



**City Council Meeting
City Council Chambers
145 West Broad Street
Spartanburg, SC 29306
Monday, June 10, 2019**

**(These minutes were approved at
the June 24, 2019 City Council meeting.)**

City Council met this date with the following Councilmembers present: Mayor White, Mayor pro tem Alan Jenkins, Councilmembers Erica Brown, Jerome Rice, Ruth Littlejohn, Sterling Anderson 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 - recited**
- III. Approval of the Minutes of the May 28, 2019 City Council Meeting –**
*Councilmember Brown made a motion to approve the minutes as received.
Councilmember Littlejohn seconded the motion, which carried unanimously 7 to 0.*
- IV. Approval of the Agenda of the June 10, 2019 City Council Meeting –**
*Mayor pro tem Jenkins made a motion to approve the agenda as received.
Councilmember Rice 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. Airport Advisory Committee Update**
Presenter: Charlie Hodge, Chairman
Mr. Hodge updated Council on activities of the Airport Advisory Committee, including facts and figures of the airport’s business past and present.
Mayor White appointed a committee of himself, Mr. Hodge, and Mr. Story to meet with the County Administrator and present the same information to County Council.
- VII. Resolutions**
 - A. To Acknowledge the Creation of a Keep South Carolina Beautiful Affiliate in Conjunction with Keep America Beautiful, Inc. within the City of Spartanburg, to be referred to and Known as Keep One Spartanburg Beautiful**
Presenter: Mitch Kennedy, Assistant City Manager
Mr. Kennedy presented the item to Council as follows:

“The Spartanburg City Citizen Advisory Council has partnered with the Spartanburg Area Chamber of Commerce to create a proactive process to address litter, and the promotion of beautification projects.

City Staff fully supports their efforts, and recommends approval of the attached Resolution.

ACTION REQUESTED: Approval of Council Resolution”

Evelyn Blakely, John Kimbrell, Christie Snow, and Wesley Hammond came forward to express their support of the proposed resolution.

Councilmember Littlejohn made a motion to approve the resolution as presented. Councilmember Brown seconded the motion, which carried unanimously 7 to 0.

B. Livable Wage Resolution

Presenter: Chris Story, City Manager

Mr. Story presented the item to Council as follows:

“Attached is a proposed resolution, developed at the suggestion of Mayor pro tem Jenkins, which expresses the City’s intent to pay our full-time workforce wages that allow them to meet their basic needs without reliance on public assistance programs.

There are several credible analyses of the incomes necessary to be self-sufficient. We have based this on a rigorous, geographically-specific tool developed by the Massachusetts Institute of Technology (“MIT”). The MIT Living Wage Calculator (<http://livingwage.mit.edu>) uses local data on the cost of housing, food, transportation, child care, healthcare, and other basic needs to compute the earnings necessary for households to be financially self-sufficient in each of the 382 largest metros in the United States, including Spartanburg.

The proposed resolution establishes benchmarks for annual earnings at four points in a person’s career with the City. As a resolution, it would have no permanent binding legal effect. From a legal perspective, it would not alter the terms of employment nor does it create a contract of any kind. This is intended as an expression of our values and a guide to our compensation policies.

The City has approximately 400 full time employees. If the proposed FY20 budget is approved, as of July 1, 2019, only three employees would fall below those proposed standards. It would cost us a total of \$3,150 to adjust them to meet the standard.

Looking beyond FY20, adherence to a target of this nature would likely require adjustments to a small number of positions of similar magnitude in FY21 and beyond. The long-term financial impact of such a policy, if any, is difficult to project given the interplay of the uncertain economic conditions reflected in the indices (inflation, etc.) and our future ability to make merit and cost of living adjustments. However, I think it is a worthy and appropriate policy statement and a healthy check to ensure that, over time, we carefully monitor the lower end of our wage scale.”

After discussion, Mayor pro tem Jenkins made a motion to approve the resolution as presented. Councilmember Littlejohn seconded the motion, which carried 5 to 2. Councilmembers Anderson and Fulmer voted against the motion. Mayor White, Mayor pro tem Jenkins, and Councilmembers Brown, Rice and Littlejohn voted in favor of the motion.

Councilmember Fulmer asked that his vote be clarified that his opposition was not that he didn't think the City should be paying employees the wages outlined in the information Mr. Story presented, but that his concerns were with the way the proposal was worded in the resolution. He stated that he thought Council should look at the livable wage issue in context of raw numbers and incorporate those numbers in the budgeting process moving forward, looking at how to weave this into the annual merit increase process.

Councilmember Anderson stated that supports livable wage.

VIII. Public Hearing

- A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance, by Amending Section 206, Changes to District Boundaries, Specifically Parcels 7-12-01-184.00 located on 728 North Church Street that is Currently Zoned R-15 with a Land Use Designation of Single Family Residential District, and Parcel 7-12-01-183.00 Located on "0" Asheville Highway that is Currently Zoned LOD with a Land Use Designation of Limited Office District to Zone B-3, with a Land Use Designation of General Business District in Order to Allow Proposed Owner/Developer to be Able to Develop a Class A Multifamily Community on the Two Parcels. Danny Balon, Seamon Whiteside Engineering, on Behalf of Proposed Owner/Developer Mark Stuermann, Arlington Properties, Inc. on behalf of the Property Owners (First Reading)**
Presenter: Natalia Rosario, Planner III

Ms. Rosario presented the item to Council as follows:

“On May 16, 2019, the Planning Commission held a public hearing and reviewed a rezoning request submitted by Danny Balon, Seamon Whiteside Engineering, Agent on behalf of Mark Stuermann, Arlington Properties, Inc., Applicant on behalf of Cleve Land 3 Limited Partnership, Owners, to rezone the former Bon Haven home that was deconstructed several years ago, and the site remains heavily wooded and vacant with the exception of a couple of small structures, Parcels #7-12-01-184.00, located at 728 North Church Street that is currently zoned R-15 (Single Family Residential District) and Parcel #7-12-01-183.00, located at '0' Asheville Highway that is currently zoned LOD (Limited Office District) to zone B-3 (General Business District) in order to allow the proposed Owner/Developer to be able to develop a Class A multifamily community on the two parcels. In order to achieve the highest and best use for the parcels and the surrounding properties, the requested zone of B-3 permits multifamily housing and does not have as many design based restrictions as exclusively residential zones (setbacks, density, etc.).

The 2004 Comprehensive Plan calls for these two parcels and those north of it should convert to medium density residential uses with general commercial and institutional uses to support it. The proposed use for multifamily residential does comport with the vision of the area for the comprehensive plan, and is complimentary to the redevelopment activities in the Northside neighborhood. The zoning category proposed B-3, General Business) allows for 750 square feet density requirements per unit vs. the much larger 2500 square feet per unit count required by the R-6, General Residential zone, thus allowing for a higher number of units and a better utilization of the existing 5.8 acres. The property will require site planning and engineering, in conjunction with a development agreement with the City of Spartanburg and the Developer, Arlington Properties, Incorporated which will work in multifaceted ways, but of chief importance will ensure the development is multifamily residential and not another use permitted with the B-3 zoning category that would not be suitable to the surroundings.

The Planning Commission held a public hearing on the proposal on May 16, 2019. After consideration of the staff report, public comments, and the criteria set forth in the City of Spartanburg Zoning Ordinance and 2004 City Comprehensive Plan, the Planning Commission voted to recommend approval of the request to City Council for the rezoning of the parcels from R-15 and LOD to B-3.

PLANNING COMMISSION RECOMMENDATION: The request was endorsed by the Planning Commission on May 16, 2019 by a vote of 6 to 0. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

ADDITIONAL INFORMATION: Minutes from the May 16, 2019 Planning Commission Meeting and Staff Report with attachments are included.”

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

Hearing none, Mayor pro tem Jenkins made a motion to close the public hearing. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

Councilmember Brown made a motion to approve the rezoning as presented on first reading. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

IX. Ordinances

A. Ordinance to Provide for the Adoption of a City Operating Budget, Its Execution and Effect, for the Fiscal Period July 1, 2019 Through June 30, 2020 (First Reading)

Presenter: Chris Story, City Manager

Mr. Story stated that Items IX A and B were related to the FY19-20 budget. He added that several meetings were held regarding the budget process, including the workshop at the last council meeting, and that staff had no new information to

add to the proposed ordinance. He stated that the proposed budget did not have any major alterations to the city's service levels or basic slate of service and activities; it involves a 3 mil millage increase to fund a new headquarters for a new city fire department; it includes a 3% across the board cost of living adjustment for city employees; and it includes approximately \$264,000 for mandatory employer increases into the state retirement system.

Discussion ensued regarding the plan for a new fire department.

Mayor White made a motion to go forward and purchase the property at 450 Wofford St. Councilmember Littlejohn seconded the motion. Mayor pro tem Jenkins called for a point of order. City Attorney Coler clarified that the matter before Council was approval of the budget ordinance as presented in the agenda. Councilmember Anderson stated that he had an amendment that would address Section IX A to remove the \$435,000 from the budget that he had given Council in writing prior to the meeting. Councilmember Fulmer asked if Council were to adopt the amendment, would it preclude Council from a point in two, three or four months from coming back and adopting a revised budget and possibly a corresponding millage rate increase or did Council have to adopt the budget on an annual basis. Mr. Story clarified that Council was required to adopt a budget prior to July 1, 2019. He stated that Council could amend the budget at any time after it is passed. He continued that if Council wanted to amend the budget in a way that changed the millage rate up or down, there is a deadline of September that is imposed by the County Auditor because she has to create the tax bills.

Councilmember Anderson made a motion "in regard to Item IX A to eliminate all costs and expenses related to the purchase and operation of the proposed new fire facility located at 450 Wofford Street (\$435,000). Motion is to remove \$435,000 from proposed general fund operating budget. Proposed General Fund Budget is currently \$42,562,088. It would change to \$42,127,088. A corresponding reduction to General Fund Revenue would also occur, reducing it to \$42,127,088. **Councilmember Fulmer seconded the amendment.**

Councilmember Brown asked Mr. Story what the deadline for purchase of the 450 Wofford St. property was. Mr. Story stated that Council would need to authorize him to execute the purchase agreement at the meeting tonight or at the June 24, 2019 meeting or the contract would be expired, null and void and the city would have no arrangement with that property after that time.

Mayor White called for the vote. More discussion ensued. Mayor White called for a roll call vote on the amendment. Mayor pro tem Jenkins clarified that a "yes" vote was a vote to remove the \$435,000 in the budget for the new fire facility. Councilmember Littlejohn, Councilmember Rice, and Mayor pro tem Jenkins voted "no" against the amendment. Mayor White, Councilmember Brown, Councilmember Anderson, and Councilmember Fulmer voted "yes" in favor of the amendment. Motion carried 4 votes to 3 votes.

Councilmember Fulmer made a motion to approve the revised budget.

Councilmember Anderson seconded the motion. Councilmembers Fulmer, Anderson, Brown, and Mayor White voted in favor of the revised budget motion. Councilmembers Littlejohn, Rice, and Mayor pro tem Jenkins voted against the motion for the revised budget. Motion carried 4 votes to 3 votes.

- B. To Raise Revenues for the City of Spartanburg for the Fiscal Year 2019-2020 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 2019-2020 and to Provide Penalties for the Delinquent Payment of Taxes Levied and Provided for (First Reading)**

Presenter: James Kennedy, Budget Director

Councilmember Anderson made a motion to eliminate the millage increase of 3 mils so that the millage rate would read \$10.44 instead of \$10.74. Councilmember Fulmer seconded the motion.

Motion carried 6 to 1. Councilmember Rice voted against the motion. Mayor White, Mayor pro tem Jenkins, Councilmembers Brown, Anderson, Fulmer and Littlejohn voted in favor of the motion.

Councilmember Fulmer made a motion to approve the millage rates as amended. Councilmember Brown seconded the motion. The vote was 6 to 1 with Councilmember Rice voting against the motion. Mayor White, Mayor pro tem Jenkins, Councilmembers Brown, Anderson, Fulmer and Littlejohn voted in favor of the motion.

X. Resolution

- A. To Approve the Purchase of 450 Wofford Street (7-12-09-099.00), 459 Wofford Street and Clinton Street (7-12-09-175.00), Spartanburg, SC**

Presenter: Chris Story, City Manager

Mayor pro tem Jenkins made a motion to table the resolution to purchase 450 Wofford Street. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.

City Manager Story stated that he understood the actions that were taken by Council, however, he needed direction from Council as to what their expectations were prior to the June 24, 2019 Council meeting.

The consensus of Council was to have staff go back to JM Smith for further negotiation on the price of 450 Wofford St. City Manager Story stated that it would be order to have that discussion in Executive Session.

Mayor pro tem Jenkins made a motion to add discussion of purchase of 450 Wofford Street to the Executive Session. Councilmember Fulmer seconded the motion, which carried unanimously 7 to 0.

XI. Consent Agenda

- A. To Authorize and Direct Execution and Delivery of a Quitclaim Deed from the City of Spartanburg to Coggins Flowers for the Alleyway Located Behind Coggins Flowers at 800 N. Church Street (Second Reading)**

Presenter: Robert Coler, City Attorney

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.

XII. Other Business

A. Approval of Proposed 2019 Street Resurfacing Project

Presenter: Tim Carter, Engineering Administrator

Mr. Carter presented the item to Council as follows:

“The City is eligible to receive funds for infrastructure improvements from the Spartanburg County Road Fee Program and the Spartanburg County Transportation Committee (“CTC”). Staff annually evaluates pavement conditions on City streets; this list contains the highest priority streets needing to be resurfaced. For FY 19-20, staff is recommending the attached list of streets for Council review. If approved by Council, staff will received contractor proposals or resurfacing of the streets on this list. The estimated cost for the 2019 street resurfacing project is estimated at \$1,008,400.00. If approved by Council, staff will proceed with bid solicitation and return to Council for contract approval. Before the project is awarded, staff will work carefully with residents on impacted streets to provide advance notice of work.

ACTION REQUESTED: Allow staff to accept contractor proposals for the 2019 annually street resurfacing project.

BUDGET AND FINANCE DATA: Spartanburg County Transportation Committee has approved \$ 413,000 for this project. Representative Rosalyn Henderson-Myers set aside funds of \$ 67,000 for this project. Representative Max Hyde Jr. set aside funds of \$ 64,000 for this project. Spartanburg County Road Fee Program will be asked to fund \$ 464,400 for this project.”

City of Spartanburg														
Street Resurfacing 2019 Road List														
Street Name	Beginning	End	Length	Width	OCI	Sq. Yd. Milling	Sq. Yd. FDP	Est. Quantity	Asph. Price	FDP Price	Asph. Price	Est. Total		
EVVALANE DR.	Amit Dr.	Vista Hill Dr.	2060	24	37	2975.56	100.00	645.47	95.00	8926.67	4900.00	61319.33	\$	75,146.00
VISTA HILL DR.	Evvalane Dr.	Evvalane Dr.	990	24	39	1430.00	200.00	310.20	95.00	4290.00	9800.00	29469.00	\$	43,559.00
OVERBROOK CIR.	Elkhorn St.	Ardmore Rd.	1600	29	35	2311.11		605.78	95.00	6933.33	0.00	57548.89	\$	64,482.22
CONVERSE CIR.	Drayton Ave.	Drayton Ave.	1240	22	43	1791.11	200.00	356.16	95.00	3373.33	9800.00	33834.78	\$	49,008.11
S SPRING ST	W. Henry St.	W. Hampton Ave.	2100	30	40	3033.33		822.50	95.00	9100.00	0.00	78137.50	\$	87,237.50
ARDMORE RD.	Coldbrook Dr.	Ambarr Dr.	370	26	36	534.44		125.59	95.00	1603.33	0.00	11931.47	\$	13,534.81
HOLLY DR.	W.O. Essel Blvd.	Courvar Dr.	2200	20	42	3177.78		574.44	95.00	9533.33	0.00	94722.22	\$	64,105.56
FREMONT AVE.	Chapel St.	Magnolia St.	830	30	40	1198.89		325.08	95.00	3596.67	0.00	30882.92	\$	34,479.58
ADEN ST.	Fremont Ave.	Howard St.	1140	24	43	1646.67		357.20	95.00	4940.00	0.00	33934.00	\$	38,874.00
PARKING RD.	Wandover Way	Cameron Dr.	2700	18	44	3900.00		694.50	95.00	11700.00	0.00	80277.50	\$	71,977.50
GLENDALYN AVE.	Mills Ave.	S. Pine St.	1100	30	38	1588.89		430.83	95.00	4766.67	0.00	40829.17	\$	45,695.83
EVERETT ST.	Collins Ave.	Woodruff Ave.	990	29	45	1430.00		374.83	95.00	4290.00	0.00	35608.38	\$	39,898.38
LOCHADELE DR.	Old Charloms Rd.	Meadow St.	2180	26	42	3148.89		739.99	95.00	9446.67	0.00	70298.94	\$	79,745.61
OLD CHARLOTTE RD.	Drayton Rd.	Hillcrest Blvd.	1300	29	42	1877.78	300.00	492.19	95.00	5633.33	14700.00	46758.47	\$	67,091.81
OVERLAND DR.	Beechwood Dr.	Phanille Rd.	2060	26	37	2975.56		698.26	95.00	8926.67	0.00	66429.28	\$	75,355.94
MARION AVE.	S. Church St.	Hudson Backdale Blvd.	1650	33	44	2383.33		710.88	95.00	7150.00	0.00	67333.13	\$	74,683.13
LAWRENCE JOHNSON SR. LN.	Erwert St.	High St.	1200	24	33	1733.33	400.00	376.00	95.00	5200.00	22050.00	35720.00	\$	62,970.00
SYLVAV CT.	Sylvan Dr.	End of Street	370	19	40	534.44		91.78	95.00	1603.33	0.00	8719.15	\$	10,322.49
WEBBER WALK	Webber Way	Cul-de-sac	300	24	42	433.33		94.00	95.00	1300.00	0.00	8930.00	\$	10,230.00
									38104.44	1250.00	8766.68			
										Total Cost	2019 Paving List	\$1,008,397.46		
												Amount Requested from CTC	\$413,000.00	
												Rep Hyde Set a Side	\$64,004.00	
												Rep Henderson - Myers Set a Side (Lawrence Johnson Sr. Ln.)	\$67,000.00	
												Amount to be funded by Road Fee	\$464,393.46	
										Total Cost of Paving	\$1,008,397.46			
										Total Funding	\$1,008,397.46			

Mayor pro tem Jenkins made a motion to approve the 2019 Street Resurfacing Project as presented. Councilmember Rice seconded the motion, which carried unanimously 7 to 0.

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

XIV. Executive Session for Annual Review with Municipal Judge and Discussion of Purchase of 450 Wofford Street (see Item X.A regarding addition of 450 Wofford St.)-

Mayor pro tem Jenkins made a motion to adjourn to Execution Session for the reasons stated. Councilmember Brown seconded the motion, which carried unanimously 7 to 0. Council adjourned to Executive Session at 7:50 p.m.

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

Council reconvened to regular session at 8:45 p.m. Mayor White stated that discussion was held with no decisions made.

XV. Adjournment – *Mayor pro tem Jenkins made a motion to adjourn the meeting. Councilmember Rice seconded the motion, which carried unanimously 7 to 0. The meeting adjourned at 8:47 p.m.*



Connie S. McIntyre, City Clerk