

GREENWOOD CITY COUNCIL

April 20, 2009 - 5:34 p.m.

MINUTES

PRESENT Council Members: Mayor D. Welborn Adams, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; Fire Chief Strange; Chris Trainor of the Index Journal and Johnathan L. Graves of Greenwood Today.

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

STATEMENT AND QUORUM Mayor Adams 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."

City Manager, Steven Brown, gave the invocation.

APPROVAL OF CONSENT AGENDA Mayor Adams asked for a motion to approve the consent agenda.

Motion to approve the consent agenda was made by Linda Edwards, seconded by Herbert Vaughn.

The Mayor asked, "All in favor please signify by raising your hand. Is there anyone opposed? The motion carries."

Motion passed unanimously.

RECOGNIZE Under Public Appearance, Mayor Adams read the first item and recognized S. C. State Representative Gene Pinson.

State
Representative
Gene Pinson
Resolution
Honoring fire
Chief Terry
Strange.

REP. GENE PINSON "Thank you, Mr. Mayor and Members of City Council. We're here tonight for a special reason and purpose. I try to do this as information comes to me. First of all, I want to thank City Council for allowing me to do this because I believe in supporting your elected officials regardless of what level. Y'all know best what's good for Greenwood, not Columbia nor Greenwood County. You're the elected officials and y'all know what's best for the City of Greenwood. We'll support you as far as we can.

Now, of course you guys know this better than I do that we've been blessed for years and years. In the 58 years I've been in this old world, it's good to have great officials at all levels of the City of Greenwood and I'd just like to recognize just one of them. I've stopped by the Fire Department two or three times to see Terry and he's always out. He is a guy that just doesn't sit behind a desk but is out moving around. He is a leader of the great First Responders that we rely on so much in Greenwood. As recently as this past weekend, we had a tragedy to take place. The Lord only knows the day when we don't have firemen, especially if the fireman is as professional as the one we have in the City of Greenwood, to answer the call and respond. We would all be in dire straights, believe me. These guys are all heroes but I want to recognize Terry.

Terry is a great guy, no question about it. He has received a special honor that was awarded toward the end of January. I'd just like to say that we try to capsule this in just a few words."

Representative Gene Pinson read the proclamation honoring Fire Chief Terry Strange.

"Terry, I just want to say this is a small memento but it means a lot.

We're proud of Greenwood and we're proud of you. You are an integral part of the whole team working together for the betterment of our citizens. Thank you."

MAYOR ADAMS

"Thank you, Representative Pinson. It is a well deserved honor.

If I can get Council's indulgence, I'd like to move forward to New Business item Number 4."

CONSIDER

Appointing One (1) Person to a Vacant Term on the City of Greenwood Board of Architectural Review.

Under New Business item Number 4, Mayor Adams has nominated Mr. Don Long to fill the vacant term on the City of Greenwood Board of Architectural Review and asked if he had any comments.

DON LONG

"My name is Don Long and I have a law office in Greenwood that does much real estate law. I'm a native of Greenwood, moved away after school, and came back about 15 years ago to practice law ever since.

Welborn asked me a couple of weeks ago if I would substitute for him on the Board of Architectural Review. I told him that, as long as I didn't have to wear a tie to the meetings, I'd be willing to do it. I will note that Welborn's dress has improved since he has become Mayor of Greenwood, so it's a good thing I guess.

If you have any questions, I'll be glad to try and answer them for you."

MAYOR ADAMS

"I think Don will be a great representative. Do I have a motion?"

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

"All in favor signify by a show of hands. Is there anyone opposed? Thank you, Don. I appreciate your willingness to serve."

The motion passed unanimously.

CONSIDER Under Public Hearings, Mayor Adams recognized the Assistant City Manager.

Ordinance No.
09-012 to
Authorize an
Annexation and
Incentive
Agreement for
Project CB2.

(2nd reading)

CHARLES BARRINEAU The Assistant City Manager read the only item and stated, "Mr. Mayor, we put the ordinance in your packet, but this is the actual annexation and incentive agreement. It is the same agreement that we introduced to you in 2006 with this company and the same incentives that we discussed with you over the last few months. It's allowing a 50% special source revenue credit for over 15 years if the company agrees to come inside the City and be served by Greenwood CPW utilities. I'll be glad to answer any questions."

MAYOR ADAMS "Is there anyone from the public to speak about this ordinance? Is there anyone to speak against it? Does Council have any further discussion?"

BETTY BOLES "Are the CPW utilities the only incentive?"

CHARLES BARRINEAU "It's the special source revenue tax credit."

MAYOR ADAMS "This is basically the same agreement we approved before?"

CHARLES BARRINEAU "That's correct."

MAYOR ADAMS "Is there any further discussion?"

LINDA EDWARDS "Is this Project CB2?"

CHARLES BARRINEAU "Yes, ma'am. This is the Countybank Project on the corner of Reynolds and By-Pass 25/72, across from CVS."

MAYOR ADAMS "Do I have a motion to approve this?"

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

"All in favor signify by a show of hands. Is there anyone opposed? The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Under Unfinished Business, Mayor Adams recognized the Assistant City Manager.

Ordinance No.
09-009 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
Located at 920,
1002, 1102 &
1110 Marshall
Road and an
Unaddressed
Parcel Located
on Carmel Circle
from OPI (Office
Professional
Institutional)
to IP
(Institutional
Professional).

(2nd reading)

CHARLES
BARRINEAU

"Mr. Mayor and Council, this is the ordinance to amend the zoning map of the Wesley Commons area from OPI to IP. We discussed this for a number of months and Phil is here if you have any questions of staff."

MAYOR ADAMS

"Are there any questions for staff? Is there any further discussion? I'll entertain a motion to approve this ordinance."

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

"All in favor signify by a show of hands. Is there anyone opposed? The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams recognized the Assistant City Manager.

Ordinance No.
09-011 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property Located
at 212 East
Kirksey Drive
fronting on By-
Pass 25
Southeast and
New Market
Street from R2
(Single Family
Residential) to
GC (General
Commercial).

(2nd reading)

CHARLES
BARRINEAU

"Mr. Mayor, this is the ordinance that we discussed at the last meeting rezoning a tract at 212 East Kirksey from R2 to GC. The first reading was approved by the Council at the last meeting. I believe a representative of the property owner and Phil is here if you have any questions you'd like answered."

MAYOR ADAMS

"Mr. Haynie, would you like to speak?"

BOB HAYNIE "Not unless there is a question. I'll be glad to answer anything I can. I appreciate the Council's consideration."

MAYOR ADAMS "Is there any discussion among Council? I'll entertain a motion."

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

"All in favor signify by a show of hands. Any opposed? The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Proposed
Amendment to
Neighborhood
Zoning
Classification.

POSTPONED

CHARLES BARRINEAU The Assistant City Manager stated:

"Mr. Mayor we would just like for you to delete this item from the list. It's a staff mistake. That item has been referred to the Planning Commission and it will be coming before you at a later time regarding the NC. We discussed that at the work session but there is no action tonight."

JOHNNY WILLIAMS "In other words, we're not talking about neighborhood zoning again?"

CHARLES BARRINEAU "We discussed that at the work session and, from what I recall, we were going to send it to the Planning Commission. It's been placed on their agenda and a recommendation will be coming to you about NC."

JOHNNY WILLIAMS "It's okay. It's just that I thought we were going to vote on it tonight."

CHARLES "It must go to the Planning Commission first."
BARRINEAU

CONSIDER

Appointing Two
(2) Persons to
a Vacant Term
on the
City/County
Planning
Commission.

POSTPONED

CHARLES The Assistant City Manager asked, "Phil, who are the two
BARRINEAU people that need to be replaced?"

PHIL LINDLER "Robin Whitt was on the Planning Commission for a number of years and she, due to family responsibilities, felt she couldn't give it 100% of her time. The other individual is Dr. Dover. He served for six to seven years as an integral part of our Commission but has recently moved to Atlanta and therefore resigned."

MAYOR ADAMS "Okay. I guess we'll talk at the work session about possible replacements."

NIKI HUTTO "Should I give a name at the end of the meeting or do you want me to approach them first?"

STEVEN BROWN "Usually, Council Members talk among themselves."

MAYOR ADAMS "I think we should talk about it at work session."

JOHNNY WILLIAMS "Normally, all we've done is asked them. If you know somebody that wants to serve, we'll bring them before Council."

CONSIDER Under New Business, Mayor Adams recognized the Assistant City Manager.

Authorizing the Mayor to Sign S. C. Department of Archives and History Retention Schedules Related to Financial Records.

CHARLES BARRINEAU "Mr. Mayor, I'll ask Mrs. Dorn to speak on this."

STEFFANIE DORN "Council may or may not be aware but State Law dictates when we can dispose of records. Every record that we create, paper and electronic, has a specific schedule under which we have to retain and discard them. Unfortunately, the Department of Archives does not have schedules for all the records that we create.

When staff spent a day cleaning out some storage and found a large number of records, we felt like we can dispose of them based on schedules that have been implemented for the Counties and State. We put together the information, sent it to Archives, and requested that they create special schedules specifically for the City of Greenwood so that we can discard some old records. We have a large number of different records including accounts receivable documents from other agencies, individuals, or services where we have done mowing and things like that; auction files where we auction vehicles or miscellaneous equipment that we no longer use; bankruptcy records where people have filed for bankruptcy and we have to file a claim; and homestead exemption applications where people with certain disabilities, or over the age of 65, have homestead. Then there are records associated with one of the claims filed within the State; journal entries which are a part of the financial statements that I created to record different things; 1099's that we send to other vendors and 1098's which are mortgage interest statements. We may get those from Community Development loans that we produced those records for; and solicitation applications and permits

where people solicit charitable donations; and summaries of personal, real, and motor vehicles taxes that the County had collected for us. We also have records back from the 30's when the City collected taxes for itself, supplements and abatements where taxes were billed incorrectly and had to be amended, and all the (inaudible) are the same type of things.

I can promise you that Archives does a lot of work before they approve these schedules. A gentleman actually came to our offices to review what we had on hand. I feel comfortable that we don't have any legal obligations with this schedule. I request for you to authorize the Mayor to sign these schedules with me so that we can implement them to get rid of some of these old records instead of having to find storage. I'll be happy to answer any questions you might have."

MAYOR ADAMS

"Is there any further discussion? I will entertain a motion authorizing the signing of these retention schedules."

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

"All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

CONSIDER

Mayor Adams recognized the Assistant City Manager.

Acceptance of
Bid Results and
Allocation of
Funding for
Federal
Building
Courtyard
Improvement.

CHARLES
BARRINAU

"Mr. Mayor, in your packet we did list the bids that were received. The low bid was submitted by AOS Specialty Contractors of Columbia for \$63,700. We do have

experience with AOS.

They are presently the contractors on Maxwell Avenue. They presented a very good bid because they are already mobilized in Greenwood, their equipment is already here, and obviously the courtyard is close to Maxwell Avenue.

I provided the budget to give you an idea of where we are with the \$63,700. At this point, we've expended approximately \$6,200 in engineering and design fees. So the total project costs, if we were to implement this today, would be approximately \$70,000. That's the \$69,881.73.

The Arts Council has secured two grants. The first that we've been telling you about, which is to run out June 30, is for \$16,777. It's a '2 to 1 Grant' that means we have to spend twice as much as the grant to get those funds. So, to get those funds, we have to spend \$30,000+. The Arts Council also secured a Heritage Corridor Grant in the amount of \$20,000. The bottom line is we anticipate securing all those grant funds and move forward with the low bid that was shown.

It will cost the City of Greenwood \$33,105 in local funds. If you remember two years ago, Council authorized up to \$60,000 out of hospitality funds for this project. All we did at this point is spend \$6,200. We think that we can get this project in budget possibly for the \$33,000 but, as you know, these prices tend to move. We would like for you to approve AOS tonight and authorize the expense of up to \$40,000 of hospitality tax funds. Again, you've already authorized \$60,000 so we're going to be \$20,000 lower than what we originally thought because the Arts Council has secured more grant money.

I hope I've made that clear. I'll be glad to answer any questions. Again, we're requesting authorization for AOS and approval to expend up to \$40,000 of hospitality tax funding."

BETTY BOLES

"So the City would have to match the \$16,777?"

CHARLES
BARRINEAU

"That's correct. Of that \$30,000, we would have to expend and use that \$20,000 Heritage Corridor grant for a match."

BETTY BOLES

"Is that the way you came up with this figure?"

CHARLES
BARRINEAU

"Yes ma'am."

MAYOR ADAMS

"Is there any further discussion among Council? Do we have a motion to approve the bid to AOS and allow spending up to \$40,000?"

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

"All in favor signify by a show of hands. Any opposed? The motion carries."

The motion passed unanimously.

CONSIDER

Mayor Adams recognized the Assistant City Manager.

Resolution No.
09-003
Authorizing the
Mayor and City
Clerk to Sign
an
Intergovernmental
Agreement
with Greenwood
County in
Accordance with
City of
Greenwood
Ordinance 09-
012.

CHARLES
BARRINEAU

The Assistant City Manager read the third item and said, "Mr. Mayor, that's the ordinance that you just approved for Project CB2. If you remember, this resolution will authorize the Mayor to sign an intergovernmental agreement with the County. It'll also allow the City to place the three parcels we talked about into the multi-county park and authorize the special source revenue tax credit which we discussed. The County also has to approve this intergovernmental agreement at a public hearing Tuesday, May 5 at 5:30 p.m. So, again, both the City and County would authorize this and the parcels will go into a multi-county park. I'll be glad to answer any questions."

MAYOR ADAMS

"Is there any further discussion among Council? Do I

have a motion to approve this resolution?"
Motion was made by Niki Hutto, seconded by Johnny Williams.

"All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Executive
Session to
Receive a Legal
Briefing from
the City
Attorney
Regarding a
Contractual
Matter.

CHARLES
BARRINEAU

"Mr. Mayor, unless you want to go to comments, we do request an Executive Session tonight. We have one legal briefing from the City Attorney and an economic discussion from the Partnership Alliance. I didn't know if you wanted to have any comments."

MAYOR ADAMS

"Are there any comments from Council or the public? Do I have a motion to go into Executive Session?"

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

"All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

The meeting adjourned at 6:05 p.m.

The meeting reconvened at 6:35 p.m.

AUTHORIZE Mayor Adams asked for a motion from City Council.

The Expenditure to Contract an Independent Third Party Expert for a Review of the South Main Street Crosswalks.

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

The Mayor asked, "All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

CITY COUNCIL COMMENTS There were no comments at this time.

CITY MANAGER COMMENTS There were no comments at this time.

Motion to adjourn the meeting was made by Barbara Turnburke, seconded by Niki Hutto.

The Mayor asked, "All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

The meeting adjourned at 6:37 p.m.

D. Welborn Adams, Mayor

ATTEST:

City Clerk and Treasurer