

GREENWOOD CITY COUNCIL

June 15, 2009 - 5:31 p.m.

**MINUTES**

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PRESENT

Council Members: Mayor D. Welborn Adams, Linda Edwards, 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 Johnathan L. Graves of Greenwood Today.

Betty Boles entered the meeting at 5:34 p.m.

Niki Hutto entered the meeting at 5:37 p.m.

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CALL TO ORDER

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

City Manager, Steven Brown, gave the invocation.

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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."

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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.

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CONSIDER

Under Public Hearings, Mayor Adams read the first item and recognized the Assistant City Manager.

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

(2<sup>nd</sup> reading)

CHARLES  
BARRINEAU

"Mr. Mayor, this is the property that's located on the backside of the future Lander Sports Wellness Complex next to Snead Lumber. This is a public hearing."

MAYOR ADAMS

"Is there anyone in the audience who would like to speak in favor of the proposed ordinance? Is there anyone that would like to speak against the ordinance?"

Is there any discussion among Council? Do I have a motion to approve this ordinance?"

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

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

The motion passed unanimously.

Betty Boles entered the meeting at 5:34 p.m. and did not vote.

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CONSIDER

Under Unfinished Business, 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).

(2<sup>nd</sup> reading)

CHARLES  
BARRINEAU

"Mr. Mayor and Members of Council, this ordinance was presented to you last month at a public hearing. The property owner has requested this area that's outlined in red (pointing at screen) to be General Commercial. The Planning Commission recommended approval."

LINDA EDWARDS

"Is that house right behind the Health Department?"

STEVEN BROWN

"Yes, ma'am."

LINDA EDWARDS

"Okay."

MAYOR ADAMS

"Is there any further discussion among Council? Do I have a motion to approve Ordinance 09-013?"

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

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

The motion passed unanimously.

- attach -

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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 been working on for a number of months to update the Neighborhood Commercial zoning standard to add permitted uses such as architect/engineering, financial stockbroker, interior design, law, medical/business, and professional offices."

MAYOR ADAMS "Is there any discussion among Council? Can we entertain a motion to approve?"

A motion was made by Johnny Williams, seconded by Betty Boles.

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

The motion passed unanimously.

Niki Hutto entered the meeting at 5:36 p.m. and did not vote.

- attach -

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CONSIDER Mayor Adams recognized the Assistant City Manager.

Ordinance No.  
09-016 Amending  
the City of  
Greenwood's  
Official Zoning  
Map (Ordinance  
No. 04-020)  
Rezoning  
Property Located  
at 421, 435, &  
501 Epting  
Avenue, 115,  
202, 210, & 212  
Overland Drive,  
and 1506 Spring  
Street from OPI  
(Office  
Professional  
Institutional)  
to NC  
(Neighborhood  
Commercial).

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

CHARLES  
BARRINEAU

"Mr. Mayor, when we were updating the OPI change, the properties that were identified in this ordinance are proposed to be changed to Neighborhood Commercial. You'll have a public hearing at the next meeting."

MAYOR ADAMS

"Is there any discussion among Council? Do I have a motion to approve the ordinance?"

Motion 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.

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CONSIDER Mayor Adams said that Council will discuss further at the next work session of any nominations.

Appointing One  
(1) Person to a  
Vacant Term on  
the City/County  
Planning  
Commission.

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CONSIDER Mayor Adams read the third item and said, "I believe the request was for \$5,000. Is there any discussion?"

Request from the  
American Red  
Cross.

LINDA EDWARDS "I still say that if we can't give the \$5,000, maybe we can give \$1,000."

MAYOR ADAMS "Would you like to make a motion?"

Motion to give a donation of \$1,000 to the American Red Cross was made by Linda Edwards, seconded by Betty Boles.

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

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

The motion passed.

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CONSIDER

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

Request

Resolution No.  
09-004

Accepting a  
Grant Award  
from the South  
Carolina  
Department of  
Commerce on  
Behalf of  
GLEAMNS Human  
Resources  
Commission,  
Inc.

CHARLES  
BARRINEAU

"Mr. Mayor and Members of Council, we have been notified by the South Carolina Department of Commerce that they would like to award \$30,500 for workforce development projects to GLEAMNS from the Rural Infrastructure Fund program. A portion of those funds would go towards the Rural Crossroads Institute for auditing purposes. The City is being asked to be an agent because these RIF funds can only go through the City or County government.

If you remember a few years ago, we approved a similar grant for the Magic Johnson Center. Those funds flowed through the City but actually went to GLEAMNS. So they have requested that we accept on behalf of GLEAMNS this \$30,500 grant award for workforce development."

MAYOR ADAMS

"Is there any discussion among Council? Do I have a motion to accept the award?"

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

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

Those who voted in favor were: Mayor Adams, Niki Hutto, Linda Edwards, Herbert Vaughn, Johnny Williams and Barbara Turnurke. Betty Boles abstained from voting due

to conflict of interest.  
The motion passed unanimously.

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CONSIDER

Mayor Adams read the second item on the agenda.

Resolution No.  
09-005 to  
Authorize the  
City Manager to  
Expend  
Hospitality Tax  
Funds.

CHARLES  
BARRINEAU

"Mr. Mayor and Members of Council, we have been talking about this request at a number of our work sessions. We have been working with photographer, Jon Holloway, on an event called 'Click 646' on October 16 and 17. Jon is working with a number of national and international photographers to come to Greenwood. One of those is Joyce Tenneson who is being sponsored by Cannon. It is my understanding that Joyce has been identified as one of the top 10 photographers either in the United States or the World. So it'll be an honor for her to come.

We think it's another great opportunity to showcase Greenwood and the talent that we have here by partnering with Lander University and other agencies. We're requesting Council to authorize up to \$10,000 for this and other City sponsored events through the Hospitality Tax. Just for your information, we will actually manage all the funds for this project so, if any expenditures or grants that are received, it will actually come to the City. For example, Capsugel has made a donation to the event and the City will take the funds and send payments back out. I'll be glad to answer any questions."

BETTY BOLES

"Will the \$10,000 be used just for Click?"

CHARLES  
BARRINEAU

"Not necessarily. We ultimately thought that we would ask up to \$5,000 for this event because this is the first year. We don't have any track record, budget, or understanding of how it will be. We think this total project will be \$15,000 to \$20,000. Of that, \$10,000 to \$15,000 will be private funds."

JOHNNY WILLIAMS

"And some of that will be used for other projects if needed?"

CHARLES  
BARRINEAU

"That's right."

MAYOR ADAMS

"Is there any further discussion? Do I have a motion to approve Resolution 09-005?"

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

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

The motion passed unanimously.

- attach -

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CONSIDER

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

To Authorize  
the City  
Manager to Sign  
a Right-of-Way  
Agreement with  
the Greenwood  
Metropolitan  
District.

STEVEN BROWN

"Mr. Mayor and City Council, I have corresponded with City Council through e-mail regarding this request. The Metropolitan Sewer District is installing a new sewer line that will cut across a portion of the City property. They're abandoning an old sewer line that's under the playground adjacent to Giles. You have a plat in your packet that shows exactly where it is. They're requesting a right-of-way that'll cut across it. I will certainly recommend that you grant it."

MAYOR ADAMS

"I believe the plat does show it very clearly. Is there any further discussion among Council? Do I have a motion for the authorization of the City Manager to sign a right-of-way agreement with Greenwood Metropolitan District?"

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

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

The motion passed unanimously.

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CONSIDER

Mayor Adams recognized the City Manager.

Request of Deer  
Run Lane  
Homeowners  
Association.

STEVEN BROWN

"Mr. Mayor and City Council, in anticipation of your action tonight, I have prepared a resolution that you can use if you so desire."

The City Manager read the proposed Resolution 09-006.

"I have patterned this resolution after Council's action with Hampton Trace. There's nothing in here that you would be requesting of Deer Run that you did not request of Hampton and I think these are good conditions. They provide some protection for the City and, after 36 months, the Deer Run Lane residents would have no responsibility at all.

The reason for the \$3,000 Letter of Credit is during the 36 months, if the road would just fall apart or have drastic problems and they did not repair it, we can go against the Letter of Credit and make those repairs. I have discussed it with the four representatives that are here tonight and I think they will agree to meet these conditions. If you choose to adopt this resolution and once the conditions are met, we will ask you to accept the road at a formal meeting. I'll be glad to answer any questions."

MAYOR ADAMS

"Is there any discussion among Council?"

STEVEN BROWN

"We'll be asking Mr. Welch to communicate with their attorney to make sure that this 'Hold Harmless Agreement' is satisfactory."

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

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

The motion passed unanimously.

JOHNNY WILLIAMS "Mr. Brown, are there any more roads in Lodge Grounds that are not a part of the City now?"

STEVEN BROWN "No, sir."

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CITY COUNCIL COMMENTS There were no comments at this time.

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CITY MANAGER COMMENTS Mayor Adams recognized the City Manager.

STEVEN BROWN "Well, I hate to belabor Council with things but this is getting out of hand and people are beginning to take advantage of us. I just wanted you to see what we have to deal with. This homeowner has cut down six to eight trees. They'll tell you that a friend cut them down, if you ask, and that friend has left a mess they want us to clean up. I already have people wanting to know why their trash has been out on the side of the road for two weeks and haven't been picked up.

Our intent was to provide a yard waste service but this is not yard waste. Maybe City Council needs to have specifications like the County. The County stipulates that they'll only accept a pickup load of waste. When there are eight to 10 trees that are 20 inch diameter and they roll them to the road for us to pick it up, we can't get around the town in two weeks. It's just improper. This was put on my desk today and we have told this person that we're not going to pick it up. They may call you and, if you want us to pick it up, we'll pick it up, but it delays the whole system."

JOHNNY WILLIAMS "Those were whole trees."

- STEVEN BROWN "Yes, sir. I think I counted five or six stumps so it's a pretty good number. As I have said in my memo, one tree is understandable, but when you get six or seven..."
- MAYOR ADAMS "I don't think we should be picking up trees at all."
- STEVEN BROWN "If that's the way you and Council feel, then maybe we need to make some amendments to our existing ordinance. We have some language about certain lengths of wood that we will pick up that has gone to the wayside. We may need to discuss it further at the next work session and see if City Council really wants us to enforce that in a strict manner."
- LINDA EDWARDS "I thought we had something at one time where, if you decided to cut a tree down, it was up to you to remove it. We understand having that much debris when storms come through, but I thought at one time we did this."
- STEVEN BROWN "What we have tried to say over the years that, if the homeowner cut some things in their yard, we try to pick it up but this is a little beyond that. Everybody's friend, uncle or brother cuts them down and nobody is ever gets paid. Often times, all the good wood is removed and we get the debris.
- I'm not trying to isolate this one individual but I wanted to get your opinion. We'll deal with this situation but I think we need to publicize some. As the City get's larger and more people are doing this type of thing, I don't think we're able to provide this service."
- BETTY BOLES "Well, we had a situation like this on Joe Louis Boulevard last year where the gentleman cut down a tree in his yard. Public Works only picked up the debris around the tree and he called and complained. Do you remember that? He was instructed that he had to remove that tree he cut himself."
- STEVEN BROWN "Like Ms. Edwards said, we try to respond to storm damage but this is above and beyond. I just needed an indication from City Council. We'll deal with it, try to bring some understanding of our policies, and then we can let people know.
- We're also getting flooded with apartment complexes that put every sofa, chair, and everything on the side of the road when they move people out and get upset when we don't haul it off. They're insisting that they're residential so that we can haul it off so that they can avoid paying landfill fees.

We just can't get around it until we get some very strict guidelines on what we will and will not pick up. Thank you."

LINDA EDWARDS

"I'm thinking, if they personally sit people out, they ought to personally pick it up. This is getting way out of hand."

STEVEN BROWN

"The other part is about the roof over the elevators. We're taking in a good bit of water on that one elevator and something has got to be done. We're going to ask that they look at the other two and, if we can get by until budget, we will try to budget them next year. If it's something that needs to be done, we'll just let you know but we must fix that particular one. Every time it rains we're taking in water and it's going to ruin that elevator. It's just wear and tear because it's probably 25 years old."

NIKI HUTTO

"So basically the City owns the elevator shafts and walkways?"

CHARLES  
BARRINEAU

"The whole structure."

STEVEN BROWN

"We own the arcades. They are self standing and are not attached to any building."

MAYOR ADAMS

"Is there any further business? I'll entertain a motion to adjourn."

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Motion to adjourn the meeting was made by Betty Boles, seconded by Linda Edwards.

The meeting adjourned at 5:58 p.m.

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D. Welborn Adams, Mayor

ATTEST:

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City Clerk and Treasurer