



# CITY OF SPARTANBURG

SOUTH CAROLINA

## CITY COUNCIL AGENDA

City Council Meeting  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC 29306  
Monday, February 11, 2019  
5:30 p.m.

- I. **Moment of Silence**
- II. **Pledge of Allegiance**
- III. **Approval of the Minutes of the January 28, 2019 City Council Meeting**
- IV. **Approval of the Agenda of the February 11, 2019 City Council Meeting**
- V. **Public Comment**  
\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. **Homelessness Task Force Update**  
**Presenter: Mitch Kennedy, Assistant City Manager**
- VII. **Butterfly Creek 2019 ACEC Engineering Excellence Grand Award Recipient**  
**Presenter: Jay Squires, Streets and Storm Water Manager**
- VIII. **Butterfly Creek First Year Sampling Results**  
**Presenter: Jay Squires, Streets and Storm Water Manager**
- IX. **Duncan Park Lake Tree Removal and Spill Way Maintenance Project**  
**Presenter: Jay Squires, Streets and Storm Water Manager**
- X. **Boards and Commissions – Civil Service Commission**  
**Presenter: Connie McIntyre, City Clerk**

**XI. Consent Agenda**

- A. Authorizing and Providing for the Issuance and Sale of a Not Exceeding \$3,000,000.00 Aggregate Principal Amount Federally Guaranteed Note of the City of Spartanburg South Carolina Pursuant to Section 108 of the Housing and Community Development act of 1974, as Amended, and Section 6-1-30, Code of Laws of South Carolina, 1976, as Amended; the Application of the Proceeds of Said Note to Provide Financing for the Northside Commons Project; the Entering into of Certain Covenants and Agreements and the Execution and Delivery of Certain Instruments Relating to the Issuance of the Aforesaid Note, Including a Contract for Loan Guarantee Assistance Between the City and the Secretary of Housing and Urban Development (“HUD”); Appropriating Funds to Pay Certain Fees to HUD; and Other Matters in Connection with the Foregoing (Second Reading)  
Presenter: Martin Livingston, Neighborhood Services Director**

**XII. City Council Updates**

**XIII. Executive Sessions**

- A. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Regarding Settlement of Litigation Related to Revocation of a City Issued Permit**
- B. Executive Session Pursuant to Section 30-40-70 (a) (2) of the South Carolina Code to Receive Legal Advice Related to Acquisition of Property**
- C. Executive Session Pursuant to Section 30-4-70 (a) (5) of the South Carolina Code to Discuss Matters Relating to a Downtown Economic Development Project**

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

**XIV. 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  
City Council Chambers  
145 West Broad Street  
Spartanburg, SC 29306  
Monday, January 28, 2019  
5:30 p.m.**

**(These minutes are subject to approval  
at the February 11, 2019 City Council meeting.)**

**City Council met this date with the following Councilmembers present: Mayor Junie White, Mayor pro tem Jerome Rice, Councilmembers Erica Brown, Sterling Anderson, Alan Jenkins, Ruth Littlejohn and Jamie Fulmer. 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 – led by Boy Scouts from several Troops in the City**
- III. Approval of the Minutes of the January 14, 2019 City Council Meeting –**  
*Councilmember Rice made a motion to approve the minutes as received.*  
*Councilmember Brown seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of the Agenda of the January 28, 2019 City Council Meeting –**  
*Councilmember Littlejohn made a motion to approve the agenda as received.*  
*Councilmember Rice 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 came forward to express concerns over the 110 and “0” Franklin Avenue apartment project:

- 1. Phil Simmons, 105 Woodgrove Trace;
- 2. Kirsty Schenkel, 172 Dellwood Drive;
- 3. Kevin Koszarek, 115 Franklin Avenue;
- 4. Dr. Raymond Ford Sr., 119 Franklin Avenue;
- 5. Ms. Darlene Ford, 119 Franklin Avenue;
- 6. Jimmy Trout, 633 Amesbury Lane.

Thomas Hargrove, 219 Norris St., came forward to express regarding the recent shooting on Norris St.

## **VI. Ordinances**

- A. Authorizing and Providing for the Issuance and Sale of a Not Exceeding \$3,000,000.00 Aggregate Principal Amount Federally Guaranteed Note of the City of Spartanburg South Carolina Pursuant to Section 108 of the Housing and Community Development act of 1974, as Amended, and Section 6-1-30, Code of Laws of South Carolina, 1976, as Amended; the Application of the Proceeds of Said Note to Provide Financing for the Northside Commons Project; the Entering into of Certain Covenants and Agreements and the Execution and Delivery of Certain Instruments Relating to the Issuance of the Aforesaid Note, Including a Contract for Loan Guarantee Assistance Between the City and the Secretary of Housing and Urban Development (“HUD”); Appropriating Funds to Pay Certain Fees to HUD; and Other Matters in Connection with the Foregoing (First Reading)**  
**Presenter: Martin Livingston, Neighborhood Services Director**

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

“Staff is requesting approval of an ordinance authorizing the issuance of a note and loan for the Community Development Block (CDBG) Grant Section 108 Loan Guarantee. In August 2017, the City approved a resolution to submit an application to the U.S. Department of Housing and Urban Development for a CDBG Section 108 loan for the Northside Commons Development. Two public hearings and comment period was held prior to the submission of the application for the loan. The Northside Development Corporation (NDC), a designate local 501(C)3 non-profit organization is partnering with a for-profit entity to develop the Northside Mixed Use development as part of the implementation of the Northside Initiative. Northside New Market Mixed use development is a new construction, mixed use development providing housing and commercial space in the Northside of Spartanburg. The development is consistent with the Northside Transformation Plan approved by Council on January 26, 2015. The new ordinance repeals the previously approved ordinance and adds language for the use of the proceeds of the funds – Section 5 in the ordinance.

This project is an economic development project and funding would be provided to a third party borrower, a development entity consisting of the Northside Development Group. The City will be pledging 5 years of Community Development Block Grant (CDBG) Funds. The development team will be making scheduled payments to repay the Section 108 Loan for a 20 year period. The loan could be repaid earlier than scheduled. The developers will be required to pledge additional collateral to secure the City’s investment in the project.

ACTION REQUESTED: Approval of an ordinance authorizing the City Manager to issue a note and loan guarantee in connection with the CDBG Section 108 Loan Guarantee.

BUDGET & FINANCIAL DATA: \$3,000,000 in CDBG Section 108 loan guarantees.”

*Councilmember Anderson made a motion to approve the ordinance as presented on first reading. Mayor pro tem Jenkins seconded the motion, which carried unanimously 7 to 0.*

- B. Ordinance Accepting the Property Owned by Susan E. Yeomans & Deanne Yeomans, Trustees, Property Owners, Under Contract to be Purchased by Rick Thoennes, Manager on Behalf of Hotchkiss Development Group, LLC, Proposed Buyer and Developer, and Being Located at 110 & ‘0’ Franklin Avenue, and that Portion of Franklin Avenue Abutting Said Properties, and is Further Identified on Spartanburg County Tax Map as 6-20-03, Parcels 090.00 & 089.00 as a Part and Parcel of the City of Spartanburg and Declaring Said Properties Annexed to and a Part and Parcel of the City of Spartanburg (Second Reading)**

**Presenter: Chris Story, City Manager**

Mr. Story reviewed for Council the strategic questions regarding the Franklin Avenue apartment project annexation and zoning that was passed on first reading on January 14, 2019.

*After a lengthy discussion, Councilmember Littlejohn made a motion to approve the ordinance on second reading. Mayor pro tem Jenkins seconded the motion, which carried 5 to 2. Mayor pro tem Jenkins, Councilmembers Littlejohn, Brown, Rice and Fulmer voted in favor of the motion. Mayor White and Councilmember Anderson voted against the motion.*

## **VII. Consent Agenda**

- A. Ordinance Accepting the Property Owned by Adam Montgomery and Ronald Montgomery, and Being Located at 1445 Grant circle, and that Portion of Grant Circle Abutting Said Property, and is Further Identified on Spartanburg County Tax Map as 7-13-03, Parcel 041.00 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: Natalia Rosario, Planner III**

*Mayor pro tem Jenkins made a motion to approve the consent agenda on second reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*

## **VIII. Other Business**

- A. Update Presentation from Spartanburg Housing Authority  
Presenter: Reggie Barner, Interim CEO of SHA**

**Mr. Barner** presented an update on SHA to Council. He highlighted the recent successes and future challenges of SHA.  
*Council received the report as information.*

**B. Boards and Commissions – Airport Advisory Committee**

**Presenter: Connie McIntyre, City Clerk**

**Ms. McIntyre presented the applicant, Chris Pelkey, to Council for consideration of appointment to the Airport Advisory Committee.**  
*Councilmember Anderson made a motion to waive the rules and appoint Mr. Pelkey to the committee. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.*

**Councilmember Rice** left the meeting at 6:44.

- IX. City Council Updates** - Each Councilmember gave updates on their activities since the last council meeting.
- X. Adjournment** – *Councilmember Brown made a motion to adjourn the meeting. Mayor pro tem Jenkins seconded the motion, which carried unanimously 6 to 0. The meeting adjourned at 6:54 p.m.*

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**Connie S. McIntyre, City Clerk**





## MEMORANDUM

**TO:** Chris Story, City Manager  
**FROM:** Mitch Kennedy, Assistant City Manager  
**SUBJECT:** Update – Homelessness Task Force  
**DATE:** February 7, 2019

In May of 2018, City staff gathered a group of community stakeholders to discuss efforts related to homelessness in our City, and potential strategies moving forward. A “Homelessness Task Force” was formed and several meetings have been held since. The group has identified some new strategies, while reconciling the need for continual support of current efforts.

Staff and representatives of the task force would like to update and discuss these plans with City Council.





## City Council Agenda - Update

**TO:** Chris Story, City Manager

**FROM:** Jay Squires, Streets and Storm Water Manager

**SUBJECT:** Update: Butterfly Creek 2019 ACEC Engineering Excellence Grand Award Recipient.

**DATE:** February 5, 2019

### **BACKGROUND:**

The Butterfly Creek project, our recently completed creek daylighting, restoration and water quality project on the Northside, was submitted by the City and W.K. Dickson Engineers to the American Council of Engineering Companies (ACEC) annual Engineering Excellence Awards (EEA) competition. The project was evaluated, along with 20 others. Of the 14 projects selected for award, nine were at the Honors level, four, including Butterfly Creek, were at the Grand level, and one was selected at the Grand Conceptor level.

Staff and members of the design team are prepared to present the award and update Council on this effort.

### **ACTION REQUESTED:**

NA

### **BUDGET AND FINANCIAL DATA:**

NA





## **CITY COUNCIL AGENDA – SUMMARY REPORT**

**TO:** Chris Story, City Manager

**FROM:** Jay Squires, Streets and Storm Water Manager.

**SUBJECT:** Update Regarding First Years Sampling Results

**DATE:** February 6, 2019

Last year we completed the Butterfly Creek Project. The purpose of that project was to daylight and restore the creek to improve the health of the stream while creating a positive environmental asset on the Northside.

At the upcoming City Council meeting, Ward Marotti, of W.K. Dickson Engineering, will provide a brief update on the results of the first year of sampling of both the water and benthic environments at the Butterfly Creek Project.

We look forward to any questions you may have.





## REQUEST FOR COUNCIL ACTION

**TO:** Chris Story, City Manager  
**FROM:** Jay Squires, Streets & Storm Water Manager  
**SUBJECT:** Duncan Park Lake Tree Removal and Spill Way Maintenance Project  
**DATE:** February 6, 2019

### BACKGROUND:

The Duncan Park Dam is the only dam owned by the City of Spartanburg. It is imperative that we responsibly maintain it to ensure that it remains stable and secure in perpetuity. With the guidance and assistance of the state's regulatory authorities, we have recently carefully reviewed the dam to determine what preventive maintenance is appropriate. While we appreciate trees for their environmental and aesthetic benefits, tree roots, if left unaddressed for extended periods of time, could negatively impact the dam. It is important that we remove them and perform some maintenance to the spillway.

Staff received bids for tree removal and spill way maintenance for the Duncan Park Dam. The project is located on Parkview Drive. The following bids were received:

|  |                   |              |
|--|-------------------|--------------|
| Sossamon Construction Co, LLC.           | Gaffney, S.C.     | \$406,270.85 |
| Faulkner Development & Engineering, LLC. | Hickory Grove, SC | \$465,450    |

Staff has reviewed the bids and the qualifications for each of these contractors. Based on that review, staff has determined that, Sossamon Construction Co, LLC. is the responsive low bidder. No bids were submitted from MWBE certified contractors. It is anticipated that it will take 45 days (depending on weather) to complete this project. Staff will give neighborhood residents advance notice using door hangers and mailers. Parkview Drive will be closed during construction for safety reasons. A detour route will be in place for convenience while the segment of road is closed.

### ACTION REQUESTED:

Allow staff to accept the bids and authorize the City Manager to enter into a contract with Sossamon Construction Co, LLC for the completion of the project.

### BUDGET AND FINANCE DATA:

\$406,270.85 to be paid from the Storm Water Construction Account.

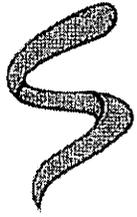












City of spartanburg  
SOUTH CAROLINA

Boards and Commissions Nominee Form

(Please print or type information)

BOARD/COMMITTEE: Civil Services Commission

CITY RESIDENT: YES  NO  SEX: M  F  RACE: B

NAME: Cynthia S. Lounds

ADDRESS: 235 St. Matthews Lane, Spartanburg, SC 29301  
Street City, State, Zip Code

BUSINESS PHONE: 327-4546 HOME PHONE: 574-2883 EMAIL: clounds@pcasp.org

OCCUPATION: Executive Director

EMPLOYER: Piedmont Community Action, Inc.

OTHER VOLUNTEER OR CIVIC ACTIVITIES:  
Southside Lions Club, Spartanburg Chapter of The Links, Inc.  
(former member) Mt. Moriah Baptist Church Board of Trustees

WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD? My experience in management with several non-profits would help me with the duties of the Commission. I am a 7 year veteran of the U.S. Army Reserves.

RECOMMENDED BY: The Honorable Jerome Rice

DO YOU PRESENTLY SERVE ON OTHER GOVERNMENTAL BOARDS OR COMMISSIONS?

YES  NO  IF YES, PLEASE LIST: \_\_\_\_\_

1-15-19  
DATE

Return via MAIL or Email to:

Connie S. McIntyre, City Clerk  
City of Spartanburg  
PO Drawer 1749  
Spartanburg, SC 29304  
Email: cmcintyre@cityofspartanburg.org