-17-10-040.00 as a Part and Parcel of the City of Spartanburg and Declaring Said Property Annexed to and a Part and Parcel of the City of Spartanburg (First Reading)**

Presenter: Natalia Rosario, Planner III

Ms. Rosario presented the item to Council as follows:

“On May 18th, 2017, the Planning Commission held a public hearing and reviewed an annexation and zoning request submitted by the Estate of Robert G. Ivey Jr., Property owner, to annex parcel #7-17-10-04.00 into the City of Spartanburg and to zone the parcel as R-8: General Residential District. The property currently has a duplex on the lot, and is being annexed after requesting and receiving new meters from the Spartanburg Water System.

The 2004 Comprehensive Plan does not speak on the proposed future use and zoning of this parcel, as it has never been located within City Limits. However, the other residential lots on this side of Ashbury Court are all in City limits and are zoned R-8: General Residential. Staff feels this is the most fitting and consistent district for the use and scale of the residential structures on this street, and is also consistent with the residential character of the surrounding area.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on May 18th, 2017 by a vote of 6 to 0.”

After discussion, Mayor pro tem Stille made a motion to approve the ordinance as presented on first reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

C. To Create a New Civil Service Commission of the City of Spartanburg (First Reading)

Presenter: Ed Memmott, City Manager

Mr. Memmott presented the item to Council as follows:

“The State Of South Carolina recently passed legislation that authorized City Council to establish the duties of the new City of Spartanburg Civil Service Commission (CSC).

The attached ordinance would authorize the CSC to consider appeals of disciplinary action of sworn Police and Fire Department Personnel. The CSC would then make a recommendation to the city manager on whether to uphold, amend, or overturn the disciplinary action.

Action Requested: First reading approval of ordinance.”

Councilmember Anderson made a motion to approve the ordinance as presented on first reading. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

D. Ordinance To Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2017 Through June 30, 2018 (Second Reading)

Presenter: Chris Story, Assistant City Manager

James Kennedy, CPA, Budget & Accounting Director

“This agenda contains second reading of the budget for the upcoming fiscal year. The budget remains unchanged since the prior reading. However, there is one addition to the document that I will call to your attention.

This year the SC General Assembly updated the SC Freedom of Information Act (FOIA). One of the updates contained a directive that local governments adopt and publish a schedule specifying the fees applicable to the administration of FOIA requests. We have added this new page to the full city fee schedule which for years has been contained within our budget document.

There is no change of policy with this action. It has been, and remains, our policy to respond to information requests promptly with minimal costs to the public. We are simply updating to ensure full compliance with the new statute.

Aside from the additional information, there are no changes from the version approved at first reading. We welcome any questions you may have.”

Councilmember Anderson made a motion to approve the ordinance as presented on second reading. Councilmember Jenkins seconded the motion, which carried unanimously 6 to 0.

E. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2017 – 2018 to Levy Taxes on All Real Estate and Personal Property, Except Such as is Exempted by Law, in the Corporate Limits of the City of Spartanburg for

Corporate Purposes for the Fiscal Year 2017-2018 and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided for (Second Reading)

Presenter: Chris Story, Assistant City Manager

James Kennedy, CPA, Budget & Accounting Director

Councilmember Rice made a motion to approve the ordinance as presented on second reading. Mayor pro tem Stille seconded the motion, which carried unanimously 6 to 0.

X. Resolutions

A. Directing the Closing of a Portion of a Street in the City of Spartanburg, Being that Portion of Fremont Street, West of Howard Street

Presenter: Martin Livingston, Neighbor Services Director

Mr. Livingston presented the item to council as follows:

“Staff is requesting approval to abandon a portion of Fremont Street west of Howard Street in the Northside community. The closing of the streets and the abandonment of the right of ways would be consistent with the implementation of Northside Transformation Plan to develop the Early Childhood Learning Center in the community.

ACTION REQUESTED: That Council by Resolution and Declaration close a portion of Fremont Street west of Howard Street.”

Councilmember Rice made a motion to approve the resolution and declaration as presented. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.

B. To Make Certain Findings of Benefit with Respect to the Broad Street Redevelopment Plan as Adopted by Ordinance of City Council on April 3, 1989, and As Amended on December 15, 1997

Presenter: Ed Memmott, City Manager

Mr. Memmott presented the item to Council as follows:

“There are several downtown public improvement projects that will be undertaken over the next several months. These projects are either partially in, adjacent to, or in very close proximity to the Broad Street Tax Increment Financing (TIF) District. With appropriate action by City Council, state law permits use of Broad Street TIF district funds for projects that are technically outside of the TIF district boundaries but which will benefit the district. The attached resolution will formalize a series of Council findings that the listed projects will benefit the Broad Street Redevelopment Plan. It will authorize use of Broad Street TIF district funds to pay for these improvements.

Staff considers this action to be routine. Projects described in the resolution have already been approved by Council or will be brought to Council for contract award at the appropriate time. The Resolution will simply authorize, for the record, use of Broad Street TIF district funding to pay for the improvements.

ACTION REQUESTED: Council approval of the resolution.”

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

XI. Other Business

A. Award of Contract for Banking Services

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to Council as follows:

“Our current banking agreement will expire on June 30th. As recommended by GFOA best practices, municipalities should prepare a request for proposal (RFP) on a periodic basis. Our current agreement had been for five years with Wells Fargo. In March of this year we sent proposal to all banks within our municipality. We received responses from Wells Fargo, First Citizens, BB&T, SunTrust, TD Bank, and NBSC. The Committee, which included James Kennedy, Donnita Smith, Accounting Manager, Kris Johnson, Staff Accountant, and I, thoroughly reviewed all proposals.

The selection criteria was responsiveness and ability to provide services and reports required, banking services costs and earnings potential, creditworthiness and stability of bank, experience, references, and continuity of bank and bank officials and community involvement. After reviewing the proposals staff recommends Wells Fargo.

ACTION REQUESTED: Staff requests that Council authorize the City Manager to sign a contract with Wells Fargo to provide banking services to the City. This is a five year contract and includes a one year extension.

BUDGET & FINANCIAL DATA: The annualized fee is estimated at \$15,323 but will be offset with compensating balances that will fluctuate depending on our monthly activity and the earning credit rate which is subject to change over the term of our contract.

Councilmember Henderson Myers made a motion to award the banking services contract to Wells Fargo. Councilmember Rice seconded the motion, which carried unanimously 6 to 0.

B. Award of Bid for Butterfly Branch Park Project

Presenter: Jay Squires, Streets and Storm Water Manager

Mr. Squires presented the item to Council as follows:

Councilmember Anderson made a motion to award the bid as requested to Sossamon Construction, in the amount of \$754,868. Councilmember Henderson Myers seconded the motion, which carried unanimously 6 to 0.

XII. City Council Updates

Councilmember Anderson thanked the City Manager and staff for cleaning up an eye sore beside Little Caesars on John B. White Blvd. He shared he was glad to see

all the road paving going on in the city. He mentioned that a lot of dirt was being moved at the airport and that the park should be opened soon.

Mayor pro tem Stille stated that she attended an update on “Hello Family” that morning. She mentioned that she presented proclamations, on behalf of the Mayor and fellow City Councilmembers to the local Palmetto Boys and Girls State Participants. She mentioned the “Juneteenth” celebration happening the coming weekend at Stewart Park. She also asked that Council consider the “Ban the Box” principle of removing the initial question of whether or not a job applicant has a prior criminal history. Mr. Memmott shared that he had spoken with the city attorney and staff would bring a resolution back to Council for consideration on June 26.

Councilmember Rice stated he, too, would like to see the city be a leader in initiating the “Ban the Box” initiative. He mentioned the “Father/Daughter” event at CC Woodson on June 16. He mentioned that the summer playground programs were up and running.

Councilmember Henderson Myers shared she attended the “Rhythm and Ribs” event and that the food, entertainment, and vendors were great. She shared she attended a health fair at Mt. Moriah church that was great for the community. She shared she hosted the MLK Oral Advocacy Competition at Denny’s and went to DC with a group of women, where they met Supreme Court Justice Ruth Ginsburg. She stated that she agrees with the “Ban the Box” initiative.

Councilmember Jenkins stated he also attended the “Hello Family” update. He mentioned the “Youth United Teen Camp” he at which he spoke. He shared he spoke at St. Paul’s Methodist Church and at Sharonview Credit ribbon cutting. He thanked staff for bringing the “Let’s Play” van to Hillcrest Park.

XIII. Adjournment –

Mayor pro tem Stille made a motion to adjourn the meeting. Councilmember Jenkins seconded the motion, which carried unanimously 6 to 0.


Connie S. McIntyre
Connie S. McIntyre, City Clerk