



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC
Monday, July 11, 2016
5:30 p.m.**

**(These minutes were approved
at the July 25, 2016 City Council meeting.)**

City Council met this date with the following members present: Mayor Junie White, Mayor pro tem Sterling Anderson, Councilmembers Jan Scalisi, Jerome Rice, Erica Brown, Laura Stille 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 June 27, 2016, City Council Meeting –**
*Councilmember Scalisi made a motion to approve the minutes as received.
Councilmember Henderson Myers seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of Agenda of the July 11, 2016 City Council Meeting –**
*Councilmember Rice made a motion to approve the agenda as received.
Councilmember Myers 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. Spartanburg Housing Authority Update**
Presenter: Terril Bates, Executive Director
Ms. Batesrd updated Council on status of SHA, highlighting the following:
 - a) 3 largest Housing Authority in SC
 - b) Provide housing to over 7,000 residents in City and County
 - c) Total 2016 operating budget of \$26.5 million
 - d) 722 Public Housing Units
 - e) 1,847 Section 8 Vouchers
 - f) 330 Mod Vouchers
 - g) 338 RAD Vouchers
 - h) Assets: \$54 million
 - i) Net Position (equity): \$48,396,424

- j) Cash and Investments Balance: \$6,021,974
(an improved cash position of \$1,324,797 from the September 30, 2014 balances)
 - k) Total Revenues: \$22,471,760
 - l) Total Expenses: \$21,254,621
 - m) September 30, 2015 reflects no finding.
- Ms. Bates also shared that in June 2016, HUD formally closed the OIG investigation of SHA.
Council received the report as information.

VII. Public Hearing

- A. **Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance, by amending Section 206, Changes to District Boundaries, Specifically Parcel #6-21-13-156.06, Located on “0” Camelot That is Approximately 8.64 acre Vacant Piece of Property Located at the Intersection of Camelot Drive and Camelot Court, Which is Currently Zoned LOD, with a Land Use Designation of Limited Office District to Zone LOD/PDD, with a Land Use Designation of Limited Office District/Planned Development District in Order for the Agent/Developer to Purchase and to Build to Purchase and to Build Camelot Townes, which proposes 72 townhomes. Jay Beeson, Mark III Properties, Agent/Developer, on Behalf of Joseph F. and David Sullivan, Owners. Note; The purchase and development of this property are contingent upon the request being approved. (First Reading)**

Presenter: Natalia Rosario, Planner III

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

“On June 16th, 2016, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Jay Beeson, of Mark III Properties on behalf of Joseph F & David Sullivan, Owners, to rezone parcel #6-21-13-156.06 from Zone LOD: Limited Office District to LOD/PDD: Limited Office District Planned Development District. The proposed townhome development will be located on approximately 8.64 acres in size, and is located at the intersection of Camelot Court and Camelot Drive, although it is currently addressed at ‘0’ John B. White Sr. Blvd. This request is to rezone the property for a townhome/single family residential development, as permitted under the LOD PDD/General Residential Planned Development District Zoning Classification.

The 2004 Comprehensive Plan advises this lot be zoned LOD in order to provide a buffer for the residential area (Camelot Neighborhood) to the north from the heavier commercial uses found along John B. White Sr. Blvd to the south. This parcel has lain vacant for many years, with no office development or otherwise proposed or planned. The applicants wish to develop a group of structures (18) that will consist of seventy-two single family townhomes (4 townhouses per structure). Open space amenities will be provided in whole and in part (.61 acres communal, 2.98 acres in part, by lot), exceeding the required .82 acres of open space for the project by 2.78 acres. Placement of an entirely residential development on the lot will both make use of a long vacant parcel and provide a

buffer after the development is completed between the Camelot neighborhood and the commercial intensity on John B. White Sr. Blvd, at a lower density than could be designed for an office complex as currently zoned.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on June 16th, 2016 by a vote of 3 to 0 (quorum of 4, with one abstaining).

ADDITIONAL INFORMATION: Minutes from the June 16th, 2016 Planning Commission Meeting are included.”

Mayor White opened the Public Hearing, asking if there was anyone to speak against the proposed rezoning. Hearing none, Mayor White asked if there was anyone to speak in favor of the proposed rezoning. Jay Beeson, of Mark III Properties, spoke in favor of the rezoning and asked Council if they had any questions. There were none.

Mayor pro tem Anderson made a motion to close the public hearing. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0. Mayor pro tem Anderson made a motion to approve the rezoning as requested on first reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

VIII. Other Business

A. 2016 Annual Street Resurfacing

Presenter: Tim Carter, Engineering Administrator

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

“Earlier this year, City Council authorized staff to solicit bids for the resurfacing of 22 streets as shown on Exhibit 1. Based on this authorization, staff prepared resurfacing specifications and solicited bids for approximately 9,600 tons of surface Type C Asphalt, 4,500 square yards of full depth patching, and 34,250 square yards milling.

The following bids were submitted:

Venesky Asphalt Paving & Grading, LLC (Easley, SC)	\$ 968,359.60
F & R Asphalt, Inc. (Easley, SC)	\$ 1,094,695.94
Panagakos Asphalt Paving (Greenville, SC)	\$ 1,185,883.80

Staff has reviewed the bids received and the qualifications for each of these contractors and determined that Venesky Asphalt Paving & Grading, LLC is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED: Allow staff to accept the bid from Venesky Asphalt Paving & Grading, LLC and authorize the City Manager to enter into a contract with Venesky Asphalt Paving & Grading, LLC for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 350,000.00 County Transportation Committee Funds (CTC)

\$ 618,359.60 from the Spartanburg County Road Fee Funds.”

Councilmember Stille made a motion to approve the award of bid to Venesky Asphalt Paving & Grading, LLC in Easley, SC in the amount of \$968,359.60. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

**B. Boards and Commissions – Consideration of Applicants HARB and Planning
Presenter: Connie McIntyre, City Clerk**

Ms. McIntyre presented Brad Steinecke’s application for consideration of appointment to the Architectural Design and Historic Review Board.

Councilmember Rice made a motion to waive the rules and appoint Mr. Steinecke to the HARB board. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

Ms. McIntyre presented Phillip Stone’s application for consideration of appointment to the Planning Commission.

Councilmember Brown made a motion to waive the rules and appoint Dr. Stone to the Planning Commission. Mayor pro tem Anderson seconded the motion, which carried unanimously 7 to 0.

C. FY16-17 Accommodations Tax Grants

Presenter: Kathy Hill, Community Services Coordinator

Ms. Hill introduced Crystal Pace, Chair for the Accommodations Tax Committee, who presented the committee’s recommendations for ATAX allocations to Council.

After discussion, Councilmember Rice made a motion to approve the recommendations for ATAX allocations. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

D. FY17 Hospitality Tax Grants

Presenter: Chris Story, Assistant City Manager

Mr. Story presented Staff’s recommendation for allocation of Hospitality Tax grants.

After discussion, Council rejected Staff’s recommendations.

Councilmember Scalisi made a motion to place the FY17 Hospitality Tax Grants allocation on the July 25, 2016 agenda as a workshop item. Councilmember Stille seconded the motion, which carried unanimously 7 to 0.

IX. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Relating to the Oakview Apartments.

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

Councilmember Scalisi made a motion to adjourn to Executive Session for the reasons stated. Councilmember Brown seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 6:41 p.m.

Council reconvened at 7:02 p.m. Mayor White stated that discussion was held with no decisions made.

X. Resolution

A. To Approve the Purchase of Oakview Apartments (TMS 7-12-05-001.00 Located at 650 Howard Street)

Presenter: Ed Memmott, City Manager

Mr. Memmott presented the item to Council as follows:

“Council is aware that condemnation trial for Oakview Apartments is scheduled for later this month. At trial, the just compensation (payment) due the property owner would be determined by the jury. As the trial date has approached, the parties involved have remained in communication regarding possible settlement. Approximately one week ago, a tentative purchase price of \$1.9 million (subject to Council approval) was reached between the parties. \$1.9 million is significantly lower than previous payment demands by the property owner. Approval of this settlement purchase price by Council would result in the termination of legal proceedings in the matter and allow the City to move forward with its plans to build a new community center on the Oakview site.

Staff believes it is in the City’s best interest to settle this matter and avoid financial uncertainty associated with a jury trial.

ACTION REQUESTED: Approval of a Resolution authorizing purchase of Oakview Apartments.

BUDGET & FINANCIAL DATA: \$1.9 million from TK Gregg Project Fund”
Councilmember Henderson Myers made a motion to approve the resolution as presented. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0.

XI. City Council Updates

Councilmember Stille shared it has been a difficult week for our country and that she was very proud of the Spartanburg community during a somewhat impromptu community unity gathering at the Spartanburg County Courthouse.

Councilmember Brown stated that she had also attended the unity gathering and she thanked Clerk of Court Hope Blackly for putting it together. She asked that Mr. Memmott update Council on the status of body cameras since she felt that the City was “playing a risky game in the wait game in terms of funding” and that she hoped the City could do something about the cameras sooner rather than later. She thanked the Police Department for their service. She mentioned that Spartanburg Little Theatre’s production of “Avenue Q”, for attendees 18 and older, opened on Friday at the Chapman Cultural Center. She shared that there was a Hub-City Co-op Block Party at the Co-op on Saturday from 4:00 p.m. to 7:00 p.m. to celebrate the new mural. She

mentioned that on July 21, Hub-Bub would be sponsoring another “Top Twenty” program at the Spartanburg Art Museum.

Councilmember Henderson Myers stated that she wanted to send out prayers and condolences to Baton Rouge and St. Paul. She stated that, in the wake of recent events, she wanted to see Council keep its word for voting to have body cameras the previous year, and since that had not happened, she wanted to invite the Police Chief, and anyone else he so chose to bring, to address City Council and bring the status, with documentation, as to what the holdup was to getting the cameras. She stated that she did not feel Council had gotten the information they needed and when questions were asked by Councilmembers, they had not received answers. She asked Mr. Memmott to have answers at the next council meeting. Mr. Memmott offered to give Councilmember Henderson Myers an update then. Councilmember Henderson Myers declined his offer, stating that she wanted the Police Chief present when the update was given.

Councilmember Scalisi stated that she wanted to address the Dallas and the other recent shootings. She shared that she did not receive the invitation to attend the unity service that morning, but would have attended if she had. She stated that the recent events were national events, but police relations were under serious discussion in the country, and that Spartanburg, and other communities, were not immune to the issues. She stated that she hoped that the city would recognize the issues as real and speak responsibly and carefully, especially in their rolls as public officials. She asked that they listen carefully to points of view from every side, even though they might be difficult conversations to have. She shared that her prayer was that they would take what they know and what they learn and use that information to make the community more cohesive, more united, and safer. She continued that there were a lot of things that could not be controlled, but that there were many things that could be done to make everyone safer every day. She asked for support in her faith in Spartanburg and the ability to address these difficult issues and wholeheartedly join any efforts going forward to find some solutions that will work for everyone.

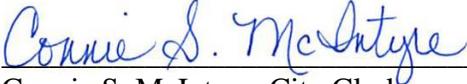
She mentioned that the second “Water Matters” class was coming up and anyone interested in attending should contact Chad Lawson at Spartanburg Water.

Councilmember Rice shared that he also attended the prayer vigil at the Courthouse and thanked Clerk of Court Blakely for getting people together in a time of need. He thanked the Police Force for all that they do. He stated that he thought Council needed to address some of the issues and come together with strategies to move forward. He stated that he agreed with the need for body cameras and Tasers and that Council needed to look at some of the funds they were giving out, especially the Hospitality Tax funds, which could be used for that purpose. He invited anyone who had not done so to visit one of the City’s parks and recreation centers for an uplifting, “do your heart well” experience.

Mayor pro tem Anderson commended Mr. Memmott, Ms. McCabe and Mr. Max Hyde for their work in negotiating the Oakview Apartments settlement. He recognized Representative Harold Mitchell for his pioneer development of landfill use in South Carolina. He stated that it was beyond the time when the Police Department should have body cameras and Tasers for the protection of the citizens and the officers. He expressed sadness for our country due to recent events, and noted that whenever our

police officers go out, they are putting their lives in jeopardy for us, and that the police officers who were killed were running toward the fray, not away from it. He shared that Spartanburg had been blessed with leaders, present and past, who had the ability to talk together and communicate together on different positions. He asked everyone to pray to whoever they prayed to for our country, for our state, and for all the families who were involved in the conflicts of recent days.

XII. Adjournment – *Councilmember Henderson Myers made a motion to adjourn the meeting. Councilmember Scalisi seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 7:30 p.m.*



Connie S. McIntyre, City Clerk