

GREENWOOD CITY COUNCIL

November 19, 2007 - 5:31 p.m.

MINUTES

PRESENT

Council Members: Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles and Herbert Vaughn; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; Chris Trainor of the Index Journal and Margie Blalock of Greenwood Today.

Barbara Turnburke entered the meeting at 5:41 p.m.

ABSENT

Johnny Williams

CALL TO ORDER

The meeting in Council Chambers was called to order by Mayor Nicholson at 5:31 p.m. and he welcomed everyone to the meeting.

Reverend Darren Jones gave the invocation.

STATEMENT AND
QUORUM

Mayor Nicholson read the following statement, "In accordance with the Freedom of Information Act, Chapter 4, Title 30, Code of Laws of South Carolina, 1976, an agenda has been posted on the front door of City Hall and notification of this meeting has been given to the news media."

The Mayor then asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mr. Mayor, we have a quorum present."

APPROVAL OF
CONSENT AGENDA

Mayor Nicholson asked for a motion to approve the consent agenda.

Motion to approve the consent agenda was made by Linda Edwards, seconded by Betty Boles.

The Mayor asked, "Are there any questions or discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

PERSONAL
APPEARANCE Mayor Nicholson read the item and recognized Mr. Thomas Firriolo.

Recognize Mr. Thomas Firriolo of 303 Jennings Avenue.

THOMAS FIRRIOLO "Thank you, and good evening. I'm Thomas Firriolo from Greenwood, South Carolina. I'm here for two reasons. Number one is if Mr. Williams and the committee have ruled or made a ruling on my request for this board?"

MAYOR NICHOLSON "Not just your request. If you're talking about the changes to OPI, Mr. Firriolo, we have made some changes and sent them to the Planning Commission. They have not acted upon them at this time."

THOMAS FIRRIOLO "Question Number two: Is the property on 540 in front of this board since the request for it to be rezoned has expired after two years?"

MAYOR NICHOLSON "No, sir. After two years, you would have to go through the process again through the Planning Commission as if it is a new request."

THOMAS FIRRIOLO "Thank you. You have answered my questions."

MAYOR NICHOLSON "Okay. Have a nice evening!"

CONSIDER Under public hearings, Mayor Nicholson said, "The format that we employ at the public hearings is, if there are individuals that would like to speak, we ask that you come to the podium, state your name and address for the record and try to limit your comments to no more than three or four minutes."

Ordinance No. 07-023 Annexing 7.08 Acres Owned by the Greenwood Regional Hospital LLC.

(2nd reading)

The Mayor then read the first item and asked, "Is there anyone here to speak in favor of this annexation? Is there anyone opposing? Alright. Seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

Motion was made by Niki Hutto, seconded by Betty Boles.

"Is there any discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
07-035 Closing
Approximately
330' of
Monument Street
and Authorizing
City Manager
and City Clerk
to Sign a Quit
Claim Deed to
the County of
Greenwood.

(2nd reading)

Mayor Nicholson read the second item and asked, "Is there anyone here to speak in favor of the closing of this part of Monument? Is there anyone to speak against the closure? Mr. Brown, do you have any comments?"

STEVEN BROWN

"I do, Mr. Mayor. Since you took first reading on this ordinance, we had a call from the Episcopal Church. They have expressed some concern that their members normally leave the parking area behind the Episcopal Church, exit up Monument Street to Court Avenue and out to the traffic signal. They have noted that once Monument Street is closed, they will be prevented from taking that route. We have subsequently asked the DOT what would be the chances of having a traffic signal placed at Marion and South Main, but they did not give us a good indication. I'm not telling you this to suggest that you not vote to close the street, but I think at some point in time City Council will need to consider supporting an effort to get DOT to provide a traffic signal in that area. If any of you have tried to maneuver a left turn out of Marion and South Main, you are aware of the difficulty. We know there is not as much traffic on a Sunday Morning, but this remains a concern."

MAYOR NICHOLSON

"Okay. We will work with them in the future if we can."

Okay, is there anyone else to speak in reference to the closure of this part of Monument? Okay. Seeing and hearing none, we will close the public hearing. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Betty Boles with the consideration of placing a traffic light at the corner of Marion and Main Streets.

BETTY BOLES "I will second but only if we are considering looking into placing a traffic light between Marion and Main."

MAYOR NICHOLSON "I think down the road we will pursue this during the library construction."

STEVEN BROWN "Usually, DOT installs a signal until a traffic study is completed. When the library is completed, it will more than likely produce sufficient traffic counts to justify the signal."

LINDA EDWARDS "When is construction expected to begin on the library?"

MAYOR NICHOLSON "The first of the year. The latest I've heard is around March or April."

LINDA EDWARDS "Is that when the road will officially close?"

STEVEN BROWN "I don't know exactly, but I would think when they begin grading, they will take out those houses and the roadway on Monument."

MAYOR NICHOLSON "Okay. Is there any other discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

CONSIDER

Ordinance No.
07-036 Annexing
Property Owned
by Connie
Maxwell
Children's
Home.

Mayor Nicholson read the third item and asked, "Is there anyone to speak in favor of this annexation? These are tracts inside the property that Connie Maxwell own."

(2nd reading)

STEVEN BROWN

"Yes, they are surrounded by the City Limits."

MAYOR NICHOLSON

"Okay. Is there anyone to speak opposing the annexation? Alright. Seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

Motion was made by Linda Edwards, seconded by Niki Hutto.

"Are there any questions or further discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
07-037 Amending
Ordinance 03-
010, Zoning
Ordinance,
Chapter 4,
Article 7,
Establishing
the Old
Greenwood
Village Overlay
District (O-
GV).

(1st reading)

Mayor Nicholson read the fourth item and asked, "Is there anyone here to speak in favor of the establishment of the Old Greenwood Village Overlay District?"

TOBY BORING

"Thank you all. My name is Toby Boring and I live at 205 East Cambridge (Avenue) for about 6 ½ years. I would like to say right off the bat that I really enjoy it there. I enjoy seeing my neighbors walking their dogs and it's somewhat inspirational to see the Mayor walking early in the morning, although I'm not seeing many Assistant City Managers out yet!

I'm a 'glass half full' type of guy, usually, and have enjoyed the Festival of Flowers, the Festival of Discovery and all of that. It's been a great place for me and my family but not everything is perfect in Greenwood. I myself have more personal issues with some apartments that are directly behind my house. I feel if we had some sort of overlay 50 or 60 years ago, my quality of life might be a little bit better today. At any rate, I realize this overlay will not solve all of our woes but it will head us in the right direction. People won't be scared to go out their back door and take a run in the morning. I'm probably not going to be doing it at that point so I am certainly for the overlay.

I have a handout that my neighbor, Dale Shaffer, came up with comparing the overlay restrictions to many of the subdivisions in this city and the county. The point being we're not asking for anything even as restrictive as Gatewood or some of the other subdivisions but some protection. With all of the money that's going in the ground on East Cambridge today as we speak and all the work you all are doing on the Triangle Uptown, we feel we need to go hand and hand with the improvements.

My neighbors are the ones that enjoy the festivals in Uptown. We just thank you for your consideration to give us some protection for our property values."

MAYOR NICHOLSON "Thank you."

CLARISSA BLACKMORE "Good evening. My name is Clarissa Blackmore. I live at 511 East Cambridge Avenue. I grew up in Newberry and left when I was 14 years old. I cannot tell you how pleased I am when I go back to my old hometown to see the old homes that have been kept or even more beautiful now than they were when I left a long time ago. We're living near Abbeville which is one of the most beautiful historic places I know of. Those homes have been saved and are in gorgeous condition.

When I bought my home at 511 East Cambridge six years ago, I was so struck by the beauty of the house and the potential it had that quite frankly I didn't even stop to look at the neighborhood and ask myself if this neighborhood is going to continue to be a beautiful place to live. Since then, I have seen some things happen on the street that have broken my heart and I think it's time that we came together and preserve the beauty that we have in this wonderful neighborhood. I hope so much that you will pass this historic overlay.

Our neighbors are all working together and it's been a wonderful situation to get to know each other and realize that we are indeed a very vital part of Greenwood. I ask you to please pass this overlay. We need this for our City.

For years, people wanted to widen Augusta Road in Greenville to make it industrial or commercial. Well, they didn't do it and look at Greenville today. I think the same thing can happen to us. Thank you."

MAYOR NICHOLSON "Thank you."

LOIS MUFUKA MARTIN "Good evening. My name is Lois Mufuka Martin and I'm at 209 Blyth Avenue. My husband is Derek A. Martin. I am going to take a chance and speak for Derek and myself. My husband and I support the old Greenwood Overlay District. Our neighborhood is distinct in its historical character with a mixed development of large and small houses and tree lined streets. We want to preserve the character and integrity of the neighborhood. The restrictions are minimal and have largely been put together by community consent.

I feel this process has had a lot of community input. I think the information you have from Mr. Dale Shaffer shows some of that because the result came from the community meetings that we've had along the way. This preservation effort is also about legacy building in the same way that green spaces and parks add to the quality of life. We expect that the Old Greenwood Village Overlay District will add to the overall quality of life in Greenwood as well."

MAYOR NICHOLSON "Okay. Thank you."

ELYSE BENSON "Good evening. My name is Elyse Benson of 412 Jennings Avenue. I would just like to say that I fully support the historic overlay. I think this is an important step for the community and it represents community pride about itself. It's a good decision for the long range development of Greenwood. Thank you."

MAYOR NICHOLSON "Thank you."

DAVID PEELE "My name is David Peele and I live at 221 Jennings Avenue. My wife and I moved here in 2001 and then moved to Jennings Avenue in 2002. I really like my house that was built in 1928. I've put a lot of money and sweat equity into it by doing most of the work myself. I plan on staying here for a very long time and want to protect that investment.

I have also participated in the survey petition drive and went up and down Jennings Avenue. I didn't talk to everyone on Jennings Avenue but everyone that I did talk to was in favor of the overlay. I think that's indicative of most of the folks in our neighborhood.

There were at least nine letters sent to either City Council or the Planning Commission, and I have copies of them. Of those nine letters that are not in favor of the overlay, one is from Greenwood County. I'm not sure what property that is but it is a County owned piece of property. The other was Bowers Rodgers. There was only one other person that opposed it out those nine letters that lived in the neighborhood. The rest of the folks that sent letters do not live in the neighborhood and I think that's important to recognize. I think if they did live in the neighborhood, they may have a different opinion. We have a great neighborhood. We have great neighbors and this overlay will be great for our neighborhood so I ask you to support it."

MAYOR NICHOLSON "Thank you."

BETH GRAY

"Good evening. My name is Beth Gray and I reside at 425 Cothran Avenue. My husband cannot be here tonight because he works out of town so I have to take his stance on this as well.

My husband was born in Greenwood at Self Memorial Hospital and has lived here the majority of his life. A portion of our married life was spent living in Texas and Columbia as I attended the University of South Carolina. It has always been our plan to return to our wonderful neighborhood in Greenwood where my husband's family built a home at the end of Blyth that he grew up in. His grandparents lived on Cothran in the very house that I am fortunate enough to live in now and raise my three children. We are lucky to live in a home built by GE Moore, Sr., who had GE Moore Construction Company in Greenwood. My husband, Bill, was his grandson. We lived across the street in the house that Dale and Wendy Shaffer reside in for 10 years and got to live across the street from my husband's grandmother. I watched her pride in this neighborhood as she built her home in the early 40's. I got to know a woman that raised her family in the very neighborhood that we're talking about right now. She and her husband were also an institution in my church at Main Street United Methodist Church. That is one very vital part as I have tried to raise my family in the same way.

All we ask is your consideration in this matter. I took part in the very survey he just discussed and talked to people. The majority of us ask for the consideration of having our families, architecture, and property in this beautiful vital part of Greenwood protected. I hope that our kids' kids can run in the street, play, be safe, and have just as much pride in their homes.

I do want to say that Dale Shaffer had every intention of being here tonight but had a death in his family and could not attend. Seeing how I was kind of quickly voted as the president of the neighborhood association, I wanted to make sure I made an appearance representing my neighborhood to let you know how strongly we feel about this and how important this is to us and to our families. We ask you to consider this for us, please. Thank you, very much."

MAYOR NICHOLSON

"Thank you. Is there anyone else?"

CHUCK HARRISON

"Hey, guys. I'm Chuck Harrison and I have lived at 432 Cothran Avenue for about 10 years. My wife's grandparents actually built the house in 1934 so I'm very fortunate to live there now and I am for this overlay.

Thank you."

MAYOR NICHOLSON "Thank you."

BILL MCCOLL "Hello. My name is Bill McColl and I live at 102 Jennings Avenue. I haven't lived there long but I was able to take a part in a survey and spoke to several neighbors. I've got real positive support in getting signatures as well as positive comments. I just wanted to say that I'm for the overlay and I hope that you consider it strongly."

MAYOR NICHOLSON "Thank you."

ERNEST PRUITT "Mr. Mayor and Members of Council, my name is Ernest Pruitt. I do not live in the historic district but I do live in Greenwood at 114 Live Oak Court.

I'm not pretending to speak for the Greenwood County Historical Association as President because we have so many odd members. I'm about as odd as any of them, I suspect, but we have discussed this issue in our board meetings. I can tell you without any fear of contradiction that our board has been extremely concerned over the losses of some of our older homes, particularly those that had unique historical value. This historical overlay, and I think we need to put the emphasis on the word 'historical', is viewed by many of us in the historical society as one approach to preventing the kind of demolition that has occurred with such frequency in the past.

I think probably all you know this but it is a historic area. Greenwood was formed officially in 1857 but it was in the earlier years of about 1824 that a couple from Ninety-Six built what amounted to a summer cottage in this community. They called it Greenwood and eventually that is the name of our city today. I mentioned that Greenwood was incorporated in 1857. That is an interesting note because this year, 2007, marks the sesquicentennial of the founding of Greenwood. I would like to impress upon you the fact that your adoption of this historic overlay during this year would certainly be a wonderful affirmation of our heritage and I urge you to adopt it. Thank you."

MAYOR NICHOLSON "Thank you, Mr. Pruitt. Is there anyone else?"

KIM CLARK "I'm Kim Clark of 109 East Cambridge Avenue and you should know that the Assistant City Manager lets his dog out at about 6:30 in the morning in some really cute shorts!

We have all come together over the last couple of years in many different ways and it's really heart warming to listen to everybody talk tonight.

This journey started a couple of years ago for some of us when there was a piece of property on Cambridge that somebody wanted to rezone for commercial use. We started panicking then thinking that, if we didn't do something, we just weren't going to have a neighborhood anymore and these beautiful homes our ancestors gave Greenwood weren't going to be there anymore. We didn't move fast enough. As you know, this past year we lost the home of the Methodist Church in the 1800s. It grieves all of us that we didn't move faster but we're hoping that you can help us right the wrongs of the past. We wished that Councils many, many years ago had dealt with this, but we're grateful that you're here tonight and we hope for your protection.

I remember two years ago we approached some of you one on one and asked what we could do to protect this area. You said we would need the support of the neighborhood. Well, we've done what you'd asked us to do. You can tell by what the people have said tonight. There were many petition drives and meetings where people stayed late until we had a consensus on a language to bring you.

We went before the Board of Architectural Review three times until we finally got a unanimous approval. Planning and Zoning gave us a unanimous approval so here we are tonight asking for your approval of this historic overlay. We hope that you will give us the protection before any more harm can come. We thank you for your time."

MAYOR NICHOLSON

"Thank you. Is there anyone else to speak in favor? Is there anyone to speak in opposition of the overlay? Okay. Seeing and hearing none, we will close the public hearing.

We just want to thank each one of you for being involved in this process. I know it has been long and drawn out but we had to make sure we didn't leave anything out and that everything was done legally. We can change and correct anything we pass. We just want to thank you for your time and patience in dealing with this very important issue because maintaining a lot of the heritage is very important. The history of our community, or any community, is very important. We just want to make sure that this is done the right way and not to abuse or offend anybody.

Council, you have received the recommendation coming from the BAR in reference to the overlay. Mr. Brown, do you have comments before we act on this?"

STEVEN BROWN

"Mr. Mayor, certainly from the City Manger's position I would encourage you to consider adoption of this overlay. I'll give you just this one bit of information of how neighborhoods begin to go down a path we don't want them to. All of us know the history of the mill villages all over town. Just this past week and a half ago, we got a call from a property owner in the Greenwood Mill Village. A home was burned to a degree that required total demolition. The family members sold the property in the last six months to a developer that is now putting in a vinyl siding house in the middle of Greenwood Mill Village. Everyone in the village, or at least close by, is very upset because it's deteriorating the character of the neighborhood.

I think overlays are going to be the answer to protect some of the properties here and in the mill villages. I would encourage you to adopt this overlay. The other thing that I would say is, if there is something in the overlay that gives you great concern, I would request City Council to think about eliminating that one or two concerns but don't throw out the whole overlay."

MAYOR NICHOLSON

"Okay. In looking over the document, I was well pleased but there were a couple of concerns. We don't pass anything for this particular area that other areas are not going to deal with it. There were a couple of issues such as parking, furniture and other things that did not just reference to the structure or maintenance. I know it's important but I don't think we should include those things when we think about a structure of a building.

I was looking at the item in reference to interior furniture being placed on the porch. I know it's not appropriate but I don't think we can regulate things like that. I know that people have been complaining about how inappropriate it is to have interior furniture on the porches but I don't think government should be regulating those things. It'll be sort of getting outside of the box.

Commercial parking will be required at the back of the building because it will be grandfathered from the present ordinance. I was in agreement with everything else. I can go with just a couple of things being deleted in this document."

NIKI HUTTO "In our packet, there has been a revised overlay document that would eliminate the areas that you were referring to. I would like to recommend that we adopt the revised overlay that eliminates those few issues to keep this progress going forward."

MAYOR NICHOLSON "Okay. I have a motion. Do I have a second?"

Motion to approve the revised version only was made by Niki Hutto, seconded by Herbert Vaughn.

"Is there any further discussion?"

STEVEN BROWN "Mr. Mayor, could we define exactly what we are eliminating?"

NIKI HUTTO "The items that are a revision, more or less."

MAYOR NICHOLSON "In the revised document, it's to remove the residential parking standards, as proposed, and maintain that future commercial uses provide parking in the rear. In development standards, it would be to remove the text disallowing interior furniture on exterior surface. The overlay committee was another concern. The staff sees no reason for this language because we have the BAR Board set up.

I think those are the only things deleted in the revised edition. Am I correct, Mrs. Hutto?"

NIKI HUTTO "Yes. It's in Section 4-7 and 4-2."

LINDA EDWARDS "They are not deleted. In the text, the wording has been changed."

NIKI HUTTO "No, the whole item has not been deleted but is stricken out."

MAYOR NICHOLSON "They have been deleted in the revised edition. Am I right Mr. Brown?"

STEVEN BROWN "The parking is still there but nonresidential uses shall be provided within the rear of the lot on an approved paved surface. The sentences that you're deleting, if I understand you right is, 'Parking for residential uses shall be provided on a designated parking location at the side or rear of the main structure. Parking may not be provided on a public sidewalk or impervious landscape area.' On page two, 'No furniture typically designed for interior use shall be utilized on the exterior of the structure.'"

NIKI HUTTO "That was taken out and on the last page and plus the whole section of 47.6."

STEVEN BROWN "The entire section 47.6."

MAYOR NICHOLSON "Okay. This is the motion made by Mrs. Hutto that we go along with those changes to the original document. I have a motion and a second. Is there any further discussion?"

BETTY BOLES "The only comment I have is I applaud the neighbors in the Greenwood Village on their efforts to make this overlay come into existence. A lot of times, we as neighbors and homeowners don't always agree. I commend you for the work you have done in order to bring this overlay to us. We appreciate that you all have made it a lot easier for us by talking about it, sending letters and coming together as a neighborhood. It means a lot because, if more neighbors came together like that, just think how Greenwood City would really grow and prosper. I just wanted to give you my opinion about how I appreciate the fact that all of you have gathered as neighbors. I think that's commendable."

MAYOR NICHOLSON "Okay. Is there any other comments? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No. 07-038 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property (Approximately 0.86 Acres), Located at 303 Hampton Avenue, from OPI (Office/Professional/Institutional) to CC (Core Commercial).

(1st reading)

Mayor Nicholson read the fifth item and asked, "Is there anyone to speak? This old Coleman Hall dormitory was owned by Lander as a residential facility which they have abandoned for over a year. Is there anyone to speak in favor?"

LINDA EDWARDS

"Is there anything in it?"

MAYOR NICHOLSON

"No. The students haven't been in it for a year. Is there anyone to speak in favor of this rezoning?"

PHILLIP JONES

"Thank you, very much. My name is Phillip Jones and I'm an architect that lives and works in Greenwood and surrounding areas. I am representing Ms. Haiyan Lin in this matter tonight. She is in the process of trying to gain the title to this property from the State of South Carolina and develop it. However, without the rezoning or some modification of this zoning from its current use, the property would not be feasible to develop.

The building is a little bit older than I am, but it's my understanding that it was originally used as a mixed use structure with apartments on the upper floors and businesses on the lower floor. I can remember when the radio station was on the ground floor and there were probably other businesses there as well. When Lander took the title to the building, they used it as a dormitory which was their need. It was a strictly residential use and now they have abandoned it. The current zoning restricts residential use.

I understand that will not be grandfathered but go back to the office/professional use.

We don't believe at this time that it's feasible to develop an eight-story office building in Greenwood. We don't see a need for it. The building was designed and we believe its best use is residential however we also believe that the lower floors, or specifically the ground floor, can be utilized as commercial. When I say commercial, I mean it could be a small shop or take-out type restaurant. We can see the need of some offices on just the second or maybe third floor and predominantly residential use on the other floors, which will be getting back to the original intent of the building.

We also feel that type of mixed-use occupancy would help vitalize the downtown area. I won't say revitalize because downtown Greenwood is vital, in my opinion. We feel that, if it just has to be an office type development, it won't ever be developed, at least not for a long time. It'll sit vacant and be blight on the community. So we are strongly in favor of the rezoning and we hope that you consider it favorably."

MAYOR NICHOLSON

"Mr. Jones, you were instrumental in the development of the unit in the Grier Building. Are you looking into something similar to that?"

PHILLIP JONES

"Well, I don't think it would end up being condominiums although it could if the ordinance is rezoned. At least condominiums are apartments that could allow the opportunity for multi use of the structure. We don't feel all offices or apartments may be appropriate but a multi-use structure could be vital like the Greer building. There is commercial, residential and lot of things going on there. We see the same type of potential here."

MAYOR NICHOLSON

"Okay, thank you. Yes, sir, Mr. Brown?"

STEVEN BROWN

"Mr. Jones, I'm very concerned that it may become an apartment or basically another dormitory for Lander students. I'm apprehensive about that use in the Core Commercial. I know you can't give us a definitive answer. If you're allowed to obtain this zoning, there are a lot of uses you can put in there that I do not believe would be a positive influence in a core commercial area. I was thinking that possibly you were considering residential use on the top floors. It would be something similar to what you did in the Grier Building that may appeal to the senior citizens or

others.

However, if you're not going to do anything but have another high-rise fraternity or sorority house, that's not good for Greenwood.

I don't know how City Council takes this but I have nothing to gain or lose by my comments. There are some activities that we fight all over town where people move young people in certain neighborhoods, and they are not compatible. If that's what you're intending to do, I'm willing to tell you tonight, I think it's not good for Greenwood.

I would sincerely hope that, if City Council was amenable to the request and make this Core Commercial, somebody would at least understand that we're investing a lot in the general area and want tenants, activities, and functions that are conducive, not detrimental, to the overall community."

PHILLIP JONES

"I don't disagree with one word you've said. I think that's a point well made and well taken. I personally don't have any development plans for the structure. Ms. Lin would be the developer. I was just asked to help her try to get the property rezoned so that she would have an opportunity to develop this. I do not honestly know what her intentions are as far as what type of apartments, condominiums or what market she would be seeking. We haven't gotten that far in our plans, but I don't disagree with what you're saying as a potential downside to this."

STEVEN BROWN

"My next question would be to Phil. What restrictions exist within Core Commercial that may address my concerns?"

PHIL LINDLER

"Your standards for the Core Commercial area limit the multifamily use for the upper stories. You could not have multifamily on the first floor but you could have it on the second story and above. You could also have your commercial uses anywhere from the ground floor all the way to the top.

The only thing that would limit the type of multifamily housing would be your standards for what 'family' is. A family, as defined by your ordinance, is three unrelated individuals in one unit. There's nothing that would prevent someone from purchasing or renting a condominium and turning it into housing for my son who may go to Lander. It would be limited to three unrelated individual at any one time."

HERBERT VAUGHN "Phil, considering the age of that building, is it up to code?"

PHIL LINDLER "I don't believe that we've even entered the structure."

MAYOR NICHOLSON "A lot of work would have to be done."

HERBERT VAUGHN "That is what I would be concerned about."

PHIL LINDLER "It's a State owned building that have minimal requirements that had to be met for a couple of years. Mr. Jones may be more aware of that than I am."

PHILLIP JONES "I can speak to that issue. It is not up to code for most usages right now. There will have to be a lot of work done. Specifically, residential occupancy above the forth floor requires a sprinkler system which this building does not currently have, so it would be lot of work involved to do residential. I think Ms. Lin was just asking for an opportunity to pursue that path. Again, I don't know and I don't even think she knows exactly how she would want to develop it. I think her feeling is, if she's limited to strictly office use, it would not be viable for her to purchase it. She doesn't see any need for that many offices. I don't even know if it would be up to code for offices but I do know it's not for residential."

MAYOR NICHOLSON "Linda, do you have a question?"

LINDA EDWARDS "It wasn't really a question. Given what they have said and what I say all the time, once you rezone a piece of property that you already have doubts; it opens the door for a number of other uses. We don't know what her intentions are and we might end up with something on that corner where traffic is already awful. I recommend postponing it until we know a little bit more than what we know right now."

MAYOR NICHOLSON "Okay, we'll get to that. I never did close the public hearing."

STEVEN BROWN "I just wanted to add that we have been encouraging this type of use in Core Commercial. I'm not opposed to the use and would love nothing better than some commercial use on that bottom floor and residential on the other floors."

MAYOR NICHOLSON "Maybe we can postpone this and have Ms. Lin to talk to us?"

PHILLIP JONES "I'm sure she'll be glad to do that."

NIKI HUTTO "You don't have any idea of the price points per unit? That would determine usage of those units."

PHILLIP JONES "We haven't done any planning whatsoever."

MAYOR NICHOLSON "Alright. Is there anyone else who would like to speak in favor or anyone opposing the rezoning of the property? If not, we will close the public hearing.

Now, I will entertain a motion from Council."

Motion to postpone until Council gets a chance to study the request and meet with Ms. Lin to discuss her intentions was made by Linda Edwards, seconded by Niki Hutto.

"Is there any further discussion? All in favor of postponing it raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Ordinance No.
07-039 Amending
City Land
Development
Regulations
Article 8,
Design
Standards,
Section 1, (3),
(a), Cul-de-
sac.

Mayor Nicholson read the sixth item and asked, "Is there anyone here to speak in favor? Phil, I'll turn it over to you to explain it."

(1st reading)

PHIL LINDLER

"Mr. Mayor and Members of Council, this is a request to amend your current standards for cul-de-sacs in the City limits.

Right now, you have a standard that says dead end streets designed to be permanently enclosed at one end, which is defined as a cul-de-sac, shall not exceed 1,000 feet in length in single-family residential areas and 500 feet in multi-county or commercial areas. Basically, if you want to go beyond that 500 or 1,000 feet limit, you'll have to put in a half cul-de-sac for an emergency vehicle to be able to turn around rather than to travel the whole length of the cul-de-sac if they have gone down the wrong street.

The amendment before you tonight is to amend the limit from 1,000 feet to 1,500 feet. The cul-de-sac length shall not exceed 4,500 feet in total length and serves as fire access to no more than 40 dwelling units or 100 parking spaces. So basically, if you pass this ordinance, you will be extending the length of a cul-de-sac from 1,000 feet to 1,500 in length."

- NIKI HUTTO "So this would give more mobility in the cul-de-sac?"
- PHIL LINDLER "It would make the cul-de-sac longer and you would not have as many turnarounds on a length of a cul-de-sac."
- NIKI HUTTO "You lost me. The cul-de-sac itself would be longer?"
- PHIL LINDLER "The distance between each half cul-de-sac is going to be greater than what it is currently."
- NIKI HUTTO "So the half cul-de-sacs are those little semicircles on Laurel?"
- PHIL LINDLER "Yes."
- NIKI HUTTO "Okay. Now I got you!"
- PHIL LINDLER "Are there any other questions?"
- MAYOR NICHOLSON "What about the intermediate cul-de-sac?"
- PHIL LINDLER "An intermediate cul-de-sac is what we would consider a half cul-de-sac. Some people call them eyebrows. It provides somewhat of an area to turn around if you're in an emergency vehicle."
- MAYOR NICHOLSON "So you have a half cul-de-sac and a cul-de-sac?"
- NIKI HUTTO "I can see these half or intermediate cul-de-sacs in multifamily and more commercial areas. I haven't seen that in a strictly single-family residential neighborhood. You'd rarely, if ever, see these

intermediate cul-de-sacs in Greenwood. Have you?"

PHIL LINDLER

"To be honest, you're going to find this a lot more in the County than you would in the City. In the City, you're going to have linkages to occur before you get to 4,500 linear feet. You do have some areas where you'll end up with a cul-de-sac where there is an extension of the existing road."

NIKI HUTTO

"Okay. The only area I can think of that has these immediate cul-de-sacs is off of Laurel. Is that the only one you can think of?"

PHIL LINDLER

"In the recent past."

STEVEN BROWN

"Mr. Mayor, I have a recommendation. If you look at the land development regulations, as they exist now, it defines a cul-de-sac as having one open end and one closed end. What we're referring to here is an intermediate cul-de-sac. I would think the intermediate cul-de-sac would be something other than a regular cul-de-sac but still have a closed and opened end. I think there needs to be a definition placed in the land development regulations that defines exactly what an intermediate cul-de-sac is. You've already defined a cul-de-sac. When you attach an intermediate, you need to define the difference between the two.

In addition, there's nothing in the land development regulations that defines the dimensions of a "half eye". My interpretation of a half eye could be different from yours and I can construct it in a number of ways. That's where we encounter trouble.

So my recommendation is for you to pass this in title only tonight and then ask Phil to bring a definition of an intermediate cul-de-sac and dimensions on exactly what it'll consist of to eliminate all the vagueness and confusion at some point in time in the future."

NIKI HUTTO

"I thought an immediate cul-de-sac had two open ends."

STEVEN BROWN

"It does, but the ordinance doesn't state that."

MAYOR NICHOLSON

"So if you have two open ends, it's not a cul-de-sac, is it?"

NIKI HUTTO

"The intermediate cul-de-sac goes through to the end cul-de-sac that's finished."

STEVEN BROWN

"I'm just saying it needs to be clarified."

MAYOR NICHOLSON "Yes. That's true."

BETTY BOLES "What about the two streets going off of Pelzer?"

STEVEN BROWN "They're cul-de-sacs."

BETTY BOLES "But there isn't a good turnaround spot on it."

STEVEN BROWN "No, ma'am. They were installed before there was ever a requirement to have the turnarounds at the end. In fact, we have tried to secure property to construct one."

BETTY BOLES "There is nowhere to turn around."

STEVEN BROWN "None."

MAYOR NICHOLSON "Okay. Is there anyone else to speak for or against in reference to cul-de-sacs? If not, we will close it."

Now, do I have action from Council in reference to Design Standards, Section I, Cul-de-sac?"

Motion to approve title only of the ordinance until Phil Lindler can provide a definition of an intermediate cul-de-sac was made by Niki Hutto, seconded by Betty Boles.

"Is there any further discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

Linda Edwards stepped out the meeting from 6:30 - 6:35 p.m.

CONSIDER

Under unfinished business, Mayor Nicholson read the first item and recognized the City Manager.

Ordinance No.
07-025 Adopting
Stormwater
Drainage Site
Plan
Regulations for
Industrial,
Commercial,
Residential
(Excluding
Single Lot),
Multi-Family,
Public, and
Semi-Public
Uses within the
City of
Greenwood.

(2nd reading)

STEVEN BROWN

"Mr. Mayor and City Council, I have recommended a change to this ordinance. If you look at the two sentences in parenthesis in Paragraph Two on the first page, I would like to recommend that this wording be inserted and all of what you have in the original ordinance be deleted: 'Once construction is complete, the owner shall submit to the City of Greenwood 'as built' plans based on the 'as built' conditions of the stormwater drainage amenities prior to the issuance of a Certificate of Occupancy by the building official. The 'as built' plan shall be certified by a professional engineer or land surveyor licensed to practice in the State of South Carolina.'

We made a commitment (or at least I did) that we would not ask for anything we did not need. I don't think we need the word, 'calculations' submitted on the original plans. In addition, the original draft ordinance did not allow a land surveyor to submit these plans. To reduce the costs to the developer we're recommending that either a certified PE (Professional Engineer) or a licensed surveyor be permitted to certify these plans and submit them to the City.

I noted that some developers would say there is no need to require these 'as built' plans.

After first reading, I've had some developers say they're going to do the original plans as submitted. In speaking with Dan Proctor, a reputable land surveyor in Greenwood, he mentioned a situation that occurred today in Greenwood. Because a sewer line had not been installed correctly, he had to make an adjustment on the storm drainage pipe in the field. That means the proposed storm drainage plan is not as it was originally designed. That's why we're asking for the 'as built' plans because what happens in the field is often very different from what was originally submitted.

When engineers and land surveyors begin future surveying work, they will be able to use the 'as built' certified plans on this database. That will really reduce the future costs for work required because there will be a certified set of plans that will exist within a database for him to make certain assumptions. A developer will pay a little bit more up front now but, in the future, it should balance off. So I recommend that you adopt this ordinance with the recommended changes."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

A motion to approve with the recommended changes was made by Niki Hutto, seconded by Barbara Turnburke.

"Is there any further discussion or questions? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the second item and recognized the City Manager.

Ordinance No.
07-033 Closing
100' x 40'
Alleyway off
Roseland Avenue
and Located
Adjacent to
Properties
Owned by JB Law
LLC and
American
Termapest, Inc.

(2nd reading)

STEVEN BROWN

"There are no changes, Mr. Mayor."

MAYOR NICHOLSON

"Okay. Thank you. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Betty Boles.

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the third item and recognized the City Manager.

Ordinance No.
07-013 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property
(Approximately
0.3+ Acres)
Located at 405
Graydon Avenue
from R7
(Residential -
High Density)
to R15
(Residential -
High Density)

(1st reading)

STEVEN BROWN

"Mr. Mayor, this was postponed by City Council Members. Council also expressed a desire to talk with Mr. Lyle who was one of maybe two or three people requesting rezoning on Graydon. You have heard from the Zimmerman's and you wanted to hear from Mr. Lyle about his parcel, so there was no action taken. Mr. Lyle is present tonight to speak to you."

JASON LYLE

"Thank you, sir. I want to apologize for my appearance. I'm afraid my suit made it from Miami but my razor didn't. I appreciate the opportunity to address your questions. I certainly know that you don't take rezoning lightly. There is one correction. The site was actually requested to be rezoned from R-7 to General Commercial to fit in with Lander's plans across the street.

The reason for the rezoning request is, if I can just give you a little bit of background, I bought that lot maybe three years ago to build a house for my dad. After we got into it a little bit, that's when Lander announced their plans publicly to buy that shopping center. As you guys know, they're going to put in softball and baseball fields. To make a long story short, I thought real long and hard about it.

I actually called the architects out of Spartanburg to ask where they were going to put these baseball fields and what it would mean for that area to have all the

traffic, noise, cars and people. They're actually going to position home plate of either the baseball or softball field about 40 steps from where my front door would be. I'm just asking, if it was your house, would you want to live, sleep and raise kids there? I think the answer is, 'No'. The truth is there will be the lights, which for me is a very valid concern. If you're asleep at night, there will be lights in the outfield shining towards the houses on Graydon. I think there is going to be some adverse impacts because of what's going on there.

Secondly, the reason I asked for a rezoning was because of Lander's second purchase. (Pointing as screen) This used to be Ray Ballentine's property. Lander just moved across Graydon Avenue and just purchased it for their future development plans. Now, they haven't announced what they intend to do but look at what it does to my property. Now, I ask if it is a viable R7 zone? Is it good for residential? I don't think it is.

Doing my due diligence, I discovered which I think many of you may know, or maybe you don't, but this used to be, or still is, a dumpsite. When they took down the old JC Penney, they put all the construction debris right here (pointing). I spoke with the guy and he assured me that they put everything they could possibly put back there at the time which, in my opinion, probably has asbestos, lead and a couple of other things. Therefore, I didn't really want to have my dad living on top or near a dumpsite.

The idea of General Commercial zoning is a viable use that doesn't require living or sleeping 24 hours. You can put a business that runs from 9 to 5 there and mitigate a lot of those problems that'll arise by having all those ball fields next door."

MAYOR NICHOLSON "Okay. Thank you."

BETTY BOLES "Have you considered selling to Lander?"

JASON LYLE "Yes. Lander actually turned me down. Eleanor Teal, that runs the Lander trust, said they didn't have enough money to buy my property since they had to scrounge enough money to buy Ray's property."

BETTY BOLES "How much property are we talking about?"

JASON LYLE "It's 1,300 square feet or less than a quarter acre. If I can make them buy it, I would!"

STEVEN BROWN "You made a statement that JC Penney's was torn down. I don't know of a JC Penney's being torn down in Greenwood."

JASON LYLE "Downtown."

STEVEN BROWN "It was located in one of the existing buildings."

JASON LYLE "They told me that there was a JC Penney's downtown. I'm only 27 so I wouldn't know."

STEVEN BROWN "I just wanted to know what you said was buried out there."

MAYOR NICHOLSON "It's not JC Penney's."

JASON LYLE "Oh, it wasn't? It was a building downtown and debris came out of the building and went in that hole. Ray Ballentine actually built that house on top of that. Jeff at Lander's Athletic Department and Eleanor knows about it so I don't think it's a surprise to them but it was certainly a surprise to me."

NIKI HUTTO "Can you refresh my memory of the two other properties behind the Shell Station? Isn't there a house on one?"

JASON LYLE "Yes ma'am. There's a vacant lot in the middle and Ms. Horne lives on the corner and that is zoned residential. The lot in the middle is where Mr. Timmerman uses to park all his stuff. He uses my lot sometimes, when I'm not looking, to park his trucks."

MAYOR NICHOLSON "Okay. Are there any other questions? Thank you, Josh. Mr. Brown, do you have any comments?"

STEVEN BROWN "No sir, not really. I just know that the Timmerman's and Mr. Lyle both requested rezoning. This lady was approached but she always stated that she didn't want her property rezoned but left residential."

LINDA EDWARDS "She didn't care what anybody else did because she wasn't opposed to it. Did I understand you to say that originally you asked for General Commercial? How did we end up R15?"

NIKI HUTTO "You didn't want R15 did you?"

JOSH LYLE "No ma'am. I don't think this is a viable residential use."

CHARLES BARRINEAU "That was the recommendation from the Planning Commission."

NIKI HUTTO "Oh, okay."

PHIL LINDLER "No, actually the request was for R15 and then it was amended to General Commercial. The Planning Commission recommended denial of R7."

LINDA EDWARDS "What should we be looking at, General Commercial?"

MAYOR NICHOLSON "Josh, you want General Commercial, don't you? Okay. Do I have a motion?"

NIKI HUTTO "In General Commercial, you can put in just about anything you want."

JASON LYLE "I'm not really familiar with zoning destinations. What I know is I don't want to live there and I don't want to spend \$200,000 putting houses there where other people don't want to live. So that's my predicament since Lander has purchased that entire one acre parcel on the same side of the street as me, reduced that buffer and is now my next door neighbor. I feel they put my arm behind my back and forced me into a corner."

MAYOR NICHOLSON "Okay. Phil, you said the Planning Board recommended General Commercial?"

PHIL LINDLER "The Planning Commission recommended denial of R15. They did not look at the General Commercial."

NIKI HUTTO "They haven't even looked at General Commercial yet so have they even considered Neighborhood Commercial or OP?"

PHIL LINDLER "They said, because of what Lander was doing at the time which was earlier this year, they felt that the overall area was changing and didn't feel that R15 would meet that standard. They did talk a little about Neighborhood and General Commercial."

STEVEN BROWN "When Mr. Timmerman came before City Council, he was unaware of the buffer requirements. When they were explained to him, he stated to City Council that he did not believe he could construct his building and meet the buffer requirements between residential and commercial use. Has Mr. Timmerman approached you about purchasing your property?"

JASON LYLE "The son, I forgot his first name, did approach me about buying the property. He had it under contract and never moved forward with it. I don't know if he was trying to put his building on it, but he did show some interest in buying it. I tried to

sell it to him and, like I said, he didn't move with the property. I've tried to sell it. I have it listed it in other different places, but everybody wants to buy it as an investment. That does nothing for me."

STEVEN BROWN

"Phil, if City Council were to rezone both of these lots, buffering will be required along the property line to protect the lady unless City Council rezones her property. There will be a buffer required on the backside because it is commercial and a buffer between the Lander properties because it'll remain residential. So, if both properties were combined, Mr. Timmerman can more than likely construct his building."

NIKI HUTTO

"The thing is, that piece of property that's just been bought by Lander will eventually become and OPI or PDD, correct? So then we have to look at Residential and General Commercial. Now, I don't know if General Commercial is the best. I know residential doesn't work, but I don't know for sure whether General Commercial, Neighborhood Commercial, or OP may be a better solution. I don't think OP would work either."

STEVEN BROWN

"You could send it back to the Planning Commission for them to consider his request for General or Neighborhood Commercial."

MAYOR NICHOLSON

"Because they never did consider it. You don't need it by tomorrow do you, Josh?"

JASON LYLE

"No, sir."

MAYOR NICHOLSON

"Okay. Do I have a motion that we send it back to Planning?"

Motion to send the request back to the Planning Commission to consider General Commercial was made by Linda Edwards, seconded by Niki Hutto.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Mayor Nicholson read the fourth item and recognized Reverend Jones.

Ordinance No.
07-034 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property
(Approximately
0.22 Acres),
Located at 812
Milwee Avenue,
from RM7
(Residential
High - Density)
to NC
(Neighborhood
Commercial).

(1st reading)

DARREN JONES

"Good evening, Mr. Mayor and Council. It is my desire to have this piece of property rezoned to Neighborhood Commercial. I see a need in the community for transportation and would like to house some vehicles and assist folks to purchase them at an affordable price."

MAYOR NICHOLSON

"So you're talking about a car lot?"

DARREN JONES

"Yes, sir!"

MAYOR NICHOLSON

"Are there any questions for Mr. Jones?"

LINDA EDWARDS

"I know what he's saying. Have you really given this some thought about it being on that corner?"

DARREN JONES

"Well, as you can see on the corner of Milwee, the lot already has a drive that's cut in. Our intent would be to clear it out from the high traffic profile area, which is going up Milwee, and use it as an entrance and exit."

LINDA EDWARDS

"Have you thought about your security? The reason why I'm asking these questions is I'm quite sure you've been in that area after dark."

DARREN JONES

"Well, we have plans of securing that area if it's passed. We understand. It's a risk we're willing to take."

NIKI HUTTO "Are you going to pave or grade it? It sits on the hill of an embankment."

DARREN JONES "We can't do a lot of grading due to the fact that it's uphill. We would need to pave it."

NIKI HUTTO "It's not going to look very attractive."

DARREN JONES "You say that now, but you're looking at a rough finish. The beauty is yet to be seen. I see folks walking up and down the street everyday that just need adequate transportation. I want to assist them and the neighborhood."

STEVEN BROWN "Mr. Mayor, I'd like Phil to respond about the size of that lot and exactly how he can meet the pervious to impervious surface requirement. When he meets the buffer requirements of the ordinance, how much area would he have to sell cars?"

MAYOR NICHOLSON "It's only .22 acres, right? It's really not an acre?"

DARREN JONES "Right. We're not taking about housing a big number of cars. We just want to start out with something small. We understand that as well, Mr. Brown."

STEVEN BROWN "I'm on your side. I'm just saying, if Council agrees to rezone it, there are some regulations that may prevent the use of the site to be nil because of the buffer and impervious surface requirements."

MAYOR NICHOLSON "I know you're probably not familiar with Phil and all these things, are you?"

DARREN JONES "I am not."

MAYOR NICHOLSON "Okay. Can we postpone this so that you can have an opportunity for Phil to inform you of the requirements and determine if you have adequate space to do this?"

DARREN JONES "That sounds good."

MAYOR NICHOLSON "Okay. Therefore, we're going to postpone again. Do I have a motion?"

Motion to postpone was made by Linda Edwards, seconded by Niki Hutto.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Reappointing
Mrs. Sonja I.
Cummings to the
Municipal
Election
Commission.

Mayor Nicholson read the fifth item and said, "I think Mr. Brown has contacted her and she is willing to serve. We will have municipal elections coming up next year, so do I have a motion that we reappoint her?"

Motion was made by Linda Edwards, seconded by Betty Boles.

(1st reading)

"All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Under New Business, Mayor Nicholson read the first item and recognized the City Manager.

Resolution No.
07-010
Authoring the
Mayor and City
Clerk to Sign
Intergovernmental
Agreement
with Greenwood
County, and
Authorizing the
Execution and
Delivery
Thereof,
Regarding
Property Owned
by Greenwood
Rehabilitation
Hospital LLC
and Its
Inclusion into
the
Comprehensive
Joint County
Business and
Industrial
Park.

STEVEN BROWN

"Mr. Mayor and Council, earlier in the meeting you took final reading on the annexation of the Greenwood Rehab property. That annexation is contingent upon the City duplicating the same tax incentives that the County has given them. This is an intergovernmental agreement between the City and County to make that happen and you're authorizing the Mayor and City Clerk to sign it."

MAYOR NICHOLSON

"Okay. By the way, I went to visit a patient and, if you haven't been there, you need to go. That is really a first class facility. In talking to a few of the patients, they are very pleased with it.

Alright. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Linda Edwards.

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the second item and recognized the City Manager.

Ordinance No.
07-040
Authorizing the
Issuance and
Delivery from
Time to Time of
One or More
City of
Greenwood,
South Carolina,
Revenue Bond
Anticipation
Notes, in an
Aggregate
Principal
Amount Not to
Exceed
\$10,000,000, in
Anticipation of
the Receipt of
the Proceeds of
the Sale of
Junior Lien
Combined Public
Utility System
Revenue Bonds
of the City of
Greenwood.

(1st reading)

STEVEN BROWN

"Mr. Mayor and Council two years ago in 2006 and 2007, the Commissioners of Public Works asked you to adopt an ordinance allowing them to borrow revenue anticipation funds.

They justified this request by saying it is often, especially in the winter months, they are required to purchase large sums of gas in advance at a very costly price. The revenue is not realized until the gas is

consumed and paid for by the customer.

MAYOR NICHOLSON "Okay. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Barbara Turnburke.

"Is there any further discussion or questions? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Nicholson read the third item and recognized the City Manager.

Ordinance No.
07-041 to Adopt
the Budget for
2008.

(1st reading)

STEVEN BROWN "Mr. Mayor and Council, you have a budget before you that totals \$14,504,423. I want to give you a just a little indication of what those changes are from last year's budget. As you are aware, we have ordered a ladder truck. It will not be delivered until February or March of 2008 thus requiring the costs to be included in the 2008 budget. The cost of that fire truck is in the range of about \$900,000.

We have also recommended the purchase of a commercial sanitation vehicle at \$210,000 and a yard waste collection piece of equipment at \$120,000. There has also been a 10% increase in health insurance, 16% increase in workers compensation insurance, and a 4% increase in property, casualty, and liability insurance.

This is a small figure but I wanted to remind you that we also agreed last year to participate in a joint project with the County and CPW to obtain new aerial photographs of the land within Greenwood County.

There are a number of the smaller increases but I'm proud of the budget. I think we're going to give you good year end figures on your 2007 budget, so I recommend approval of this budget."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Herbert Vaughn.

"Are there any further questions or discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the fourth item and recognized the City Manager.

Ordinance No.
07-042 to Levy
Tax for the
City of
Greenwood for
2008.

(1st reading)

STEVEN BROWN

"Mr. Mayor and Council, your present millage is 106 mills. The State General Assembly adopted a millage cap law this last year. The law provides for a cap on the allowable increase in millage. For the City of Greenwood, that cap is 3.4%. Many people believe this is a good law that protects citizens from unjustifiable increases in millage. However, it certainly prohibits a municipal council from generating revenue needed for unusual needs.

I'll give you an example. When Council decided last year to purchase the new ladder truck at a cost exceeding \$900,000, the millage cap law would have prevented you from generating sufficient new monies to pay for the

ladder truck. A mill of tax generates approximately \$38,000. Therefore, the new law will permit you to generate approximately \$136,800 by increasing the millage.

You have an option tonight. You can increase your millage by the allowable amount, which is 3.4 percent, that would equate to a 3.6 millage increase from 106 to 109.6 mills. That will give you some leverage in future years if you have some unanticipated expense. This will give you needed flexibility in future years if you unable to increase the millage beyond the cap. Can you operate next year with those 3.6 mills? As City Manager, I would have to tell you yes. If you do not increase it by 3.6 mills, will your options and flexibility in years to come be hindered? I will tell you yes.

While none of us would want to recommend a millage increase, we're concerned that if you do not adopt it tonight, it will handcuff City Council next year, or the year after, from doing what you feel is necessary to provide services for this community. I can't tell you what's going to happen. I wish I could look into a crystal ball and tell you that there will be no need for this. In talking with other managers, both City and County throughout the State, we agree this is a bad law that shackles councils from doing what they think is best for the community. It almost puts you in a position that, if you don't take advantage of the allowable increase, you may not be able to even control your destiny in years to come. I can say more. It's bad, bad legislation."

MAYOR NICHOLSON

"Okay. Do I have a motion that we adopt the millage to 109.6 for the upcoming year at an increase of 3.6 mills?"

Motion to raise taxes to 109.6 mills or 3.4% was made by Herbert Vaughn, seconded by Niki Hutto.

"Is there any further discussion? Mr. Brown what would that equate to, as for as dollars, on a \$100,000 home?"

STEFFANIE DORN

"It was \$12 to \$13."

MAYOR NICHOLSON

"Okay. All in favor raise your right hand. So moved."

The motion passed unanimously.

STEVEN BROWN "Three mills would equal to \$12, so it would be \$14 at the most."

CONSIDER Mayor Nicholson read the third item and recognized the City Manager.

Ordinance No.
07-043 to
Authorize the
City Manager to
Issue Tax
Anticipation
Notes in 2008.

(1st reading)

STEVEN BROWN "Mr. Mayor and Council, this is a safeguard ordinance. I'm proud to report that we have not had to borrow any monies. We do not intend to borrow any this year or next year. This is an ordinance City Council has historically passed that allows it to be in place in case we have cash flow problems and need to borrow funds until we get our tax revenue in November and December of each year."

MAYOR NICHOLSON "Okay. Do I have a motion?"

Motion was made by Betty Boles, seconded by Linda Edwards.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Nicholson read the sixth item and asked the City Manager if there are any changes to the Ordinance.

Ordinance No.

07-044 Adopting
the Business
License
Ordinance for
2008.

(1st reading)

STEVEN BROWN "There are no changes."

MAYOR NICHOLSON "Okay. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Barbara Turnburke.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Nicholson read the seventh item and recognized the
City Manager.

Ordinance No.
07-012
Authorizing
Christmas Gifts
for City
Employees.

STEVEN BROWN "Mr. Mayor and Council, you have an ordinance that states any Christmas gift given to City employees must be approved by resolution of Council. In years past, you have authorized a \$50 food gift for employees with one+ years of service and a \$25 food gift for employees with less than one year of service. This is totally a City Council issue. I have no recommendation."

MAYOR NICHOLSON "Okay. Do I have a motion that we adopt?"

Motion was made by Linda Edwards, seconded by Barbara Turnburke.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the eighth item and recognized the City Manager.

Ordinance No.
07-045 Annexing
Property Owned
by the
Greenwood
Genetic Center.

(1st reading)

STEVEN BROWN

"Mr. Mayor, this is very similar to the Connie Maxwell annexation. The Genetic Center has agreed to annex several parcels of property that we found were omitted in previous annexations."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Betty Boles.

"Are there any questions or discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the ninth item and recognized the City Manager.

Ordinance No.

07-046
Approving the
Comprehensive
Plan.

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, this document was given to you a number of months ago. Phil made a presentation on the recommended changes in the Comprehensive Plan revision. At the last meeting of the subcommittee appointed by Council, another presentation was made to Mrs. Boles, Mrs. Hutto, and Mr. Williams to explain the changes. The Committee asked me to place the Comprehensive Plan on the agenda and ask Council to take action tonight."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Linda Edwards, seconded by Niki Hutto.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the tenth item and recognized the City Manager.

Resolution No.

07-013 to
Authorize the
City of
Greenwood to
Assume a Claim
Deductible with
the South
Carolina
Municipal
Insurance Trust
Workers
Compensation
Fund.

STEVEN BROWN

"Mr. Mayor, we're always attempting to recommend measures that may save us some funds to City Council. Last year, you allowed us to implement a \$1,000 deductible on our Worker's Compensation program. What that means is, for every Worker's Compensation claim, we paid up to \$1,000 of the front-end cost. By taking that \$1,000 deductible, our premiums were reduced and we've saved somewhere between \$10,000 and \$12,000. To date, we have paid out \$2,258. It's been about a \$7,000 positive measure for this year. We'll probably have some claims in November and December but, thus far, it has been positive.

This year, we're recommending that you increase the deductible from \$1,000 to \$10,000. If you implement that deductible, we will reduce our premiums by \$50,820. We're not going to reduce the worker's compensation budgeted amount thereby using those funds to pay any deductible required. We've looked over our previous claims for the last four to six years and think it's going to be a good opportunity to save some money. If for some reason it should run over, then we would have the funds to pay it. If we're able to save all of that money, then we will return it to you for future budget use. Charlie and Steffanie studied it a lot closer than I have and are in agreement."

MAYOR NICHOLSON

"Okay. That sounds good. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Linda Edwards. "Is there any further discussion? All in favor raise your right hand. So moved."
The motion passed unanimously.

CONSIDER

Mayor Nicholson read the eleventh item and recognized the City Manager.

Resolution No.
07-014
Authorizing the
City Manager to
Acquire
Property at 517
Griffin Avenue
from Greenwood
County.

STEVEN BROWN

"Mr. Mayor, there is a house located on 517 Griffin Avenue that was for delinquent tax sale in 2006. No one made a bid on this property so the County offered to pay the delinquent taxes and the house is now in their possession. The County has asked us if we would be willing to pay a little less than \$2,500 for the house. Of that \$2,500, \$606 is delinquent City tax so the County will remit that amount back to us. The cost to the City will be about \$1,900 plus demolition.

We've looked at it with the Code Enforcement officers. It's been abandoned for a long time and Public Works had to board up the house. I've talked with Ms. Edwards and she feels it would be positive for the community if we were able to acquire and then demolish the house. Ms. Edwards, you may want to add something to that."

LINDA EDWARDS

"You've said it."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Linda Edwards, seconded by Betty Boles.

"Is there any further discussion or questions? All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Mayor Nicholson read the twelfth item and recognized the City Manager.

Authorizing the

City Manager to
Dispose of
Public Works
Equipment.

STEVEN BROWN

"Mr. Mayor and Council, the City owns a 1973 John Deere motor grater with the original purchase price of \$21,840. We feel that we do not need this equipment any longer because it was used only one time last year probably for less than 30 minutes. Over the last five years, it's probably been used less than five times. Years ago, we used to work on dirt roads in the City. Since we no longer have that situation, the equipment is just sitting there. Hydraulically operated equipment is not served well by not being used. When all the valves, seals, and bushings begin to dry rot, a lot of leaks and problems will occur.

We've been told that this is probably worth about \$12,000 which is almost 50% of the original cost. We would like permission to put the equipment up for public bid. Because we have to pay insurance on it each year, I don't think it's the best use of City money and would like to sell it."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Herbert Vaughn, seconded by Niki Hutto.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER
Executive

Mayor Nicholson read the last item and asked, "Okay. Do I have a motion that we go into Executive Session to discuss the economic development 'Commercial Project

Session to Green'?"

Discuss
Economic

Development
"Commercial
Project Green".

Motion was made by Linda Edwards, seconded by Betty Boles.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

The meeting adjourned into Executive Session at 7:18 p.m.

CITY COUNCIL
COMMENTS

There were no comments from City Council at this time.

CITY MANAGER
COMMENTS

There were no comments from the City Manager or staff at this time.

Mayor Nicholson asked, "Do I have a motion that we adjourn?"

Motion was made by Niki Hutto, seconded by Linda Edwards.

The meeting adjourned at 7:30 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer