

GREENWOOD CITY COUNCIL

March 17, 2008 - 5:34 p.m.

MINUTES

PRESENT Council Members: Mayor Nicholson, Betty Boles, Herbert Vaughn, Johnny Williams and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; Chris Trainer of the Index Journal and Chris Witt of Greenwood Today.

Niki Hutto entered into the meeting at 5:37 p.m. Linda Edwards entered into the meeting at 5:38 p.m.

CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Nicholson at 5:34 p.m. and he welcomed everyone to the meeting.

The Mayor also 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 Betty Boles, seconded by Johnny Williams.

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

Motion passed unanimously.

PERSONAL
APPEARANCE

Mayor Nicholson read the item and recognized Miss Kyrsti Vaught who is also a student at Clemson University.

Recognize Miss
Greenwood
Kyrsti Vaught.

KYRSTI VAUGHT

"Thank you for allowing me to come before you tonight. I'll tell you a little bit about me and my reason for being at your meeting. My name is Kyrsti Vaught and I'm not from Greenwood. I'm from Aynor, South Carolina, that's a little bit outside Myrtle Beach. I'm a Junior Psychology Major at Clemson University with a Minor in Legal Studies.

On December 2nd, I was crowned Miss Greenwood. The pageant was held in Greenville so a lot of Greenwood citizens didn't even know it happened. That is why I wanted to present myself to you today. Even though I'm not from Greenwood and don't live here, I still want to represent you as a people to the best of my ability. I want to speak to the schools and share my message. My platform for Miss South Carolina is Skin Cancer Awareness and Prevention. It is close to my heart because I actually had a skin cancer spot on my back at the age of 19. I feel we can raise awareness about it because it is the deadliest cancer of all.

I'm also here to ask for support. Because I'm not from Greenwood, I don't know many people and I need as much support as I can get. Thoughts and prayers are always helpful just for my sanity because this is a long and very difficult journey. It's a dream of mine that I hope I can accomplish with the help of people in Greenwood.

I ask that I can be accepted as someone from Greenwood. It's kind of hard when somebody comes from the outside and says they're your representative, but I just hope that you can see my morals and values are truly American and community based. I would love to be your voice for Miss South Carolina this year.

Lastly, I need financial support, as far as recognition pages, for the Miss South Carolina program book whether it be businesses or individual supporters who might be willing to help and support me on my trip to Miss South Carolina.

I want to make the best impression when I get to the State competition this year. I want people to say, 'Wow, Greenwood sent a great girl!' I don't want to disappoint you at all. I just hope that you can help me in these three ways and spread the word that I'm here. I'm a singer and, if anyone would want me to talk to schools or parties for entertainment, please call or e-mail me. I want to serve you."

MAYOR NICHOLSON "Miss Vaught, you said the Miss Greenwood Pageant was held in December in Greenville?"

KYRSTI VAUGHT "It was. Actually, they did double and triple crowns, which is where they crown more than one girl in the same pageant. They must have a required number of girls to be in it so it was held for Miss Greenwood, Miss Whitmire, and Miss Cherokee Counties. As far as who got placed with which title, they looked at where we lived at the current time and placed us where it would be easier for us to access. I hate that it wasn't announced in Greenwood, but the Miss South Carolina Board felt that it was important enough for Greenwood to have a representative after six years of not having one. So that's why it was kind of thrown in there. It's actually a surprise title."

MAYOR NICHOLSON "Okay. So when you were crowned did you ask, 'Where's Greenwood?"

KYRSTI VAUGHT "No. My roommate that I've lived with for three years is from Greenwood."

NIKI HUTTO "Who is she?"

KYRSTI VAUGHT "Kimberly Gauby."

MAYOR NICHOLSON "Do you have any information as far as how we can contact you?"

KYRSTI VAUGHT "I do. I have sponsor letters that I can give to anyone who might want them or you can distribute them to friends or business owners. Just see me after the meeting."

MAYOR NICHOLSON "Okay."

BETTY BOLES "When is the Miss South Carolina Pageant?"

KYRSTI VAUGHT "It's during July 1st through 5th. The final night is hopefully going to be televised somewhere locally in the evening at 8 p.m."

MAYOR NICHOLSON "Okay. Are there any other questions? We just want to congratulate you and we'll make you an honorary citizen of Greenwood, Miss Vaught."

PERSONAL
APPEARANCE

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

Recognize Mr.
Thomas Firriolo
of 303 Jennings
Avenue.

THOMAS FIRRIOLO

"Good evening! I would like just a few minutes of Council's time to share a little more information about my properties on Cambridge Avenue that are in front of the Board for rezoning reconsideration. The home on 514 holds over 10,000 square feet, eight fireplaces, over 10 feet ceilings, very large rooms and is over 3/4 of an acre. It has the approximate size of 110'x 325' with lots of paved parking. These magnificent buildings can serve as medical facilities or suitable businesses because of the uniqueness of their size.

I believe at the last meeting, Councilwoman Hutto stated for the record that 3/4 of an acre is a good size for suitable parking, particularly paved parking. This particular building has a great deal of paved parking. It was used for a cemetery for many years and a floral shop for approximately 15 years. I think you all know that. It was zoned a commercial building and, prior to that, it was probably the largest boarding house in Greenwood. Some of the bedrooms are very large with their own sink and fireplace for heat.

If you recall, Your Honor, I invited you, Councilwoman Betty Boles and a few other people including City Manager Steven Brown to walk with me on Cambridge Avenue to examine the homes from the railroad to the churches. I guess the schedules were conflicting and Council was busy. My vision of Cambridge Avenue still remains very strong, if not stronger, because I'm now in the process of renovating these buildings, including 446 East Cambridge Avenue that's directly across the street. That building holds four fire places, over nine feet ceilings, and an under-house garage. It's just shy of 100,000 square feet on approximately 2½ acres of land and it has over 3,000 square feet of living space.

So both of these magnificent buildings are for your consideration of rezoning. Unfortunately, the numerous

other buildings are rented as triplexes to sixplexes. I'm hoping that this may open the door for other entrepreneurs to invest in Cambridge Avenue rather than adding more apartments.

By the rezoning or splitting OPI to OP and IP, businesses can bring revenue to our City of Greenwood. Thank you for the time to share with you all."

MAYOR NICHOLSON

"Thank you, Mr. Firriolo."

THOMAS FIRRIOLO

"You all have a nice evening."

MAYOR NICHOLSON

"Yes, sir, the same to you."

CONSIDER

Ordinance No.
08-006 Amending
Ordinance No.
03-010, Zoning
Ordinance,
Chapter 6,
Supplemental
Regulations,
Article 3,
Animated Signs.

Under Public Hearings Mayor Nicholson said, "The format that we employ in the public hearings is that we ask that individuals come to the podium, state your name and address for the record, whether you're a resident of the City or County of Greenwood, and try to limit your comments to no more than three or four minutes."

The Mayor then read the first item and asked "Is there anyone here who would like to speak in favor of this ordinance change?"

(2nd reading)

WILLIAM CAIN

"I'm William Cain of Rainbow Signs on 108 Rutledge Road in Greenwood. As I spoke the last time, we were discussing what's been going on for approximately a year. We worked with every board and both Councils to work this out. The proposal we had the last time was approved on the recommendation of the City Manager in title only. I appreciated the time you spent making changes and coming to an agreement that would help Mr. Terrell.

The one concern I see is where the animation was removed from the proposal when we added the temporary signs for Mr. Terrell. I did see that you put a time frame of February for those temporary signs, so we're only gaining two businesses that will benefit from this. As a trade off, we're losing the animation for every other business. I'm really thankful that we tried to save Mr. Terrell who worked really hard to get this done to code. I would like to see it approved in full in both aspects, but I do appreciate the time everybody spent trying to work this

out for me. Thank you."

MAYOR NICHOLSON "Thank you."

TRACEY TERRELL "I'm Tracey Terrell of Quality Chrysler on 618 North Street. I feel obligated now to thank City Council for putting the amendment in this ordinance to include me and my temporary sign although it's in a place where it looks permanent. Along with Bill, I'm thankful we've gotten this far. I wish we could include the animation, but we're making progress, and I am in full support of it."

MAYOR NICHOLSON "Thank you."

STEVEN BROWN "I would ask Phil to respond to the question regarding animation. I thought that Council's concerns were about the background."

JOHNNY WILLIAMS "It was. We didn't want anything moving or flashing on the signs. We wanted it to just stay flat."

STEVEN BROWN "So the ordinance is as you have discussed it?"

JOHNNY WILLIAMS "Right. I've been to Anderson, saw flashing signs and clouds, and didn't like them. I'm willing to give you 15-second changes but not all this dancing on the signs. We never did allow flashing lights around the portable signs."

WILLIAM CAIN "The actual proposal did restrict any flashing and chasing borders as well. We didn't want the flashing but there were subtle animation in the background. We restricted how intense the light could be and the maintenance on it because we were trying to protect that as well."

MAYOR NICHOLSON "Okay. Is there any one else to speak in favor? Is there any opposing?"

KATHY CONSTANT "I'm Kathy Constant 331 West Cambridge Avenue."

Mrs. Constant read from a prepared statement.

MAYOR NICHOLSON "Thank you, Mrs. Constant. Is there anyone else to speak in opposition? In favor?"

JOHN WILLIAMS "I'm John Williams the Pizza Inn owner. I do have a small sign that changes but I do not think those signs would cause any danger to anyone. I think that we're actually making a bigger deal out of safety to keep us from having the signs. Personally, I purchased a small

sign.

It is not as big as Chrysler or some of the others but theirs do not affect me when I'm riding down the road.

I've been to Greenville the other day and some of their signs were doing all kinds of stuff. I don't think we necessarily need that, but it does help our business to be able to change that sign at least every 30 seconds or a minute. It's not going to be a light effect unless you just do away with the sign. I've paid quite a bit of money for my sign because I have it on the post, but I did not see any accidents in Greenville when I was riding on Woodruff Road. If you've been on Woodruff Road, they have some huge signs and I did not observe any wrecks or anything else.

Are we going to prohibit Police vehicle blue lights? Now, if anything blinds you, it is a police car. I don't think that people are going to have a wreck by looking at this stationary sign for 15 to 20 seconds. I'm not a gambler but I have been to Los Vegas three or four times. If you've ever been to Vegas, there are lights flashing everywhere. I've never seen a wreck but one little fender bender.

Therefore, I do not see where it is going to hurt the safety of the people of Greenwood. I'm a businessperson and I love the people of Greenwood. My customers are very precious. If I thought that any one of those signs would hurt them, I'll be out there tomorrow to have it taken down. That's my personal feelings about it. I just don't see where it's going to cause that kind of danger. Now, the graphics and flashing may cause a little problem but, as far as the reading board changing every 15 or 30 seconds, I don't see any danger in that whatsoever. Thank you, very much."

MAYOR NICHOLSON

"Thank you, Mr. Williams."

KATHY CONSTANT

"Mr. Mayor, this is Ms. Morris whose comments I read."

MARTELLE MORRIS

"I'm Marty Morris of 951 Sunset Drive in Greenwood. In telling my daughter where I was coming, she said, 'Oh man, Mom, I'm glad you're doing that!' She referred to the same sign on the road that flashes. It's so hard to keep your attention from that sign. Of course, you know that I was in an accident and that makes me more cautious about things that would cause an accident. I'm quite concerned about the safety of not just changing lights but the different colors of lights or anything that pulls your attention away from the road. My daughter lives in Vermont where they don't allow signs, period. It is such a beautiful place.

The difference in not having high signs and signs along the roadway is just incredible. Greenwood is a beautiful place and I'd like to keep it that way or make it better. When I first came here, most of the By-pass was grassland. I was floored that a city this nice would have that much property still available. I would like to keep what we have left as it is."

MAYOR NICHOSON "Okay. Thank you."

DEBRA MCCUEN "My name is Debra McCuen. I live in Hodges and I am against the signs. That's all I got to say."

MAYOR NICHOLSON "Okay. Thank you, ma'am. Is there anyone else to speak in favor of or against? Phil, do you have something you want to share, or Mr. Brown?"

STEVEN BROWN "I'll ask Bill to come back for just a minute. I'd like him to explain the intensity threshold to City Council."

WILLIAM CAIN "My comments to Mr. Brown were a response to what Mrs. Constant mentioned about the intensity of the lights. This was brought up when we worked with the Planning Commission. Our intent for that statement was the threshold will be controlled by Mr. Lindler because the equipment was so expensive. It was also our intention for that to be in every zoning district, not just for Core Commercial. I understand it's very important for our Core Commercial areas to be taken care of, but we have no problem with that language being in all districts. We don't want to have any safety issues either so that's why the no flashing, no borders, the maintenance, and light intensity were all in our original proposal. We want to make sure we're taking care of our county as well.

There are certain brands of signs. The one that I sell actually turns the light intensity down at night and a manual bypass where we can control that intensity if there was an issue. Every one that I installed is set on its automatic mode where it will turn the lights down at night and keeps it on its lowest intensity possible which also affects the light and longevity of the sign. Our signs are turned down from the beginning of the installation and we had intentions of that being for every zone that we have a proposal concern."

STEVEN BROWN "Is there an industry standard that City Council could insert in the ordinance that would control the intensity and will be more specific?"

- WILLIAM CAIN "We discussed that and it's not an easy way because the software that controls these signs doesn't have a setting. It has a low, medium and high setting, for instance. It doesn't have a setting as to so many lumens which would be considered the measurement of the brightness. We don't have the actual figures to do that. That's why we came up with the zoning administrator responsibility."
- STEVEN BROWN "What would it do to the industries or businesses that are using these signs if City Council adds, '... the intensity shall be set at its lowest capacity'?"
- WILLIAM CAIN "As far as our signs, I don't see that there is an issue. There are some other brands out there that don't have the controls or software possibilities."
- JOHNNY WILLAIMS "We don't want the signs too bright. I've been on the By-pass 100 times and I've never paid the sign at Sweet Peas any attention. I've been there trillions of times and I didn't even know that Mr. Williams had one on the Bypass. I'm sorry but I didn't know it. So we don't want signs that are too bright."
- WILLIAM CAIN "Right. There's actually a clause in the proposal that, if someone is not living up to their responsibility, we would revoke their permit and remove their signs. If Mr. Lindler sees that they're too bright and the owners are not living up to their part, that sign permit is revoked.
- Without being too technical, the older they get and the longer they run, LED's will get dim. We set them on the lowest setting because, once these signs get six or seven years old, they're going to get dim. We can use the controls to adjust for longevity. These signs are \$15,000 to \$300,000 so we want to make sure that we get our lifespan out of them."
- LINDA EDWARDS "These are the signs that you install, right?"
- WILLIAM CAIN "The proposal affects all signs of this type. I'm just a sign manufacturer in town that spearheaded this to update the proposal. There are other sign companies from out of town that are installing these as well."
- LINDA EDWARDS "That's what I'm asking. I hear what you're saying, but we don't know what the other companies are doing. We don't know what they're saying about the bright lights but we have to look at that too. There are companies that might not deal with you so how do we inform them of the ordinance? We would have to set up some type of proposal or something with their customers that they will

abide by our ordinance."

WILLIAM CAIN "Well, that's in the proposal. The only way we can put a control on it without having figures was to give the zoning administrator the responsibility. Now, if a sign company comes in our town, they should read our ordinance before installation. Our residents that purchase these signs are ultimately responsible in the end for abiding by their laws and local zoning ordinances."

STEVEN BROWN "The concern I think Council may have is there are signs that will not have the capability of adjusting the sign intensity. Is that not what you're saying?"

WILLIAM CAIN "Yes, sir."

STEVEN BROWN "Then that puts it on Phil without a \$9,600 piece of equipment to respond to them. Phil needs to explain to City Council his position about having that responsibility. I just think we don't want two signs sitting side by side with one having a higher intensity than the other. I just don't think we want that."

MAYOR NICHOLSON "I think they should get a copy of the ordinance and check with the zoning administrator to make sure that it's not too bright. I know the responsibility will be upon them, but that's the way it stands right now, right?"

WILLIAM CAIN "Well, before someone makes a \$25,000 purchase, the sign company should be responsible for making sure they can have that sign before they obligate the customer to purchase it. At that point, they should see our code. There are many brands of these signs so, hopefully, no sign company will ask their customers to buy one without checking to make sure."

NIKI HUTTO "Is there an additional kit that you can shove into these signs that you can monitor?"

WILLIAM CAIN "Unfortunately, the ones that we sell is part of the software which is sign specific software. Most of these companies order the type I sell. If they order another brand, these people may make their own software. So it's not something we can add. We have two brands of these signs and I would like to ask them if there was a way we could measure without buying the equipment. They're doing this nationally and worldwide so they may have a solution."

NIKI HUTTO "Well you would think that the software company that's providing this could tell you the low, medium and high range of luminaries."

It's probably not going to be specific, but they would probably give an approximate range. Am I assuming something that's incorrect?"

- WILLIAM CAIN "No, ma'am, I would think so as well. The problem with some of these signs is, when they were originally sold, they were marketed as the brightest in the industry as a big selling point. Unfortunately, they now realize the brighter they run at the higher power, the shorter the lifespan. So now, for their own good, they're dimming them as well. I'll be glad to find out if there is a way to measure and put a figure on this control from our manufacturers to let Council know."
- MAYOR NICHOLSON "Thank you, Bill. Mr. Brown, do you have anything?"
- STEVEN BROWN "Mr. Mayor, if you pass this ordinance, would you consider adding language that says, '... a digital reader board sign must have intensity controls...?'"
- NIKI HUTTO "I think that will probably alleviate all the issues."
- STEVEN BROWN "And require them to have the capacity to lower or reduce the intensity. I think that gives us what we need to begin with. We may have to come back later to insert some language that requires them to have the ability to adjust the intensity."
- MAYOR NICHOLSON "Right."
- LINDA EDWARDS "Where it says, '...intensity of the light used within the sign shall not exceed the threshold as determined by the zoning administrator', what will Phil use to determine that?"
- MAYOR NICHOLSON "There is no machine."
- LINDA EDWARDS "I might think the sign is alright but the zoning administrator may say that it's not. We need to have something because somebody may very well argue the point."
- MAYOR NICHOLSON "As Mr. Brown said, we can install a mechanism to control the lighting on the signs."
- LINDA EDWARDS "That's why we need to find some other wording for this statement. It just seems to be controversial."
- MAYOR NICHOLSON "You don't think adding the device to control it will help?"

LINDA EDWARDS "I can see the device but the way it's written now, if we don't correct or reword it, it's saying that the intensity will be determined by Phil with nothing to measure the brightness."

STEVEN BROWN "Ms. Edwards, we can probably solve your concern by inserting "at the present time it shall be on the lowest intensity. If the people who have the signs want to adjust above the lowest intensity, then we must have some additional language added to the ordinance."

NIKI HUTTO "That makes more sense. The language also has to change the intensity for all zoning districts."

STEVEN BROWN "Yes."

NIKI HUTTO "Okay. So that would be the other change."

STEVEN BROWN "That would be three. One is you have Phil having the authority to set that threshold in every district. The other is that signs must have a way to adjust the intensity and, upon passing this ordinance, it must be at its lowest setting."

MAYOR NICHOLSON "Okay."

MARTY MORRIS "Are the calibrations on all these signs on the same setting? Is the low intensity on his sign the same as another company's sign? Are they universal?"

MAYOR NICHOLSON "Do you know, Bill? Is the calibration the same as the other signs?"

MARTY MORRIS "If I buy his sign and turn it to the lowest intensity, is that going to be the same brightness as if I buy somebody else's sign?"

WILLIAM CAIN "I wouldn't think that the different sign manufacturers corroborate with standards. I will have to check as far as what each company consider as their lowest."

NIKI HUTTO "If it were a perfect world, everybody can calibrate the same, but I don't think they do."

MARTELLE MORRIS "That's why I'm asking. Aren't you back at square one where you're still going to have one sign brighter than another?"

STEVEN BROWN "Mr. Mayor, I think the cost of the equipment to measure the intensity is a part of doing business. If we're going to allow these signs, I think it is incumbent upon the City to have the machine to measure it."

If we can get this ordinance in some fashion that you will agree to pass now, my plan is to present you with a method by which we can purchase the machine. We will then be able to do the job that I think these folks who are opposed to this will appreciate from us. It's just a part of doing business. If we're going to allow these signs, we need to be able to monitor them."

MAYOR NICHOLSON "Right. We need the machine."

NIKI HUTTO "But for the time being, what we have discussed should be added to the ordinance?"

STEVEN BROWN "Right."

MAYOR NICHOLSON "Those things will be added and we'll still get the machine."

BARBARA TURNBURKE "I definitely think we need to have it. While I trust Phil and his judgment, somebody after him may be different so I definitely think we need that equipment if we're going to do this."

MAYOR NICHOLSON "Okay. Are there any other comments?"

LINDA EDWARDS "For clarity, we're only proposing to change the 15 second interval in LIW, HI, and the GC?"

JOHNNY WILLIAMS "All across the board."

STEVEN BROWN "That's not true. Residential still cannot change the seconds."

MAYOR NICHOLSON "But everything else will."

STEVEN BROWN "Core Commercial and Residential is still 60 seconds. General Commercial, LIW and HI are 15 seconds."

MAYOR NICHOLSON "Okay. Are there any other questions or discussion? I will close the public hearing.

Do I have a motion?"

Motion with the three stipulations that the signs would be at the lowest intensity in all zoning ordinances, will have devices that can be adjusted and monitored by the Planning Director was made by Niki Hutto, seconded by Mr. Williams.

"Are there any other questions or any further discussion? All in favor raise your right hand. Opposed? 6-1, the motion passed."

Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, and Johnny Williams voted in favor of the request. Barbara Turnburke voted against.

The motion passed.

- attach -

"Mr. Brown will get back with us regarding purchasing the equipment to measure the intensity of the lighting from the signs."

CONSIDER

Ordinance No. 08-007
 Amending Ordinance No. 03-010, Zoning Ordinance, Chapter 3, Zoning Districts and Boundaries, Table 3-1, Zoning District Use Matrix, Section 3.3.1.1. Uses Permitted in All Commercial Districts; Section 3.3.2.1. Additional Uses Permitted in NC; Section 3.3.3. OP-Office Professional; Section 3.3.3.1. Additional Uses Permitted in IP; Section 3.3.3.2. Additional Conditional Uses Allowed in OP; Section 3.3.3.3. Additional Special Exceptions Allowed in OP; Section 3.3.3.4. Additional Accessory Uses Allowed in OP; Section 3.3.4.1. Additional Uses Permitted in GC; Section 3.3.5.1. Additional Uses Permitted in CC; Section 3.3.6. IP - Institutional Professional; Section 3.3.6.1. Additional Uses Permitted in IP; Section 3.3.6.2. Additional Conditional Uses Allowed in IP; Section 3.3.6.3. Special Exceptions Allowed in IP; Section 3.3.6.4. Accessory Uses Allowed in IP; Chapter 5, Article 2 Lot Size, Density, Setback, Height, and Building Spacing; Table 5.1. Development Standards; Table 5.3. Open Space and Impervious Surface; Table 5.4. Bufferyard Requirements; Chapter 6, Article 3. Sign Regulations; Section 6.3.10.3. Signs Permitted in the OP And IP Districts; Article 5; Communications Towers; Table 6.6. Districts Permitted, Conditions and Height.

Mayor Nicholson read the second item and asked, "Is there anyone to speak in favor of the ordinance change?"

(2nd reading)

THOMAS FIRRIOLO

"I'm Thomas Firriolo and I'm in favor of the ordinance change. Thank you."

MAYOR NICHOLSON

"Okay. Thank you, Mr. Firriolo."

CHARLES HERNDON

"My name is Charlie Herndon of 170 Charles Street. I'm not so much opposed to IP or OP, it doesn't matter. The problem that bothers me is what the process of going from IP to OP, or vice versa, is going to be.

Right now, I'm really talking about the triangular piece of property that is bounded by Charles Street, Montague Avenue and West Cambridge. If you make that IP, it's going to really change things for me and the intent for the use I have on my property. That's the problem I have. Like I said before, what we got right now will catch a lot of people. I don't know if it'll be direct or not, but I just wanted to verify that. When I was looking through the uses on that property, there are businesses there now that are not even mentioned such as duplexes, hair dressers, banks, retail shops, restaurants and a car wash. My problem with it is probably not so much the changes in zoning, but how we are going to do it."

JOHNNY WILLIAMS

"On some of Montague, OPI will be turned into Commercial."

STEVEN BROWN

"The process is, if you adopt this ordinance tonight, you would adopt the recommended text change. This text change will go back to the Planning Commission that will assign new classifications of all the properties who are OPI right now. Some of those classifications will be Neighborhood Commercial, OP and IP. But, after you have adopted the text, the Planning Commission will take your language, apply it to the Land Use Maps, and make a second recommendation to you."

CHARLES HERNDON

"That sounds reasonable and it answers my question to a major concern on my part with the OPI change. I appreciate your time. Thank you."

MAYOR NICHOLSON

"Thank you, Charlie."

STEVEN BROWN

"The ordinance before you tonight does not address any changes in our Official Land Use Map. There will be no zoning classification changes if you adopt this ordinance tonight. You will have to adopt an ordinance changing the Land Use Map first."

MAYOR NICHOLSON

"Okay. Is there anyone else to speak in reference to the ordinance change, for or against? Seeing and hearing none, we will close the public hearing.

Now, we're ready for action from Council. Do I have a motion?"

Motion to accept the ordinance was made by Niki Hutto, seconded by Betty Boles.

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

Motion passed unanimously.

- attach -

CONSIDER

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

Ordinance No.
08-008 Anti-
Graffiti
Ordinance.

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council Members, I have kept you abreast of a graffiti problem we have in the City. Along with graffiti on buildings, we have probably replaced 40 stop signs that have been rendered unusable. I have three pictures which give you an indication of what we're facing.

A lot of people are concerned if this is gang related. I am told that some of these are probably copycats of gangs that may exist in other locations or States. We do know that, if you define a gang as a group of people who go around and write graffiti, we do have a gang problem. However, I'm not saying that there are gangs in the definition that most of us think of.

Our problem was we had no way of handling the situation without an ordinance. What I've given to you tonight states graffiti as a public nuisance and we're handling it from that prospective. We're saying it's unlawful for any person to apply graffiti to any natural or manmade surface on any City owned property or without the permission of the owner, occupant, or the person in charge on any City non-owned property. Therefore, that makes it unlawful to put graffiti on any place within the City.

I'm not absolutely saying that you have to consider this, but I'm submitting it for your consideration. We're making it unlawful for minors to be near or on school properties and public parks with graffiti implements or other thing such as spray cans and things of that nature. We define graffiti as unauthorized inscription work, figure and defacement that are written, marked, etched, scratched, sprayed, drawn, painted, engraved or otherwise affixed to any surface. We reference graffiti implements such as an aerosol paint container, broad tip marker, gum label, paint stick, graffiti stick, etching equipment, brush, or any other device capable of scarring or leaving a visible mark on any natural or manmade surface.

The ordinance deems graffiti as a public nuisance, is unlawful to put it on buildings, and gives you a process by which it can be removed either through the perpetrator, property owner or by the City. It also allows us to submit a bill to the property owner if the City expends money to remove graffiti on private property. If the property owner does not pay that bill, then we can place a lien against that property.

This is given to you as information. The quicker you can modify and to put it in place, the quicker we can begin to deal with some of these issues. I'll be glad to answer any questions."

JOHNNY WILLIAMS

"I showed Charles a sign Friday. From what I've seen so far in my neighborhood, we badly need this ordinance now and don't need to wait on it."

MAYOR NICHOLSON "I think it is a problem and we ought to take first reading now. If there is something we need to correct, we can do it by the second reading next month. We need to get the word out now."

STEVEN BROWN "I can promise you that this is in rough form. I think it's a framework that we can certainly work on."

A motion to approve was made by Johnny Williams, seconded by Linda Edwards.

NIKI HUTTO "Will we have a public hearing before second reading?"

STEVEN BROWN "Yes. We can talk more about it at the Work Session."

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

Motion passed unanimously.

- attach -

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

Resolution No.
08-001 to
Approve the
Expenditure of
City Funds as a
March for a
Community
Development
Block Grant for
Water System
Improvements
along 21
Streets in
Central
Neighborhoods
of the City of
Greenwood.

CHARLES
BARRINEAU

"Mr. Mayor, at the first of the year, we informed you that it was time to apply for community development block grant funding. We also let you know of a target area around some streets in a core area of the City that are listed on the screen (pointing). We have identified an application in the neighborhood of \$750,000. At their last meeting, the CPW Commissioners have approved up to \$250,000 towards this application. We're asking you to approve up to \$30,000 from your community accounts for administrating the grant, should it be approved. This is a resolution asking for your support on the application and a commitment of up to \$30,000 for the Upper Savannah Council of Governments to administer the application."

MAYOR NICHOLSON

"Alright. Do I have a motion?"

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

STEVEN BROWN

"When does this have to be done?"

CHARLES
BARRINEAU

"We must have the applications submitted before the next Council meeting. We can probably approve the resolution, if we needed to, at the work session."

STEVEN BROWN

"That's fine. I just have another matter associated with the CPW that I think needs to be resolved. If I understand the resolution, we are committing City money to match this?"

CHARLES
BARRINEAU

"Through the community accounts, yes sir."

STEVEN BROWN

"Without any notice today, we were told that we are now going to be receiving a bill for the utilities of the Federal Building."

NIKI HUTTO

"What!?!"

BETTY BOLES

"I thought that was Greenwood County."

STEVEN BROWN

"There was an agreement that billing would be done in five years, originally. We knew that it was coming up and were going to talk to you all about it, but nobody called or anything. We've determined that the bills were sent today. This is something we can discuss later."

BETTY BOLES

"It's effective as of now?"

NIKI HUTTO

"No nothing?"

STEVEN BROWN "No telephone call or anything saying that the bill was coming. They just sent it out. I just thought we were further along than that."

MAYOR NICHOLSON "There is a way to do everything. Okay. All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Nicholson read the third item and recognized City Councilwoman Barbara Turnburke.
Proclamation
for American
Red Cross
Month.

BARBARA TURNBURKE "I actually invited one of our Board Members, Jackie Roark, to speak."

JACKIE ROARK "Well, it is an honor to serve on the Red Cross. I am sure after this weekend we all are aware of the importance of the Red Cross to every community, in particular, our community. Again, I want to thank you, Mr. Chairman, and the Council for your support."

MAYOR NICHOLSON "Okay. I would like to read the Proclamation for American Red Cross Month."

Mayor Nicholson then read the proclamation.

- attach -

"I was watching the news Saturday and I know the Red Cross volunteers were out all day Saturday and Sunday in our community. I think there was a lot of damage in Prosperity also. When people have tragedy, it keeps Barbara and volunteers on the run. There have been a number of fires in our community and it's just great to have individuals and organizations like the American Red Cross to help people when they are truly in need.

So we commend you, Barbara, your entire staff at the Greenwood Center and all of the worthy volunteers that give up their time and energies to help people in time of need."

JACKIE ROARK "Again, I thank each one of you. Barbara, I thank you for your leadership."

STEVEN BROWN "Mr. Mayor, in talking about tragedies happening, we had a gentleman on Liner Circle that lost his wife Friday or Saturday and his house burned up on Sunday."

MAYOR NICHOLSON "I know the lady. I saw her obituary in the paper. You said his house burned down?"

STEVEN BROWN "He lost his wife one day and his house burned the next."

MAYOR NICHOLSON "Did they lose everything in the fire?"

BARBARA
TURNBURKE "Pretty much."

MAYOR NICHOLSON "I just encourage everyone to give to the Red Cross because they rely heavily on donations. We've had a lot of fires in our community lately and it costs money to provide housing and basic essentials. So, if you have an organization that you know of such as your church, please get them to donate to the Red Cross in our area."

AUTHORIZE Mayor Nicholson read the fourth item and recognized the City Manager.
City Manager
and Fire Chief
to Accept FEMA
Grant.

STEVEN BROWN "Mr. Mayor, I'll have Chief Strange make this presentation."

CHIEF STRANGE "Mr. Mayor and City Council, in 2007 we applied for a FEMA Assistance Firefighter's Grant. We found out in February of this year that we were successful in getting it. Our original project was budgeted at \$126,000. They made some adjustments and took a little more than \$16,000 off our original budget. We ended up with \$109,960 for the project and the Federal share of that is the \$98,964. The City's cost is 10%.

We have some additional costs for gear that we were purchasing for every personnel completely from head to toe: helmets, hoods, gloves, boots, and turnout gear. It takes us an extremely long period to do that under normal budget processes. You're looking at about \$2,000 per man to replace everything. So this is a great opportunity for us to get everybody in new gear. At five to seven years down the road, we ought to be in pretty good shape."

STEVEN BROWN

"Let me just add something. Naturally, I quiz Terry, the Police Chief and anyone else when we buy equipment. Terry explained to me that there are certain grades of equipment. We're proposing to do our absolute best to put our firefighters in the best that's on the market. So that means, even though they're in these intense fires, the firefighters will have on the best gear and nothing inferior. They're always susceptible to being burned, even with that equipment, but we want to buy the best for them. This is an opportunity, as Terry said, that we would not normally have."

CHIEF STRANGE

"To follow that, you can see the picture of the turnout gear (pointing) is basically the same except for the material that's being used. It consists of the outer shell, the moisture barrier, and the thermal barrier. Again, we're looking at the top of the line, as far as the outer shell, burn resistance, and tear resistance. It's the best they have on the market right now.

The thermal liner is the same way. If a firefighter perspires, which they do when they're fighting fires, that moisture stays against his body. When the heat gets intense, it turns into steam and the firefighter ends up getting burned. The moisture or thermal liner allows that moisture to escape or get away from the body and go back out into the garment. So we're getting the best that we can there for them also.

Another part of this grant is another thermal imaging camera. We have three in service right now. I just wanted you to see what a thermal engine camera does. That picture (pointing) is actually a room that's on fire that we normally would not see other than smoke. We would have to feel our way around and try to get to where the heat source is to put the water on it. With the camera, we can actually see where the intensity of the flames is. It also allows us to see the outline of a body inside of the house if a victim is in there. So it makes it easier for us to scan these buildings where we can't see and try to find the victim.

If we have a fire in a wall, it allows us to search actually where the hotspot is without tearing out the whole wall. So, this is a part of the grant and that camera costs about \$10,000."

STEVEN BROWN "We had budgeted to buy some equipment because we did not know if this grant was going to be awarded. So we're asking you to let us use the money we budgeted as the required match."

MAYOR NICHOLSON "Okay. I just want to say that I think it's important to get the best for our Firemen. If they're risking their lives to save lives, we need to make sure that they have the best possible equipment to protect themselves."

STEVEN BROWN "We've had a couple of fires in the last week and both of them were fully involved when you all were on the scene."

CHIEF STRANGE "Yes, sir."

STEVEN BROWN "Both Edgefield and Liner had flames going through the roof."

MAYOR NICHOLSON "I just commend your staff for the great job everyday."

CHIEF STRANGE "Thank you very much!"

MAYOR NICHOLSON "Do I have a motion?"

Motion was made by Herbert Vaughn, seconded by Linda Edwards.

STEVEN BROWN "While he's there, let him give you an update on the platform truck."

CHIEF STRANGE "We're leaving on the 25th through 27th of this month for our final inspection. I've got my fingers crossed because the truck is supposed to be ready. We're just going to make sure that they've done everything we've asked them to do. So hopefully, within a week or two from that date, we should be looking at the delivery of the truck at the first of April."

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

The motion passed unanimously.

RECEIVE

Mayor Nicholson read the fifth item and recognized Fire Chief Strange.

Information
from Fire Chief
Regarding Fire
Hydrants on
Leonard &
McDowell
Streets.

CHIEF STRANGE

"I was recently surveying the area where the old Wal-Mart was, as far as hydrants. There are only two existing hydrants in that area as of now. Leonard and McDowell do not have any. There are a lot of streets in town that may not have a hydrant on them but there are hydrants in a close proximity that we can use. If we were to attach to one of these two hydrants and try to go past the middle of the street, we'll run out of hose because the distance is too far. We're proposing to put a hydrant at the By-Pass near the bank and one at the end of McDowell at that little entrance where the Old Wal-Mart was.

It's going to serve several purposes other than just having us to cover those streets. A fire hydrant at the corner of the By-Pass will also allow us to cover the Chevrolet lot and several commercial properties that are there now. The closest hydrants to any of that is over 1,000 feet, so we really don't have adequate coverage for the commercial properties. A fire hydrant at the top of McDowell will also help us serve the front part of that complex where the old Wal-Mart was. All the hydrants are on the By-pass, except for some that are behind the Old Wal-Mart, so this will give us an opportunity to use those hydrants through there."

STEVEN BROWN

"I think that City Council understands our agreement with the CPW allows them to deduct any costs of services from our agreed transfer of funds. We fully expect them to bill that to our utility costs and some of these hydrants are quite expensive."

CHIEF STRANGE

"I know of some hydrants that have cost the owners \$15,000 to \$20,000 to install."

STEVEN BROWN

"We can approach this in several ways. We can wait until you have your next joint meeting to let you talk with the Commissioners face to face about this. We're due to have

one pretty soon because we haven't met in a while."

BETTY BOLES "It couldn't hurt."

MAYOR NICHOLSON "Well, we started these meetings and they need to be continued, so set it up."

STEVEN BROWN "Do you want to wait until you meet with them? If you're okay with it, we can authorize the Fire Chief to get with the CPW and figure the cost of these two hydrants."

JOHNNY WILLIAMS "I don't think that we should have to pay for these two hydrants inside the City. I think we can work it out with the CPW to put them in for free."

STEVEN BROWN "We will try to get a cost estimate and report back to you. The Fire Chief was quite concerned when he was trying to find some other fire hydrants that can serve Jackson & Perkins at the Old Wal-Mart for fire protection and found that we didn't have any on those two streets."

LINDA EDWARDS "Well, how soon does this need to be done?"

CHIEF STRANGE "I don't think it's that time sensitive but something we can work around. It just makes us work a bit harder in trying to get to these areas and our normal routes are going to be hampered a little. Our people are aware of the lack of fire hydrants and we'll work around it until that gets in place. My concern is if one of those hydrants were to go out of service, we would be in dire straights there without it."

MAYOR NICHOLSON "Maybe by the middle of next month we can meet with CPW."

NIKI HUTTO "It could be sooner like the end of this month."

STEVEN BROWN "At the same time, I think we need to ask the Fire chief to take a look at every street in Greenwood because we're having more of these situations."

BETTY BOLES "That's a good idea."

CHIEF STRANGE "They've done some upgrades, such as the Grendel Mill area."

JOHNNY WILLIAMS "Every street in the village has fire hydrants."

CHIEF STRANGE "The way they place them is 1000 feet apart which is what the code allows in a residential area."

STEVEN BROWN "How much hose do you carry?"

CHIEF STRANGE "We carry about 1,100 to 1,500 feet of hose depending on the truck. So it's close."

MAYOR NICHOLSON "Okay. Thank you, Chief Strange."

CONSIDER Mayor Nicholson read the last item and asked for a motion to adjourn into Executive Session.

Executive Session to Discuss Contractual Matter. Motion was made by Niki Hutto, seconded by Linda Edwards.

The meeting adjourned into Executive Session at 7:01 p.m.

The meeting reconvened from Executive Session at 7:20 p.m.

CONSIDER Mayor Nicholson asked for a motion to approve the purchase of 104 Main Street by using up to \$90,000 of Capital Improvement Funds.

Purchase of 104 Main Street.

Motion was made by Linda Edwards, seconded by Johnny Williams.

The motion passed unanimously.

CITY COUNCIL COMMENTS There were no comments from City Council at this time.

CITY MANAGER COMMENTS The City Manager reported to City Council that 571 Hackett Street had been demolished.

The meeting adjourned at 7:24 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer