



CITY OF SPARTANBURG

SOUTH CAROLINA

CITY COUNCIL AGENDA

City Council Meeting
Spartanburg Marriott – Wadsworth and Croft Room
299 N. Church Street
Spartanburg, SC
Monday, July 13, 2020
5:30 p.m.

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes from the June 22, 2020 City Council Meeting and the June 26, 2020 Emergency City Council Meeting**
- IV. **Approval of the Agenda for the July 13, 2020 City Council Meeting**
- V. **Public Comment**
*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Consent Agenda**
 - A. **Authorizing the City Manager to Execute a Development Agreement Between the City of Spartanburg and Lat Purser and Associates Inc. for a Project Located at 289 Union Street and 327 E. Kennedy Street (Second Reading)**
Presenter: Chris Story, City Manager
 - B. **Authorizing the City Manager to Execute an Agreement to Lease a Portion of the Northwest Center Located at 701 Saxon Avenue to the Spartanburg Interfaith Hospitality Network (SPHIN) to House the Spartanburg Opportunity Center (Second Reading)**
Presenter: Chris Story, City Manager
- VIII. **2020 Street Resurfacing Award of Bid**
Presenter: Tim Carter, Engineering Administrator
- IX. **Approval of Bus Purchase**
Presenter: Dennis Locke, Finance Director

- X. Staff Covid19 Update**
Presenter: Chris Story, City Manager
- XI. City Council Updates**
- XII. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to an Economic Development Project**
- XIII. Adjournment**

** Non-Agenda Items*

City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.

**Agenda Items*

City Code Sec. 2-56. Addressing Council, Comments or Remarks to Council on Agenda Items Not Requiring Public Hearing. On agenda items not requiring a Public Hearing, please provide to the City Clerk prior to the opening of the meeting, your desire to speak on an agenda item. Remarks shall be limited to five (5) minutes and total remarks on any agenda item shall not exceed twenty (20) minutes.



**City Council Meeting
Spartanburg Marriott – Wadsworth and Croft Room
299 N. Church Street
Spartanburg, SC
Monday, June 22, 2020
5:30 p.m.**

**(These minutes are subject to approval
at the July 13, 2020 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor White, Mayor pro tem Ruth Littlejohn, Councilmembers Erica Brown, Jerome Rice, Jamie Fulmer, Meghan Smith and Rob Rain. City Manager Chris Story and City Attorney Robert Coler 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 from the June 8, 2020 City Council Meeting –
Councilmember Brown made a motion to approve the minutes as received. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.

IV. Approval of the Agenda for the June 22, 2020 City Council Meeting –
Councilmember Rice made a motion to approve the agenda as received. Councilmember Smith 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
The following people spoke:

1. Rosalyn Dawson, 241 Pierpont Avenue Spartanburg, SC
2. Annie Kerns, 293 S. Converse Street, Spartanburg, SC
3. Brenda Lee Pryce, 291 Alexander Avenue, Spartanburg, SC
4. Roderice Cardell, Spartanburg County.
5. Tanna Thompson, 434 Allison Drive, Spartanburg, SC

VI. COVID19 Pandemic Update

Presenter: Dr. Chris Lombardozi, SRHS Chief Medical Officer

Dr. Lombardozi updated Council on COVID statistics at SRHS. He also stressed the importance of wear face masks during the pandemic.

VII. Presentation on Community Health Needs Assessment

Presenters: Chris Story, City Manager

Carey Rothschild, SHRS Director of Community Health Policy & Strategy

Page Rogers, SC DHEC Community Health Educator

Mr. Story presented Ms. Rothschild and Ms. Rogers as follows:

“Over the past year a number of our community partners have collaborated to conduct a comprehensive Community Health Needs Assessment. Spartanburg Regional Healthcare System, the Mary Black Foundation, USC Upstate, ReGenesis Health Care, VCOM, and the United Way of the Piedmont, among other entities, working together as part of the Road to Better Health collaborative, have produced a thorough assessment of the health and wellbeing of our community. At our upcoming meeting, Carey Rothschild, Director of Community Health Policy and Strategy at SRHS and Page Rogers, Community Health Educator with SC DHEC, will present and overview of the assessment.

The full report is accessible at <https://www.rtbhspartanburg.org>”

Ms. Rothschild and Ms. Rogers reviewed a presentation with Council concerning Community Health Needs Assessment.

Council received the presentation as information.

VIII. Ordinances

A. Authorizing the City Manager to Execute a Development Agreement Between the City of Spartanburg and Lat Purser and Associates Inc. for a Project Located at 289 Union Street and 327 E. Kennedy Street (First Reading)

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“Attached is a recommended ordinance authorizing a development agreement (also attached) that would enable the execution of a high quality 120-unit apartment development on property fronting on E. Kennedy and Union Streets (the former Cannon Roofing site).

This well-designed, high quality development will add activity and positive energy to this section of downtown while strengthening the downtown economy. In addition, it will be among our first predominately market-rate apartment developments to incorporate workforce housing units mixed within the complex. Ten percent of the apartments will be leased at below market rents to tenants with incomes at or below eighty percent of area median income. We are pleased to advance this concept as one strategy for ensuring downtown living is accessible at a variety of income levels.

Lat Purser and Associates, based out of Charlotte, have significant experience with similar market rate apartment developments throughout the Carolinas. This

is their first to include the ten percent affordability set-aside. We are pleased they have worked through this complex process with us.

The proposed annual fee-in-lieu of taxes on the property will escalate from \$150,000 in year two to \$250,000 in year 15, and finally \$335,000 when the agreement terminates in 25 years. The developer will invest a minimum of \$16.5 million.”

Councilmember Smith made a motion to approve the ordinance as presented on first reading. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.

B. Authorizing the City Manager to Execute an Agreement to Lease a Portion of the Northwest Center Located at 701 Saxon Avenue to the Spartanburg Interfaith Hospitality Network (SPHIN) to House the Spartanburg Opportunity Center (First Reading)

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“For a number of months now the Spartanburg Interfaith Hospitality Network (“SPIHN”) has been operating an Opportunity Center within our Northwest Center facility as a pilot program. All involved perceive the pilot program as a success. It provides the homeless in our community a safe place to have their basic needs met including laundry, showers, and other daytime supports. SPIHN has been a great partner in this effort. We believe that such a program is a necessary ingredient in a multi-pronged long term strategy to address homelessness in our community.

Attached is a recommended ordinance authorizing me to execute a lease (also attached) that would enable the program to transition from a pilot stage to a more permanent operation. To do that, modifications need to be made to the facility a formal agreement should be established. As you will recall, we recently allocated \$150,000 of federal funding toward physical upgrades to include additional showers, laundry facilities, and related improvements. SPIHN will also be contributing to renovations and they will be funding the operations and program cost.

We consider this to be an effective use of this facility. We believe the cost sharing reflected within the agreement is fair for these circumstances. We are optimistic about the potential for a high impact service.

As indicated in the proposed lease, we would intend to begin seeking other complementary users for the remainder of the building.

We recommend your approval and look forward to any questions you may have.”

After discussion, Councilmember Rain made a motion to approve the ordinance as presented on first reading. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

IX. Consent Agenda

A. Ordinance to Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2020 Through June 30, 2021 (Second Reading)

Presenter: Chris Story, City Manager

B. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2020 – 2021 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 2020 -2021 and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided For (Second Reading)

Presenter: Dennis Locke, Finance Director

C. Accepting the Property Owned by Spartanburg County School District No 7 and Being Located at 1500 Skylyn Drive and 1530 Skylyn Drive, and is Further Identified on Spartanburg County Tax Map as 7-09-09, Parcel 022.02 and 7-09-09, Parcel 123.00 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 (Second Reading)

Presenter: Robert P. Coler, City Attorney

Councilmember Rice made a motion to approve the Consent Agenda on second reading. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.

X. SPARTA Agency Safety Plan

Presenter: Dennis Locke, Finance Director

Mr. Locke presented the item to Council as follows:

“Staff has developed an Agency Safety Plan (ASP), in accordance with the Federal Transit Administration (FTA) final rule 49 CFR Part 673. This rule requires the development of a uniform system of public transit safety management, called the Safety Management System (SMS). As the City of Spartanburg Director of Finance, I will be the Accountable Executive, as specified under the new regulations.

Safety has always been a core value of SPARTA, and managing safety is a core business commitment for our agency. SPARTA is committed to developing, implementing, maintaining, and continuously improving our daily practices to ensure the safety of our customers, contractor employees, and the public. SPARTA will use the safety management processes to guide the prioritization of safety and allocate our organizational resources (such as people, funding, and technology) to integrate into our everyday

operations. We aim to develop and support a robust safety culture and achieve the highest levels of safety performance set forth by the FTA.

ACTION REQUESTED:

Staff is recommending the approval of our update plan that complies with FTA regulations.

After discussions, Councilmember Fulmer made a motion to approve the SPARTA Agency Safety Plan. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.

XI. Boards and Commissions Update

Presenter: Connie Kellner, City Clerk

Ms. Kellner presented the following names for Council reappointment consideration to the listed boards:

Airport Advisory Committee – Michael Bradley, Chris Pelkey, Timothy Lankford, Charlie Hodge

Board of Architectural Design and Historic Review (HARB) – Meg Reid, Melissa Walker

Bicycle and Pedestrian Committee – Ralph Hilsman, Blake Loudermilk

Design Review Board – Kevin DeMark

Planning Commission – Phillip Stone

Public Safety Committee – Michael Byers

Zoning Board of Adjustments and Appeals – Leana Melnichuk

Councilmember Rain questioned Council automatically reappointing boardmembers without considering all applicants for a particular board vacancy. Discussion ensued. Councilmembers Brown and Smith and Ms. Kellner offered that reappointments allowed experienced members to remain on the board through the rotation of boardmembers.

Councilmember Smith made a motion to reappoint to another term the boardmembers as stated to the respective boards. Councilmember Brown seconded the motion, which carried 6 to 1. Councilmember Rain voted against the motion.

Council voted to appoint citizens to additional vacancies as follows:

Accommodations Tax Advisory Committee – *Mayor White made a motion to appoint Jeff Simons to the Accommodations Tax Advisory Committee. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.*

Bicycle and Pedestrian Committee – *Councilmember Rice made a motion to appoint Maddi Currier and Jay Pingley to the Bicycle and Pedestrian Committee. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.*

Civil Service Commission – *Mayor White made a motion to appoint Luther Nesbitt III as alternate to the Civil Service Commission. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.*

Hospitality Tax Committee – *Mayor White made a motion to appoint Melissa Coy, Ryan Langley, and Kate McMullen to the Hospitality Tax Committee. Councilmember Smith seconded the motion, which carried unanimously 7 to 0.*

Public Safety Committee – *Councilmember Smith made a motion to appoint Nelson Irey, Nikki Smith and Richard Swanson to the Public Safety Committee. Mayor White seconded the motion, which carried unanimously 7 to 0.*

Ms. Kellner stated that Mayor White would need to appoint an interview committee, consisting of three councilmembers, to conduct interviews of applicants for committees with more applicants than vacancies. Mayor White appointed Councilmembers Smith, Rice and Fulmer to the interview committee. He asked Councilmember Smith to serve as Chair of the committee.

Ms. Kellner stated that interviews would need to be done for applicants to HARB, Design Review Board, and Planning Commission.

XII. Staff Covid19 Update

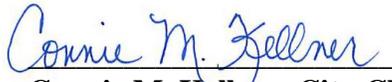
Presenter: Chris Story, City Manager

Mr. Story updated Council on staff's continuing efforts to ensure a safe as possible work and service environment during the pandemic.

Council received the report as information.

XIII. City Council Updates - Each Councilmember gave updates on their activities since the previous council meeting.

XIV. Adjournment – Councilmember Smith made a motion to adjourn the meeting. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 8:45 p.m.



Connie M. Kellner, City Clerk



**Special Emergency City Council Meeting
Via Videoconference
Friday, June 26, 2020
2:00 p.m.**

City Council met this date with the following Councilmembers participating: Mayor White, Mayor pro tem Ruth Littlejohn, Councilmembers Erica Brown, Jerome Rice, Jamie Fulmer, Meghan Smith and Rob Rain. City Manager Chris Story and City Attorney Robert Coler 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. Call to Order

**II. An Emergency Ordinance Requiring Individuals To Wear Face Covering In Certain Circumstances, and Matters Related Thereto (First and Only Reading)
Presenters: City Manager Chris Story
City Attorney Bob Coler**

Mr. Story reviewed the ordinance with Council. Discussion was held. Council asked that a sentence be added to require City Bus riders to wear masks. Masks will be provided to bus riders. Council asked that a provision be added to make the ordinance effective at 12:01 p.m. on Monday, June 29, 2020. Councilmembers Smith and Brown stated that they would prefer immediate effectiveness, but, that they would vote in support of the 12:01 p.m. Monday, June 29, 2020 effectiveness of the ordinance.

***Councilmember Rice** made a motion to approve the emergency ordinance as discussed. Mayor pro tem Littlejohn seconded the motion, which carried unanimously 7 to 0.*

III. Adjournment – Councilmember Brown made a motion to adjourn the meeting. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 2:37 p.m.

Connie M. Kellner, City Clerk



REQUEST FOR COUNCIL ACTION

TO: Chris Story, City Manager
FROM: Tim Carter, Engineering Administrator
SUBJECT: 2020 Annual Street Resurfacing
DATE: July 10, 2020

BACKGROUND

Staff received bids for the 2020 Street Resurfacing Project on June 23, 2020. This project consists of approximately 10,520 tons of surface Type C Asphalt, 2,050 square yards of full depth patching, and 43,870 square yards milling.

The following bids were submitted:

King Asphalt Inc. (Liberty, SC)	\$ 967,645.21
Rogers Group, Inc. (Greer, SC)	\$ 993,854.36
Venesky Asphalt Paving & Grading, LLC (Easley, SC)	\$ 1,161,416.94
Sloan Construction. (Duncan, SC)	\$ 1,181,998.80
Bird Paving (Inman, SC)	\$ 1,210,189.16

Staff has reviewed the bids received and the qualifications for each of these contractors and determined that King Asphalt Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

ACTION REQUESTED:

Allow staff to accept the bid from King Asphalt Inc. and authorize the City Manager to enter into a contract with King Asphalt Inc. for the completion of the project.

BUDGET AND FINANCE DATA:

\$ 455,000.00 County Transportation Committee Funds (CTC)
\$ 512,645.21 from the Spartanburg County Road Fee Funds.



REQUEST FOR CITY COUNCIL ACTION

TO: Chris Story, City Manager
FROM: Dennis R. Locke, Finance Director
SUBJECT: Request to Purchase Bus
DATE: July 8, 2020

Staff is requesting we replace a 2012 Goshen model bus with 151,723 miles. This vehicle is past its useful life of 4 years/ 100,000 miles. The recommended replacement is an heavy duty, 12 year/500,000 mile bus which will be ADA compliant. In November 2017, City Council had given approval of RFP 1718-04-10-01 which including options to purchase additional buses in the future. We are exercising this option and received an purchase quote from Gillig dated 5/5/20 in the amount of \$451,169.

Given our expectations of future federal funding, staff has concluded that the most conservative fiscal approach for the City is to replace this bus with a large, heavy-duty model with a long lifespan. Large busses also have advantages associated with safety, route efficiency, and rider convenience and comfort.

ACTION REQUESTED:

Staff requests approval to purchase (1) 35-foot heavy-duty diesel buses from Gillig, LLC.

BUDGET & FINANCIAL DATA:

Purchase Price - \$451,169
Annual Operating & Capital Grants - \$361,250
Cares Act - \$26,169
Local match - \$63,750