

GREENWOOD CITY COUNCIL

May 19, 2008 - 5:34 p.m.

MINUTES

PRESENT

Council Members: Mayor Nicholson, Linda Edwards, 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 Margie Blalock of Greenwood Today.

Niki Hutto entered into the meeting at 5:35 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 Linda Edwards.

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

Motion passed unanimously.

CONSIDER
 Ordinance No.
 08-010 Amending
 Ordinance 03-
 010, Zoning
 Ordinance,
 Chapter 3,
 Article 3,
 Commercial
 District Use
 Matrix, and
 Section
 3.3.4.2.,
 Additional
 Conditional
 Uses Permitted
 in GC (General
 Commercial)

(2nd reading)

Under Public Hearings, Mayor Nicholson read the item and said, "The format that we employ in the public hearings is that we ask individuals 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."

The Mayor then read the first item and asked "Is there anyone here who would like to speak in favor of the ordinance change? Is there anyone opposing? Alright. Seeing and hearing none, I will close the public hearing.

Now, I will take action from Council. Do I have a motion?"

Motion was made by Johnny Williams, seconded by Herbert Vaughn.

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

The motion passed unanimously.

- attach -

CONSIDER
 Ordinance No.
 08-011 Annexing
 Properties in
 Karlie Hill
 Development,
 Phase VII.

(2nd reading)

Mayor Nicholson read the second item and asked, "Is there anyone here who would like to speak in favor of this annexation? Is there anyone opposing? Alright. Seeing and hearing none, I will close the public hearing.

Now, I will have action from Council. Do I have a motion?"

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

"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 asked, "Mr. Brown, do you have any additional comments?"

Ordinance No.
08-012 Amending
Ordinance
Number 07-041,
the City of
Greenwood 2008
General Budget.

(2nd reading)

STEVEN BROWN

"Mr. Mayor, this transfer covers the roof over the Detectives Division and the purchase of property."

MAYOR NICHOLSON

"Okay. We discussed the leak at the detention center where the detectives were located and the purchase of a piece of property last month. Is there anyone here to speak in favor of amending the budget? Is there anyone opposing? Alright. Seeing and hearing no other, I will close the public hearing.

Do I have a motion that we amend the budget?"

Motion was made by Niki Hutto, seconded by Johnny Williams.

"Is there any 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.
08-013 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
Located at
1104, 1108,
1112, 1120,
1204, 1206 and
1208 Grace
Street from OPI
(Office
Professional
Institutional)
to OP (Office
Professional)

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, this ordinance pertains to properties that begin at the intersection of Laurel and Grace Street. All of these properties are presently OPI, Office Professional Institutional. Since you have changed the text and separated it into OP and IP, the Planning Commission is recommending that all of these properties presently zoned OPI get rezoned to OP."

MAYOR NICHOLSON

"Okay. Is there anyone here to speak in favor of this ordinance change? Is there anyone opposing? Alright. Seeing and hearing none, I will close the public hearing.

Do I have a motion?"

Motion was made by Niki Hutto, seconded by Johnny Williams.

"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 Planning Director Phil Lindler.

Ordinance No. 08-014 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 437, 442, 446, 503, 514 and 543 East Cambridge Avenue from OPI-GV (Office Professional Institutional - Old Greenwood Village Overlay), R-4 (Residential Medium Density - Old Greenwood Village Overlay) and R7 (Residential High Density - Old Greenwood Village Overlay) to IP-GV (Institutional Professional - Old Greenwood Overlay).

(1st reading)

PHIL LINDLER

"Thank you, Mr. Mayor and Members of Council. This is a request from the City of Greenwood forwarded by the Planning Commission to rezone a number of properties along East Cambridge Avenue. The current zoning is OPI and the request is to change it to Institutional Professional.

The individual lots are shown with the stars (pointing at screen). There are five lots. The National Health Care property is zoned OPI as well as the Greenwood Cemetery on the Northern Side of East Cambridge Avenue. There are two residential lots below the National Health Care that are currently zoned R7. There's an additional lot that is residential R7. On the corner of Pelzer and East Cambridge, there is a vacant piece of property that is currently zoned R4. Those individual lots are being considered tonight. Thank you."

MAYOR NICHOLSON

"Okay. Thank you. Is there anyone here to speak in favor of this zoning change?"

THOMAS FIRRIOLO

"Good evening. I'm Thomas Firriolo. I just wanted to take a few minutes of your time, if I may. My four properties that you're going to consider are 442 and 446, which is directly across from the nursing home. Located two doors away is 514, which was the old Urquhart's Flower Shop. Prior to that, it was one of the largest boarding houses in Greenwood. The corner piece of property, which is also historical, located on Pelzer and East Cambridge is 503. It is across from the old Workman's Restaurant and about 30 to 35 feet from the existing businesses consisting of a beauty salon, car wash, and antique shop. There's also an ice cream parlor that's owned by a Magistrate and I understand the historical Old Hash House has been there for so many years. The son has maintained the City license and is contemplating reopening the Hash House in the future.

In any case, I'd like to read just a brief letter if I may."

Mr. Firriolo read a prepared letter to City Council. He also read a letter that was sent to the City Attorney.

"So, clearly I'm committed. I couldn't follow through with Five Flags over Greenwood which I still feel very strongly about. Had we done that, it would've been an attraction and a great thing for Greenwood, but that has passed.

In any case, the future here is the rezoning of properties. I had a rough estimate when I went before the Board of Architectural review. I think there was an article in The Index Journal where the architect made a comment that it was very brave of me to do what I'm doing by actually restoring wood, piece by piece, on the historical building which is over 6,000 square feet.

If I stand correctly, Ms. Hutto, you were supposed to be recused since 2006. The City records indicated that because of the situation."

NIKI HUTTO "Recuse from what, sir?"

THOMAS FIRRIOLO "From doing any voting."

NIKI HUTTO "I don't have any economic interest in any of the properties in the area."

THOMAS FIRRIOLO "But I mean voting on the Council. It was established quite a long time ago."

NIKI HUTTO "I had a property for sale but I do not have a property for sale now. I recused myself under that condition."

THOMAS FIRRIOLO "In any case, the reason why I mentioned that is because I've seen you numerous times taking notes while voting..."

MAYOR NICHOLSON "Mr. Firriolo, do you have anything else in reference to this?"

THOMAS FIRRIOLO "No, sir. Thank you for your patience."

JOHNNY WILLIAMS "What do you plan on doing?"

THOMAS FIRRIOLO "On the property that's shy 2½ acres, it's suitable for an assisted living project. I think with my engineer and builder, who is remodeling 446 right now, we can do that. Of course, I'll have to come before you all and deal with the Architectural Committee again, but that is my tentative plan. I want to establish a business on Cambridge Avenue because I feel it would be very instrumental for all of us and my contribution to the community of Greenwood."

JOHNNY WILLIAMS "The reason I'm asking is because OP is residential friendly. The IP Zoning Classification, under my understanding, was going to be for institutional uses only like nursing homes, Lander College, and a hospital."

THOMAS FIRRIOLO "Yes. My understanding is the same. The properties are quite large so it's suitable for that. It would be an asset to all the assisted living homes in that area because they're all almost filled to capacity. When I had volunteers to deliver almost 500 flowers to every nursing and assisted living home on Easter Sunday and the balance on Mother's Day, 130 female residents received bouquets of flowers. Every one of the rooms at that time, to my knowledge, was filled to capacity and had a waiting list."

So clearly this will be a contribution to the area. The properties are quite large. You just don't find property in the City that would be shy 2½ acres. So that's one of my goals.

On 514, I think it would be very appropriate to have a medical office. It could be a doctor or lawyer office because the place is so large. It has many large rooms and the ceilings are over 10 feet high. The living room is 51 feet open so it's great for a reception area with two floors."

JOHNNY WILLIAMS

"Well, OP will carry a doctor, lawyer, insurance or any professional office that is supposed to be neighborhood friendly which I wouldn't mind being beside me."

THOMAS FIRRIOLO

"See, what we have, Mr. Williams, are many apartments on Cambridge Avenue; homes converted to duplexes up to quadplexes. I think this is one of the things that I've talked about numerous times. So clearly I'm opening the door to get one business there besides the businesses already there for the use of these magnificent, large, and well built homes. Greenwood has a wonderful history of building quality homes. I can attest to that. So, yes, OP would be suitable there. It's a good size lot. The corner would work with OP but 442 and 446 are two lots and that encompasses a large piece of property. It's just shy of 2 ½ acres. I think it is shy 100,000 square feet. In 2006, the architect was able to put 15 apartments on that property plus keep the brick building that's already there. I believe the blueprints or copies were sent to you all, so we have the square footage for that. I chose not to do that because I continue to exercise patience and hope that eventually City Council will give me the opportunity to do something with this property. The tax on this property is over \$6,000 for 2007 so the City feels that it's worth that much money."

STEVE WELCH

"Mr. Mayor, just for the purpose of the record, I did receive the letter from his attorney at the office today at noon but I've had trial all afternoon. I do actually have it. I'm not agreeing or disagreeing. I just haven't had a chance to look at it."

MAYOR NICHOLSON

"Okay. Is there any other questions for Mr. Firriolo?"

THOMAS FIRRIOLO

"I hope I've answered your questions."

JOHNNY WILLIAMS

"I don't like putting IP in a neighborhood."

THOMAS FIRRIOLO

"We have IP right across the street."

- JOHNNY WILLIAMS "That's a nursing home. It's a large piece of property with a very large building that was done before we took office. It was done when I was a kid. I remember when they did that."
- THOMAS FIRRIOLO "Well it was 1974, sir, when they demolished that magnificent historical home and erected the NHC nursing home."
- JOHNNY WILLIAMS "None of us had anything to do with that whatsoever. What we're trying to do now is protect what we can in different places. The two lots you're talking about are between the residential areas. Now, the old flower shop is OP and I don't have a problem with that because, like I said, I have OP beside me. I got problems with IP in any neighborhood, not only yours, from this point on as long as I sit here."
- THOMAS FIRRIOLO "Well, let me suggest this then if I may. I appreciate your time and the opportunity to share my view on this. The existing businesses that are just a few feet away now are zoned OPI."
- JOHNNY WILLIAMS "But they're going to be changed. I don't know what they're recommended to be rezoned, but they will be changed. When it's all said and done, there will be no OPI but OP or IP only."
- THOMAS FIRRIOLO "But OP is somewhat limited."
- JOHNNY WILLIAMS "OP is something you would have located beside you in your neighborhood and not bother you."
- THOMAS FIRRIOLO "Well, next door to the NHC nursing home is an apartment complex, only a few feet away. So what I'm suggesting is the opportunity, at least, for that piece of property to be used quite efficiently for that type of service because of it being shy 2½ acres. I couldn't provide that service with OP."
- JOHNNY WILLIAMS "No you couldn't because I wouldn't want it beside me."
- THOMAS FIRRIOLO "But this is 25 feet away from NHC."
- JOHNNY WILLIAMS "Would you want it beside you?"
- THOMAS FIRRIOLO "Actually, I don't quite understand the opinions of the neighbors."

- JOHNNY WILLIAMS "Alright. I don't see any of the neighbors that lives beside that property. I wouldn't know them if I saw them. Besides that, I'm asking if you would want it beside you. Yes or no?"
- THOMAS FIRRIOLO "Yes. I'll tell you why, if I may. I'd rather have an assisted living complex than apartments where there are transients, drugs and all types of businesses. Yes, I would rather have a sophisticated new building that would house nice people and nice visitors to come to that area. Yes, sir, most definitely because it would not only increase my value but I would rather have that than a conglomeration of a lot of renters by the week or month. A lot of these renters are Mexicans who don't have IDs or bank accounts."
- MAYOR NICHOLSON "Thank you, Mr. Firriolo. We're going back to talking about changing this from OPI-GV to IP-GV. Is there anyone else to speak in favor of the ordinance change? Is there anyone opposing?"
- CAROLYN TOLBERT "Good evening. My name is Carolyn Bolden Tolbert and I reside at 526 East Cambridge Avenue along with my mother, Elise Bolden who is the current owner of 526 East Cambridge. My sister Tanist Bolden lives at 524 East Cambridge Avenue. Since over a year we've been coming to a lot of Planning and Council Meetings because of the requested changes on East Cambridge and we worked diligently with our neighbors to secure the Historic Overlay District being passed.
- We're still concerned about the effect this change will have on the historic overlay by changing them from OPI to IP. We do have some concerns about businesses and different organizations opening beside where we live because of the small area. You have one way in and one way out on most of those properties. We're still concerned if it's changed to Institutional Public that we would have a large amount of cars, noise and different things. We want it to stay as much a residential area as we can. So we're just expressing our concerns and maybe somebody here might be able tell us what happens to the Historic Overlay District that was passed if it's changed to IP?"
- MAYOR NICHOLSON "Phil, can you address that?"
- PHIL LINDLER "Yes sir. The difference between the rezoning tonight and the overlay is this would just be limited to the uses that would be allowed within the district.

The standards within the overlay will still be involved with the district itself so they will remain with the properties in that area."

NIKI HUTTO

"Could you explain the difference between IP and OP for the audience?"

PHIL LINDLER

"Office Professional allows for professional offices such as attorney, appraisal, real estate, and those kinds of individual uses. Institutional Professional builds on Office Professional and adds such things such as assisted living, hospitals, schools, all those other kinds of institutional, and public type uses. So it adds onto that level. It doesn't allow retail, commercial, or anything of that nature."

CAROLYN TOLBERT

"Well, considering that I worked at a large institutional ICF facility for 20+ years, it entails a lot depending on what you're going to put there. If you put assisted living there, you're going to have a lot of people depending on the magnitude it's going to be. So we really have a concern about all the congestion that it's going to bring in that small, compact area. Because 514 was the old florist shop, it just had people coming in and out from time to time. They were closed at a certain hour in the afternoons, early on Saturdays, and all day on Sundays.

So we're just concerned because we worked for the overlay and want to maintain it in our district. We still don't know what's going to be put there because it has been proposed to be several different things such as a restaurant, apartment buildings, assisted living and even as a personal residence. We'll still leave here and won't know what's going to be next door to us. So there is a concern that, if it's going to be something to that magnitude, it will bring large traffic and noise. With assisted living, someone has to be there at all times. We're just expressing our concerns about that."

BETTY BOLES

"Do you realize that the current land use of the property right now is for a health care facility or residential housing? That's the way it was, if I'm not mistaken. They can build apartments the way it's zoned now but the new zoning, which is Institutional Professional, would be for medical facilities, a doctor, or caregiver offices. Apartments would not be allowed."

MAYOR NICHOLSON

"I don't think there is that much land for a medical facility."

CAROLYN TOLBERT "Well, when he's saying an assisted living place, it can be a small magnitude like a four bed facility. It can also be a 20 bed facility depending on what you chose to do. So we're just concerned about what we're going to have in the neighborhood and how it's going to fit the historic overlay with any changes that might occur with the passing of this ordinance."

NIKI HUTTO "What the historic overlay is going to do for you and this area is no matter what the zoning classification, usage, or whatever is built, it has to be under guidelines that conform to similar architecture in the neighborhood. So whatever is built, no matter what the zoning should be in that area, that overlay will come into effect. Whatever it is must be presented to the BAR which will then designate whether those plans are suitable for the specific area that it encompasses."

CAROLYN TOLBERT "What you said was not our understanding. I thought that it was but I just wanted to make sure we had the right understanding."

NIKI HUTTO "So regardless of whether apartment buildings or a doctor's office is built there, they will follow the guidelines of the architecture determined by the overlay."

CAROLYN TOLBERT "Thank you, very much."

MAYOR NICHOLSON "Okay. Thank you, Ms. Tolbert. Is there anyone else to speak in reference to this ordinance change? If not, we will close the public hearing. Do I have a motion from Council?"

Motion to accept the ordinance was made by Betty Boles, seconded by Linda Edwards.

"Is there any further discussion?"

LINDA EDWARDS "I know they usually can't tell you but my request to Mr. Firriolo would be to at least let us know exactly what he's planning to put there. We know you got certain guidelines and we realize the money you spent but we also have to look out for people that have been living, investing, and bringing their homes up to par on East Cambridge. We would just ask that, when you get ready to do something, you'll let us know first hand of what you're planning to do."

THOMAS FIRRIOLO

"Yes, ma'am. Absolutely. Even though it is 2½ acres, the assisted living facility will be small and no way be near the size of NHC. We had delivered flowers to some assisted living places that only have two patients. We'll have beautiful grounds in an area where it's going to be controlled by the Architectural Review Board. Right now, the facility will be far less than 15 apartments. The assisted living area needs grounds where apartment don't need that much. I'm hoping to make it quite beautiful for my sake as well as a contribution to the historic overlay and all the residents in our community in evaluating the property. These buildings are being sold far too less and are worth far much more. This can be a catalyst for that. Thank you."

MAYOR NICHOLSON

"Okay. Is there any other discussion? All in favor raise your right hand. All opposed. 4-3, the motion passed."

Those who voted in favor of the zoning change were Mayor Nicholson, Linda Edwards, Betty Boles, and Herbert Vaughn. Those who voted against were Niki Hutto, Johnny Williams, and Barbara Turnburke.

The motion passed.

- attach -

CONSIDER

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

Ordinance No.
08-015 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property (17.79
Acres) Located
at 409
Northside Drive
from OPI
(Office
Professional
Institutional)
to R1 (Single
Family
Residential)

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council Members, this is the property that is owned by Northside Baptist Church. It is off of Northside Drive and is pretty much surrounded by residential properties. It is presently zoned OPI and the Planning Commission is recommending that you rezone this to R1 which is residential. Churches are allowed in R1 and, if it is rezoned, nothing that the church would desire to do would be hindered by the R-1 zoning classification. If the church decided later to use any portion of their property for any use not allowed in R-1, they would have to make a request to the Planning Commission. The Planning Commission's recommendation is to rezone it from OPI to R-1."

MAYOR NICHOLSON

"Okay. Is there anyone here who would like to speak in favor of this zoning change? Is there anyone opposing? Alright seeing and hearing none, I will close the public hearing.

Now, do I have a motion from Council?"

Motion was made by Johnny Williams, seconded by Herbert Vaughn.

"Is there any discussion? 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.
08-016 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property (0.99
Acre Parcel)
Located at 709
Center Street
from (Office
Professional
Institutional)
to OP (Office
Professional)

(1st reading)

STEVEN BROWN

"Mr. Mayor, this property is located on Center Street immediately in front of Regency Park. You can see the R-5 property which is outside of the City Limit but is adjacent to it (pointing). There is no commercial property nearby.

The Planning Commission did not agree with the Planning Staff's recommendation that this be rezoned to General Commercial. Instead, they have forwarded a recommendation that it be changed from OPI to OP. That will make this present use nonconforming, but it will not prohibit them from continuing their present use. They could transfer the business to another person and continue to have the day spa-type use. Our ordinance also provides that if the property is damaged, they have a period to reconstruct the building.

I am very concerned with what this property could be used as if it were General Commercial. We think a General Commercial use could be very detrimental to the adjacent residential properties. My office has not received one complaint about the day spa as it is used presently. I think the people who either operate or own it are trying to do so in a manner that is compatible with the adjacent uses. We would never know what this would be if this property was sold tomorrow as General Commercial.

There are some huge financial investments surrounding this property such as the condominiums/townhouses and Regency Park Apartments. I would ask you to consider their investments in the City of Greenwood. The Planning Commission recommends that it be rezoned from OPI to OP."

MAYOR NICHOLSON

"Okay. Is there anyone here to speak in favor of this zoning request?"

ANN FARQUHAR

"Hi. My name is Ann Farquhar and I live at 225 Mathis Road at the Green Pointe Condominiums that he was talking about. I'm a Board Member so I'm representing the homeowners. I agree with what Mr. Brown just said. I've lived there since 1986 and have seen a lot of changes from total woods all around us to Wal-Mart and other things being built over there.

We have no problem with the day spa as it is operated now but looking towards the future. If something should happen and they sell the property as commercial, what would come in there? It would be detrimental to our neighborhood which is a very quiet area. There is not a lot of traffic from the day spa that could be generated from a commercial building. We would like to request that you go along with the Planning Commission's recommendation for OP. Thank you."

MAYOR NICHOLSON

"Thank you. Is there anyone else to speak in favor of the zoning change? Is there anyone opposing? Alright. Seeing and hearing no further individuals to speak, I will close the public hearing.

Now, do I have a motion from Council?"

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

"Is there any discussion? 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.
08-017 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
(16.7 acres)
Located at 504
Highland Park
Drive, 107 &
109 High
Street, 116 &
120 Charles
Street, 314,
316, & 318 West
Cambridge
Avenue, and
304, 310, 314,
329, 333, 336,
339, 342, 401,
402, 405, 408,
419, 420, 421,
425, 432, 433,
438, 441, 447,
448, 451, 454,
& 463 Calhoun
Avenue from OPI
(Office
Professional
Institutional)
to GC (General
Commercial).

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, the recommendation is that all these properties (pointing at the screen) be rezoned from OPI to GC (General Commercial).

The only connection I can see on this property is that Mr. Herndon owns this parcel that fronts Calhoun so the Planning Commission recommended it maybe because Mr. Herndon requested it.

This property (pointing) is owned by DPS Architects but is under the name of High Street Properties. The same group owns this building here (pointing). I know for a fact that Mr. Dorn representing this group specifically requested the Planning Commission to rezone his commercial. This (pointing) is owned by Mr. and Mrs. Babb who, in years past, run a catering service. They have requested that their property be commercial so that they can continue to operate their service with no problem. This (pointing) is a residential piece of property that is owned by Jeff Fowler who owns the barbershop. I have not talked with Jeff and don't know if he requested that Phil make a recommendation.

There is absolutely no problem with the recommendation of these properties. They're all General Commercial and are located on the main corridor except for these four properties here (pointing). I would address City Council's concern about what is going to happen here (pointing) because this is OPI. The Planning Commission intends to bring you another group of recommendations which will include some of these properties along here (pointing).

Phil, do you have any information on those four parcels?"

PHIL LINDLER

"Just to give you some background information. Those individual properties that Mr. Brown alluded to were identified to the Planning Commission as a request to General Commercial. The intent of going through the rezoning process was to make the current uses as conforming as possible. What we found when we visited those individual sites were the properties on High and Charles Streets did not conform. So to make them conform as best as possible, the recommendation to the Planning Commission was to have that portion, or remainder of the block, as Office Professional.

During the Planning Commission meeting, those individual property owners spoke in opposition to Office Professional and preferred General Commercial. That is why you have the General Commercial recommendation tonight on all properties. We also had a request to include the carwash on Highland Park Drive so the Planning Commission included it in the recommendation as well."

MAYOR NICHOLSON "Okay."

NIKI HUTTO "Is there anybody currently living on that block as a resident?"

PHIL LINDLER "Yes."

STEVEN BROWN "This is residential right now."

PHIL LINDLER "There are three and they are zoned multi-family."

NIKI HUTTO "That's multi-family already?"

PHIL LINDLER "Yes."

STEVEN BROWN "Mr. Mayor and Council, I don't want to confuse the issue but my question is, why wasn't Mr. Herndon's property included in the General Commercial request? He operates a business right here (pointing). If City Council is going to include these two properties as General Commercial, why not pick up Mr. Herndon's property? You know he has an office on Charles Street where he parks tractors and trucks. Phil can tell you if the Planning Commission is going to deal with it at a later date."

PHIL LINDLER "That parcel, even though it has three independent uses on it, is one individual property which fronts Cambridge Avenue. The Planning Commission recommended that individual piece of property come in under this month's request to be discussed at that time. West Cambridge Avenue was included in last month's Planning Commission meeting with this property being two separate requests, but it was tabled for more information."

STEVEN BROWN "So, what if Mr. Herndon made a request to probably use the original property line here (pointing)?"

PHIL LINDLER "Well, that's another good point. The Planning Commission has directed staff not to divide individual properties by zoning lines. We didn't want to take a portion of a piece of property for one request and then not include it in another. So all of that will be brought up at the same time."

STEVEN BROWN "That makes good sense. I think he can deal with that under the other recommendation."

BETTY BOLES "So you're saying that it will be zoned the same as General Commercial?"

PHIL LINDLER "I can't guarantee that. It's under discussion right now."

NIKI HUTTO "Can we make a motion to accept the request as it is now?"

PHIL LINDLER "Yes."

NIKI HUTTO "We will not include those other properties in question until we take a look at what's going on at West Cambridge, correct?"

PHIL LINDLER "If you would like to do that, you can."

JOHNNY WILLIAMS "Do what? I didn't follow you."

NIKI HUTTO "The red line at High Street Apartments actually goes down a block. It will include parcels below that."

BETTY BOLES "Which would be 109 and 120?"

PHIL LINDLER "It would be 109, 107, 120, and 116 Charles Street."

NIKI HUTTO "Okay. That would be a whole block or so. So, in essence, we don't know what the recommendation is for the properties on Cambridge. So it would make more sense to wait to see what's going on Cambridge before we take the middle section."

STEVEN BROWN "Their goal is to eliminate 107, 109, 120, and 116 from this rezoning until you see what the Planning Commission will recommend."

NIKI HUTTO "I thought that would make sense."

LINDA EDWARDS "But you can't do that on Charlie Herndon's piece of property?"

NIKI HUTTO "Well, Charles Herndon's property isn't going to be discussed until the next time anyway."

LINDA EDWARDS "He's not included in this?"

NIKI HUTTO "No, he's not included in this one. We don't know what's going on that property or on the other side. To me, that would have a lot of effect on what's going on. Does that make sense, Phil?"

STEVEN BROWN "You also have commercial uses here (pointing) that will be considered by the Planning Commission at their next meeting."

BETTY BOLES "Why wait?"

JOHNNY WILLIAMS "If they're already recommending this, why don't we get it out of the way?"

NIKI HUTTO "I'm just throwing out another suggestion."

JOHNNY WILLIAMS "We would just get it out of the way because we'll have plenty more to deal with."

MAYOR NICHOLSON "Alright. Is there anyone here to speak in favor of this zoning change? Is there anyone opposing? Alright. Seeing and hearing none, we will close the public hearing.

Do I have a motion to approve the request as written?"

Motion to accept the audit was made by Johnny Williams, seconded by Linda Edwards.

"Are there any questions or further discussion? All in favor raise your right hand. Do I have anyone opposed? 5-2. So moved."

Those who voted in favor were Mayor Nicholson, Linda Edwards, Betty Boles, Herbert Vaughn and Johnny Williams. Those who voted against were Niki Hutto and Barbara Turnburke.

The motion passed.

- attach -

APPOINT Under Old Business, Mayor Nicholson read the only item and asked for a motion.

Mayor Pro
Tempore.

Motion to appoint Johnny Williams was made by Herbert Vaughn, seconded by Betty Boles.

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

The motion passed unanimously.

STEVEN BROWN "Will Council stipulate the term of the appointment? In the past, you have varied the number of years For the record, City Council needs to designate what the term is."

MAYOR NICHOLSON "Alright. Do you all want to do it yearly or during elections every two years?"

City Council agreed for a two year appointment for Mayor Pro Tempore.

JOHNNY WILLIAMS "No, it's one year!"

LINDA EDWARDS "We don't have an election next year."

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

Approval of
City of
Greenwood
Uniform Grant
Application.

STEVEN BROWN "Mr. Mayor and Council, I have submitted to you a draft copy of a City of Greenwood Grant Application package. In the past, we have never used a formal grant application for those entities requesting funds from the City of Greenwood. I wish we've had one in place prior to this because it solicits important information about the agency that is requesting funds from you. They must submit a cover letter with a description of how the requested funds will be used. They also have to provide a statement of the goal or benefit to the public intended by the project and identify its beneficiaries.

If it is an agency requesting funds from you, they must provide a resolution from their Board of Directors. In addition, a formal agreement must be executed. This protects the City's investment, and holds the requesting agency accountable for the expenditure of the funds.

I'm not asking you to approve it tonight. I do want you to know that the A-tax funding for this year will begin in July. I'd prefer to have it approved by then. You can take it home with you tonight. Maybe we can discuss it at the work session. I wanted to get it into your hands and let you start thinking about it.

Read through it and consider if it our demands are extreme. I think it's a good start."

MAYOR NICHOLSON "When will they start getting applications to apply for funds, Steve?"

STEVEN BROWN "We usually wait until we get our last quarter allocation somewhere around the 15th of July.

We'll send letters in advance suggesting them to prepare but, if you pass this at the June meeting, we would also instruct them to complete this application to request funds from you."

MAYOR NICHOLSON "Okay. So will it be ample time if we do that at the June meeting?"

STEVEN BROWN "Yes, sir."

MAYOR NICHOLSON "I was just thinking that Council can take it with them. We can discuss it at the work session if they have any questions. We can get everything finalized and passed at the general meeting."

STEVEN BROWN "I'll correct any typos and provide the corrected copy for you."

MAYOR NICHOLSON "Do I have a motion that we discuss this at the first of June?"

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

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

The motion passed unanimously.

- attach -

CITY COUNCIL
COMMENTS

There were no comments from City Council at this time.

CITY MANAGER Mayor Nicholson recognized the City Manager.
COMMENTS

STEVEN BROWN "If you are attending the Municipal Association Meeting, we need to know tonight. I know most of you prefer the host hotel. Please remember the huge reservation costs. If you have any doubts, you might want to think about that. The reservation costs now are not refundable and it's very costly."

MAYOR NICHOLSON "Okay. Mr. Monaghan, we just want to say thank you to the Commissioners for their assistance at the Federal Building. We appreciate what you all have done wholeheartedly and just convey that to the other Commissioners.

Council, is there anyone else? Okay. Don't forget the June 2, 2008, work session."

STEVEN BROWN "Next week, we'll have the open house at the fire station on Wednesday at noon."

MAYOR NICHOLSON "Okay. The meeting is adjourned."

The meeting adjourned at 6:40 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer