

GREENWOOD CITY COUNCIL

May 18, 2009 - 5:32 p.m.

**MINUTES**

---

PRESENT

Council Members: Mayor D. Welborn Adams, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; Chris Trainor of the Index Journal and Lesley Lane of Greenwood Today.

Niki Hutto entered the meeting at 5:34 p.m.

---

CALL TO ORDER

The meeting in Council Chambers was called to order by Mayor Adams at 5:32 p.m. and he welcomed everyone to the meeting.

City Manager, Steven Brown, gave the invocation.

---

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."

---

APPROVAL OF  
CONSENT AGENDA

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

Motion to approve the consent agenda was made by Herbert Vaughn, seconded by Johnny Williams.

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

Motion passed unanimously.

Niki Hutto entered the meeting at 5:34 p.m. and did not vote.

---

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

Ordinance No. 09-013 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property Located at 1744 Main Street from R7 (High Density Residential) and NC (Neighborhood Commercial) to GC (General Commercial).

(1<sup>st</sup> reading)

CHARLES BARRINEAU "Mr. Mayor, I'd like to ask the Planning Director, Phil Lindler, to explain the background to you."

PHIL LINDLER "Thank you, Mr. Mayor and Members of Council. This is a request to rezone 1744 Main Street from R7 and Neighborhood Commercial to General Commercial. The property right now is cut by a zoning line as you can see here (pointing at screen). These were individual properties at one time until Mr. Ansel Brewer, the property owner, had purchased and combined them together. In so doing, he thought the zoning would follow the combination of those properties and, unfortunately, that's not the case. So Mr. Brewer is before you tonight requesting that the Neighborhood Commercial in the front of those lots be changed to General Commercial and extend to the back on the reddish areas that is currently zoned R7 (pointing at screen). The Planning Commission reviewed the request and recommended approval."

MAYOR ADAMS "Okay. Is there anyone from the public to speak in favor of the ordinance?"

RUSSELL BREWER

"I'm Russell Brewer and I'm here on behalf of my father who is out of town. Phil said basically what I was going to say. In 1994 when my dad purchased this, it was with the understanding that it was to be changed to commercial. At that time it was. In 2004, I'm told they did a mass zoning change which rezoned the back of that property to R7. Our original request was for Neighborhood Commercial but, after looking into what was best for our business, we decided to disregard it. The notices were already sent but we would like to have it rezoned to General Commercial which is what we talked about at the Planning Commission.

My dad had talked with the adjacent property owner on Kirksey, Ms. Smith, and Mr. Myron and Toney at South Greenwood Pentecostal Church. At that time they had no problem with the zoning change so we would like for y'all to consider it to be General Commercial."

MAYOR ADAMS

"Is there anyone from the public that would like to speak against the ordinance? Is there discussion among Council? Do I have a motion to approve the ordinance?"

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

"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.  
09-014 Amending  
Ordinance 03-  
010, Zoning  
Ordinance,  
Chapter 3,  
Article 1,  
Zoning Districts  
and Boundaries,  
Table 3.1.,  
Zoning District  
Use Matrix;  
Article 3.  
Commercial  
District  
Regulations,  
Sections  
3.3.1.1., Uses  
Permitted in All  
Commercial  
Districts,  
3.3.2.1.  
Additional  
Conditional Uses  
Allowed in NC  
(Neighborhood  
Commercial),  
3.3.2.2.  
Additional Uses  
Permitted in OP  
(Office  
Professional),  
3.3.2.3.  
Additional Uses  
Permitted in GC  
(General  
Commercial),  
3.3.5.1.  
Additional Uses  
Permitted in CC  
(Core  
Commercial), and  
3.3.6.1.  
Additional Uses  
Permitted in IP  
(Institutional  
Professional).

(1<sup>st</sup> reading)

CHARLES BARRINEAU "Mr. Mayor and Members of Council, this is the ordinance that we have discussed at a few meetings that makes changes in the OP. Phil is here if you have any questions. This is a public hearing."

JOHNNY WILLIAMS "Is this the property at the Medicine Dropper and all those other areas?"

CHARLES BARRINEAU "No, sir. This is not just for that one property."

JOHNNY WILLIAMS "I know but that's the area it's in."

CHARLES BARRINEAU "Some of that."

NIKI HUTTO "This is just adding those other classifications into OP."

JOHNNY WILLIAMS "It's all around the Medicine Dropper area on Epting Avenue."

CHARLES BARRINEAU "This would add the following classifications into the OP District: architect/engineering office, financial stockbroker, interior design, a law office, medical/dental office, additions on an office building and a professional office.

Yes, sir, this is one area but there are other areas that are included."

JOHNNY WILLIAMS "Right. All in that one area or neighborhood?"

BETTY BOLES "Yes."

MAYOR ADAMS "Is there anyone from the public that would like to speak in favor of this amendment to the zoning change?"

TOM BURNS "Mr. Mayor, I'd like to speak after anyone opposing goes first."

MAYOR ADAMS "Please state your name and address."

TOM BURNS "I'm Tom Burns and this is Robbie Corley, my partner. We own a building at 227 Hampton Avenue which was our real estate office until we moved. Unfortunately for us, we had several people who wanted to rent our building and one attorney wanted to divide it. After working about a week on it, I discovered that an attorney couldn't go into this office. I didn't understand exactly why that was the case when I saw that architects, general business

offices and such were allowed.

I did talk with the Mayor and Phil Lindler and strongly request that the City Council include these other types of businesses in Neighborhood Commercial. Thank you."

MAYOR ADAMS

"Thank you. Is there anyone else who would like to speak in favor of the ordinance? Is there anyone to speak against the ordinance? Is there any discussion?"

LINDA EDWARDS

"Yes. Exactly what is he talking about? Are they buying the whole building or is he concerned about one? He didn't make himself quite clear."

MAYOR ADAMS

"He was concerned about his building on Main Street but this involves many different buildings or pieces of property."

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

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

The motion passed unanimously.

- attach -

---

CONSIDER

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

Under Unfinished Business, Mayor Adams read the only item and said, "We've got a potential appointment, Ms. Sheila Reynolds."

A motion to appoint Sheila Reynolds to the City/County Planning Commission was made by Betty Boles, seconded by Niki Hutto.

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

"Ms. Reynolds, can you come forward, please? We appreciate you being willing to serve. Tell Council where you live and how long you've been a Greenwood resident."

SHEILA REYNOLDS "My name is Sheila Reynolds and I reside at 310 Lawton Street in Greenwood. My husband and I have been at that location for less than a year. Prior to that I was on Main Street and prior to that I lived on Elm Court. So I've been in the City."

MAYOR ADAMS "Tell us a little about your government experience."

SHEILA REYNOLDS "I worked for the Greenwood Chamber of Commerce for nine and a half years and am currently employed with the South Carolina Vocational Rehabilitation Department serving individuals who are having a difficult time getting employed because of their disabilities.

I'm just honored to serve."

MAYOR ADAMS "We really appreciate your willingness to serve. Thank you. This leaves one more spot and we'll talk about it at the next work session."

---

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

Ordinance No.  
09-015 Annexing  
Montague Avenue  
Property into  
the City of  
Greenwood.

(1<sup>st</sup> reading)

CHARLES BARRINEAU "Mr. Mayor and Members of Council, when we began working with Lander on their new recreation and wellness complex, we realized that two parcels they have purchased through their LLC were actually outside of the City. The two parcels are located on the backside of the property behind Hancock. We asked Lander if they would consider annexing the LLC and they agreed. One parcel is 2.11 acres and the other is .33 acres."

MAYOR ADAMS "The actual trail is in the City, correct?"

CHARLES BARRINEAU "No, sir. Actually that portion of the trail ends at the City line and the remainder has not been annexed."

MAYOR ADAMS "Shouldn't we look at annexing that?"

CHARLES BARRINEAU "That was a question raised from Lander's perspective. It's my recollection that the trail is still in the name of the railroad."

JOHNNY WILLIAMS "Well, if we can't get it from the railroad then we cannot annex it."

MAYOR ADAMS "If they'll agree to it, we can."

JOHNNY WILLIAMS "Yep, but they haven't agreed yet."

NIKI HUTTO "Well, we haven't placed a request for them to agree or disagree, right?"

CHARLES BARRINEAU "That's correct."

MAYOR ADAMS "Alright. Is there any further discussion regarding these two parcels?"

CHARLES BARRINEAU "This will require a second reading and public hearing if it passes tonight."

Motion was made by Barbara Turnburke, seconded by Betty Boles.

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

The motion passed unanimously.

- attach -

---

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

Appointment to the Greenwood Tourism and Visitors Bureau Advisory Board.

CHARLES BARRINEAU "Mr. Mayor and Members of Council, many of you may know that Mr. Lewis Smith is one of the co-owners of the Inn of the Square."

He's got engaged in multiple business endeavors that are taking him outside of Greenwood a good bit and has been working out of the Charlotte area. Because he hasn't been able to give as much of his time as he'd like, he has resigned from the Greenwood Tourism and Visitors Bureau Board.

We have been working with the Inn on the Square's new manager, Susan Scoggins, for many ventures. She's a native of Greenwood, is very well aware of what we're trying to do as far as our tourism efforts, and has already worked with Kelly and Lindsey a good bit. From a staff perspective, we would recommend that you consider Ms. Scoggins to replace Mr. Smith on the advisory board."

MAYOR ADAMS

"Does anybody have any questions for Ms. Scoggins? Do I have a motion?"

Motion to appoint Susan Scoggins was made by Niki Hutto, seconded by Barbara Turnburke.

"All in favor signify by a show of hands. The motion carries. No one is opposed."

The motion passed unanimously.

"Thank you. I appreciate your willingness to serve."

---

CONSIDER

Mayor Adams read the third item and recognized Mr. Walter Roark.

Request from the  
American Red  
Cross.

WALTER ROARKE

"Good evening. I'm Walter Roarke, the Board Chair of the American Red Cross. I want to thank you guys for allowing me to speak to you tonight. I'm here asking for a donation from City Council in the form of \$5,000 to the Greenwood Chapter American Red Cross which serves Abbeville, McCormick, and Greenwood.

Tonight, we're asking for this donation to help in recent efforts after the tornados that came through last month.

We're a little bit behind in the budget and I would like to give you some figures from some of the State totals. We had 51 houses destroyed in the State from that storm; 41 of those destroyed were in Greenwood and Abbeville. There were 105 homes in the State that had major damage. Of that, 73 homes were in Greenwood and Abbeville. The Red Cross provided 4,761 meals; 4,541 of those were snacks. None of those meals were donated. All of them were purchased here in Greenwood because the Red Cross decided they wanted to keep that money in the town of Greenwood.

Our budget, more or less, has been depleted. As everyone knows, we have not had a natural disaster like that in quite some time and hope that we don't have another one for a long time coming. I've spoken with some folks in Greenville which is where most of our information comes from. This was an extraordinary event that we hope does not happen again in the near future which is why we are coming to City Council tonight. The Red Cross does work hand in hand with the City government and that is why we are asking for some help. Along with those served were the first responders, linemen from Duke Power and Pike, and those folks whose houses were destroyed that didn't have food, shelter, or clothing. So, in order to be able and be prepared for the next natural disaster, we got to be able to replenish the funds.

Some of you may have heard of the \$212,000 that we've been asked to raise. Not necessarily all that money has to come from Greenwood. It is a statewide effort to try to recoup the money spent but, as you see, the majority of the damage was done here in Greenwood and Abbeville. So we're asking for your help graciously and, if anything that can be done, will certainly be appreciated. Thank you."

MAYOR ADAMS

"Is there any discussion?"

JOHNNY WILLIAMS

"I would like to say I would like to fund the Red Cross and all the other organizations that want money but the City also needs money and we do not have it in the budget. We gave a tax increase but no pay raise for the employees and I don't see how we can afford to give \$5,000 to the Red Cross. If you're going to give any money right now, it looks to me it would be more feasible to give it to the United Ministry where \$5,000 would turn into \$10,000 and pay the light bill for senior citizens in the City of Greenwood."

BETTY BOLES "Yeah, but how much of that money will go directly to the Red Cross?"

JOHNNY WILLIAMS "I said if we would give any. I'm not in favor of giving anything."

NIKI HUTTO "Yeah, but the Red Cross is basically providing services for the citizens here. Our major concerns, as government officials, are to provide safety and security for citizens. The Red Cross basically relieves some of that burden for our citizens that suffered from fires, tornados and other disasters, so it's kind of a give and take."

JOHNNY WILLIAMS "But so is the United Ministry. They give and take. They pay the light bill for people who have been laid off and provide them help. So, if you give to one, you'll have to give to all."

NIKI HUTTO "This seems to me to be a one time, special needs, request."

JOHNNY WILLIAMS "But if you give to one you're going to have to give to all. That's my feeling."

BETTY BOLES "Has the request for funds been asked to any other entity like the County or any other place?"

WALTER ROARKE "Not yet. We've done fundraising throughout the town of Greenwood, talked to the local banks and other organizations but not the County or other administrations yet."

NIKI HUTTO "Have you gone to Abbeville County yet?"

WALTER ROARKE "Not yet."

LINDA EDWARDS "But even if we can't give \$5,000, do we have something that we can give? I hear you, Mr. Williams, and I know what we're here to do. I've never been through it personally but, when you listen to these people that have nothing after a fire or tornado devastate or clean them out, we have got to learn how to prioritize. Just because another group ask doesn't mean we have to do it. I think this is probably the first or maybe second time that I've dealt with the American Red Cross. If we can't give the \$5,000, Mr. Barrineau or Mr. Brown, are there funds that can come from anywhere else that can help, if we were of a mind to help?"

STEVEN BROWN "I would recommend that you could do a budget revision and take it out of the fund balance. There are several items of unexpected expenditures that have surfaced so it's going to be hard to find the money. So, if we have it, we'll just increase the amount taken from the reserves by \$5,000."

LINDA EDWARDS "That was my first question. Does it have to be \$5,000?"

STEVEN BROWN "No, ma'am. That's totally at your discretion."

LINDA EDWARDS "If we were of a mind to give it doesn't necessarily says it has to be \$5,000, if we can't afford to give \$5,000."

JOHNNY WILLIAMS "I can't see how we can afford to give anything. We have a tax increase last year but no raises."

BETTY BOLES "Could we just take it under consideration on the amount that they requested and check our budget for any revisions to see what we can do?"

STEVEN BROWN "Maybe at the next work session we can provide some additional information."

JOHNNY WILLIAMS "But didn't we take money out of the fund balance to meet the budget?"

STEVEN BROWN "Yes, sir."

JOHNNY WILLIAMS "So, if we keep digging in the fund balance, sooner or later we're not going to have a fund balance to dig in. I give money to all of the organizations in a round about way. We just raised \$6,000+ for the Relay for Life at the school. There is high unemployment at the City of Greenwood now and people are hurting everywhere. You got people needing their light bill paid and I don't see how CPW survives it but they are.

I'll say this, the Red Cross could move in the old Blake School and save money. Why couldn't they? How much is your rent down there?"

BARBARA TURNBURKE "I don't think I can speak to that right now."

LINDA EDWARDS "I think we're getting a little bit off of the subject. This has nothing to do with their expenses. They're asking for help to help other people and that's what we need to stay focused on. We don't need to know how much they're paying for rent because they didn't ask us for

that.

We just need to decide on this at a work session. Mr. Brown, you can get the information we need to work with because there are some things we must look at. It could've been one of us in this and, I don't care if you have millions saved up, you're never prepared for a disaster. It'll wipe you out. So, if I'm in order Mr. Mayor, could we just look at this in work session? If we can't do \$5,000, let's see what we can do."

MAYOR ADAMS

"We have a motion to table this matter until the next work session to further discuss after more information."

Motion to table the request was made by Linda Edwards, seconded by Betty Boles.

"If everyone is in agreement, give a show of hands. Alright, the matter is tabled until work session."

Those who voted in favor were: Mayor Adams, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn and Johnny Williams. Barbara Turnburke abstained from voting because of conflict of interest.

The motion passed.

---

CONSIDER

Mayor Adams read the fourth item and recognized Ms. Beth Rembert.

Request from  
Grendel Mill  
Homeowners  
Association.

BETH REMBERT

"Thank you, Mr. Mayor and Council. My name is Beth Rembert and I reside at 534 Pelzer Street. I'm here to ask for some help with a vegetable garden. I think you have some information in front of you that I've submitted.

We own the property and, with the economy the way it is, we decided that we would open it up to the residents in the neighborhood for a vegetable garden. In doing so in Grendel, we have tilled the property, paid for it, and

purchased the seeds.

Now we're asking for some support and help in getting water to the property. I have spoken with Gene Hancock and Mike Monaghan of CPW and they are willing to waive the infrastructure or impact fee, but it would have to go before the Commission to be approved.

I'm asking if you would be willing to help with our water bill. Grendel is willing to pay half by fundraising all during the year. This would help the elderly, teach the children about gardening, and help with the grocery bill for the neighbors in the neighborhood. Right now we have six families that have come forth to have a garden there."

MAYOR ADAMS

"I believe that we didn't receive anything on this. Is that right?"

BETTY BOLES

"Can you just give us an amount?"

CHARLES  
BARRINEAU

"I've provided Council with that number. Right now, the tap fee amount that we're spending on the Smythe lot averages about \$20 a month. With the garden, you're going to have spikes in the summer and, if it won't, you'll have the minimum. We told Council that the annual number to look at today would be probably in the neighborhood of \$500 to \$1,000. There is no way for me to give you a number for one year."

BETH REMBERT

"For the year, the flower garden was \$189 for the electricity and \$382 for the water. I know sometimes some of you may ride by the flower garden and it looks like it's not kept but that's due to the rains. We spend \$90 a month to get the grass cut on the weekends in the flower garden."

JOHNNY WILLIAMS

"Well, y'all already got a water tap now. You want to disconnect it and get one on the garden?"

BETH REMBERT

"Well, I don't think we can do that. We have a lot of money already tied up in that flower garden. I got a \$25,000 grant many years ago to get the house demolished, the landscaping, and getting all those plants there. I don't see how we could, but we're willing to help pay the water bill for the vegetable garden."

BETTY BOLES

"So you're willing to pay half?"

BETH REMBERT

"We're willing to pay half. This way, if we can get some help from you, it would help us in partnering with other organizations and asking them for support."

So this would be a start with CPW agreeing that they'll waive the fee except they have to go before Commission, please understand that. With your support, we'll be paying half."

JOHNNY WILLIAMS "You mean, CPW will not charge anything for the water tap?"

BETH REMBERT "That is correct, but they got to take it before the Commission. Gene Hancock and Mike Monaghan have agreed to waive the impact fee of \$795."

MAYOR ADAMS "Would there be a power bill? I know on Smythe there is a power bill for some reason."

CHARLES "There is a street light on the Smythe lot."  
BARRINEAU

TONI ABLE "I'm Toni Able with Healthy Greenwood Neighborhoods Incorporated. I reside in Laurens County but work for Greenwood County. I think there are two separate things you all might be looking at and might possibly be interchanging the two. The flower garden, located on Smythe Street, is a completely separate issue. That's kind of a done, thank you, deal. What Ms. Rembert is talking about now is a community vegetable garden on Pelzer that is in need of assistance to help pay for the water bill. Normally, you would water your garden from May through October. So, we're only looking at approximately six months of a water bill fee on an annual basis. I think it's \$2, if you don't use the water a month, or something like that. So, when Beth and I talked earlier, we estimated \$500 should be the amount. To water that garden should not exceed more than \$300, so I hope that kind of clears up the issue. There is no electricity on the Pelzer vegetable garden."

BETH REMBERT "And also the light that we have at the flower garden also helps other areas of Smythe Street and Bailey. So it's not just strictly for the flower garden."

LINDA EDWARDS "And you're saying that CPW is willing to waive their tap fee?"

BETH REMBERT "That is my conversation with Gene Hancock and Mike Monaghan that they will waive the impact fee, but they have to take it before the Commission and that would be with Mr. Watts."

- JOHNNY WILLIAMS "I'll tell you what, let's don't vote on it tonight and ask CPW to put the water tap there and we'll consider it at that point. I was under the impression that the CPW was going to swap it."
- BETH REMBERT "That was, originally. When I started talking and letting them understand exactly what was going to transpire with the piece of property, they were then willing to help."
- JOHNNY WILLIAMS "Well, when they drop the fee, we'll come back."
- NIKI HUTTO "It will be kind of foolish for us not to approve. Why should they spend the money and waive the fee if we're not going to help with the water?"
- CHARLES BARRINEAU "Mr. Mayor, they're basically waiting for us to put something in writing, one way or the other. So, if Council directs us, we'll put it in writing and stipulate that we'll elect to pay the water if CPW would waive the tap fee. We would have to pay the whole and then send a bill to them. If the bill isn't paid, obviously we'll have it cut off."
- STEVEN BROWN "Mr. Mayor and City Council, may I make a suggestion? Maybe your arrangement with Ms. Rembert and the Grendel Association would be that you endorse this request. Afterward you may ask the CPW to waive the fee, and then ask the Grendel Association to put the account in their name. The Grendel Association can make a request for half of the specific monthly amount for reimbursement after they pay the bill. If for some unforeseen reason the garden is never planted or discontinued, the Grendel Association makes the decision to have the water terminated. City Council can designate a maximum amount that to reimburse each month. The Association will be not only responsible, but also in charge of the water usage. If the garden does not continue after six months, then they can ask CPW to close the account."
- MAYOR ADAMS "Thank you, Mr. Brown."
- JOHNNY WILLIAMS "Then the City won't be responsible for it in any way."
- LINDA EDWARDS "My only concern is they got to go through the Commission. Each and every one of us sitting here know that, if two of them decides they're not going to pay this, they're going to find a way to take it out of what they give us. I'm not against watering vegetables because I might have to come over there and join in."

I would just like to be sure that CPW is going to do what they say they're going to do and not take this out of our money because all of sudden they can't do it."

MAYOR ADAMS "So you would like some stipulations subject to that?"

JOHNNY WILLIAMS "If the bill is not in our name, they cannot swap it out on us can they?"

STEVE WELCH "If the bill is not in your name, they'll probably not be able to swap it out. You have not voted to agree to pay anything if they don't waive."

MAYOR ADAMS "Is there any further discussion among Council? Do I have a motion?"

Motion to pay, as per the terms by Mr. Brown subject to CPW approval of the tap fee and the account being placed in the homeowners' association name, was made by Barbara Turnburke, seconded by Niki Hutto.

BETH REMBERT "As I understand to take back to my board, you are going to get a letter from CPW stating that they'll waive the tap fee?"

CHARLES BARRINEAU "We will put all of this in writing and send it to the CPW. They'll have the meeting in probably two weeks and will consider the request."

MAYOR ADAMS "A motion has been made and seconded. All in favor signify by a show of hands. Is there anyone opposed? The motion carries."

The motion passed unanimously.

---

CONSIDER Mayor Adams read the fifth item on the agenda.

A Request from  
the Town of  
Ninety Six.

JOHNNY WILLIAMS "Let me ask Mr. Brown a question about this. We have already appropriated \$500 to Piedmont Tech, right?"

Why can't we give that \$500 to the Town of Ninety Six for the fireworks? It would be the same thing won't it?"

STEVEN BROWN "The \$500 that you appropriated last year was withheld when Piedmont Tech announced that they were not going through with their annual festival, so it is still in escrow in your account."

JOHNNY WILLIAMS "But it could come out of the Accommodations Tax? Isn't that where it has always come from?"

STEVEN BROWN "Mr. Williams and Council, I'll be honest with you. I will never know what the South Carolina Tourism Expenditure Review Committee will and will not approve. They are so fickle but, under normal conditions and the way I've written them all, I think it will qualify. It's very similar to the activities that you've have funded. The difference is it is run by a different municipality as opposed to being operated by (inaudible)."

JOHNNY WILLIAMS "It's not going to be at Piedmont Tech?"

MAYOR ADAMS "You're funding something that's in another town. I don't understand why we would do that."

STEVEN BROWN "It's a product of the Ninety Six Chamber of Commerce, I believe."

JOHNNY WILLIAMS "It has brought a lot of tourists out to the Bi-Lo parking lot."

BETTY BOLES "Where can they host it in Ninety Six?"

MAYOR ADAMS "They'll have it in the middle at the visitor's center, probably."

BETTY BOLES "They can't do that, can they?"

STEVEN BROWN "I don't think they'll have the fireworks there. I'd imagine the fireworks will be close to the park but the entire community will be celebrating. There will be events all over Ninety Six. It's very similar to what we do for the Festival of Discovery and a lot of the same at the Festival of Flowers. The fireworks are just one event within a big program. I think they have a figure of \$9,600 to \$10,000 to do just the fireworks. I think their request is for you to give \$500 towards only the fireworks."

MAYOR ADAMS "I think we're gonna keep that \$500."

NIKI HUTTO "Well, this is something that the County should support with their accommodations tax."

JOHNNY WILLIAMS "I think it should come from the County and not the City of Greenwood. I thought it would be at Piedmont Tech."

MAYOR ADAMS "Okay. A motion has been made to deny funding to the Town of Ninety Six by Mr. Williams. Do I have a second?"

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

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

Those who voted to deny were: Mayor Adams, Niki Hutto, Herbert Vaughn, and Johnny Williams. Those who voted against the denial were: Linda Edwards, Betty Boles and Barbara Turnburke.

The motion passed.

---

CONSIDER Mayor Adams read the sixth item and asked for a motion.

Executive Session to Receive a Legal Briefing from the City Attorney Regarding Contractual Matters. Motion was made by Niki Hutto, seconded by Barbara Turnburke.

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

The motion passed unanimously.

The meeting adjourned into Executive Session at 6:17 p.m.

The meeting reconvened at 6:51 p.m.

CONSIDER

Mayor Adams recognized the City Manager.

To Approve City  
Manager to Sign  
a First  
Amendment to  
Option and  
Lease Agreement  
with American  
Tower  
Management,  
LLC.

STEVEN BROWN

"Mr. Mayor and City Council, I am requesting authorization to sign an amended agreement with American Tower Management who owns a cell phone tower located on city property. This contract calls for two revisions. One is a reduction in the annual rent payment from \$6,900 to \$3,450 but it also implements a 10% collection fee. The agreement we have in place expires at the end of 2010 so this would be an early revision. They have made their payment for this year already. So we have already received \$6,900 for 2009."

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

MAYOR ADAMS

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

The motion passed unanimously.

---

CONSIDER

\$10,000 Change  
Order for  
Cross-Walks on  
South Main  
Street to  
Install Grout  
from  
Hospitality Tax  
and Rescind  
Hiring of Third  
Party for  
Review.

STEVEN BROWN

"Mr. Mayor and City Council, staff has been working with both the professional engineers at Davis and Floyd and Chandler Construction to complete the Uptown Greenwood Crosswalk Project. Chandler Construction and Davis & Floyd have agreed to make those repairs. They have asked us if we would participate in the financial cost of putting some additional grout under those crosswalks for an additional measure to prevent future compaction issues.

We would ask you to allow us to entertain a change order that would cost the City \$10,000 that'll be paid out of the Hospitality Tax. Davis and Floyd will select a qualified contractor to install the grout. Simultaneously, while that is being done, Chandler Construction has agreed to make the necessary repairs. As Charlie reported to you, they made one repair between 60 to 90 days ago. No additional compactions have surfaced in those areas and they will make the repairs in that same fashion.

Some paperwork needs to be exchanged between us and those two companies. I'm asking you to allow the City Attorney to work with us on that paperwork. The cost is \$10,000 and we will pay for it out of Hospitality Tax."

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

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

---

CONSIDER Mayor Adams asked for a motion from City Council.

\$10,000 to Hire  
Margaret Pope  
as Bond  
Attorney to  
Begin Work on  
TIF to  
Determine  
Benefit.

STEVEN BROWN "Mr. Mayor and Council, we have been discussing for some time a method to take advantage of the growth that we have experienced in the Uptown area. We are recommending that City Council research the benefits the may derive from a tax increment financing district. To initiate this process, it will be necessary for us to secure the services of a bond attorney. The purpose of the bond attorney is to work with City Council to meet the necessary laws and regulations regarding a TIF District.

You met with Margaret Pope, who is a Bond Attorney out of Columbia, at one of your work sessions. Staff would like to recommend that the City would engage in a contractual arrangement with Ms. Pope to guide the City Council in establishing the potential TIF District. If City Council chooses to move forward, she would provide you with the legal expertise to do so. We would ask that this contract initially not exceed \$10,000."

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

"We will probably bring an amended budget to include that \$10,000."

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

The motion passed unanimously.

---

CITY COUNCIL      There were no comments at this time.  
COMMENTS

---

CITY MANAGER      There were no comments at this time.  
COMMENTS

---

Motion to adjourn the meeting was made by Betty Boles.

The meeting adjourned at 6:56 p.m.

ATTEST:

---

D. Welborn Adams, Mayor

---

City Clerk and Treasurer