

GREENWOOD CITY COUNCIL

June 15, 2015 - 5:30 p.m.

MINUTES

PRESENT

Council Members: Mayor D. Welborn Adams, Niki Hutto, Linda Edwards, Betty Boles, Kenn Wiltshire, Johnny Williams, and Ronnie Ables; City Manager Charles Barrineau, Assistant City Manager Julia Wilkie, City Clerk Steffanie Dorn, City/County Planning Director Phil Lindler, City Municipal Judges Lee Miller and Shameka Brown, and City Attorney Adam Bacot; Brian King from gwdToday.com and Colin Riddle from the Index Journal.

CALL TO ORDER

After the invocation was given by City Councilor Linda Edwards, Mayor Adams called the meeting in Council Chambers to order at 5:30 p.m.

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."

City Clerk Steffanie Dorn confirmed that a quorum was present.

Mayor Adams welcomed Boy Scout Troop 220 that was in attendance.

APPROVAL OF
CONSENT AGENDA

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

A motion to approve the consent agenda was made by Betty Boles, seconded by Kenn Wiltshire.

The motion passed unanimously.

CONSIDER
 Ordinance No.
 15-016 Amending
 Ordinance Number
 14-024, the City
 of Greenwood
 General Fund and
 Hospitality Fund
 Budgets for
 2015.

Under Public Hearings, City Manager Charles Barrineau informed Council of the \$12,000 from the Community Development Account to replace the lawn mower that was mistakenly omitted from the ordinance.

Councilor Johnny Williams questioned the amount spent on the lawn mower. City Manager Barrineau stated that it's a SCAG, not a standard lawn mower.

No one spoke for or against the proposed ordinance.

There was no further discussion from Council.

(2nd reading)

A motion to approve Ordinance No. 15-016 was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER
 Ordinance No.
 15-017 Imposing
 a Temporary
 Suspension of
 Certain
 Municipal Code
 Provisions
 along
 Designated
 Sections of
 Main Street
 Uptown Square
 during the
 Three Day South
 Carolina
 Festival of
 Discovery.

City Manager Charles Barrineau reviewed the proposed ordinance that would allow the consumption of beer and wine along the public sidewalks and Main Street in the Uptown Square where the Festival of Discovery largely occurs.

No one spoke for or against the proposed ordinance.

DISCUSSION:

Councilor Johnny Williams told the City Manager that he cannot police the entire Uptown at once. He stated the Festival of Discovery is no longer a family event and that he received a lot of comments against the proposed ordinance although no one showed up to speak against it.

City Manager Barrineau confirmed to Mayor Adams that the proposed ordinance is only temporary and will be presented for consideration again next year.

(2nd reading)

Councilor Kenn Wiltshire inquired if all Uptown restaurant owners are aware of closing times. City Manager Barrineau confirmed they have been notified and intends to have a meeting with all of them to sign a document listing rules that must be followed.

Councilor Betty Boles inquired if cups will be color coded since the logo will not be used. City Manager Barrineau stated that there may be two different sized, clear cups for beer and wine.

A motion to approve Ordinance No. 15-017 was made by Kenn Wiltshire, seconded by Niki Hutto.

Councilor Wiltshire withdrew his motion to approve Ordinance No. 15-017 after Councilor Williams questioned if he had an ethical conflict that should prevent him from voting on this ordinance.

A motion to approve Ordinance No. 15-017 was made by Niki Hutto, seconded by Betty Boles.

Those who voted in favor were Mayor Adams, Niki Hutto, Linda Edwards, and Betty Boles. Johnny Williams and Ronnie Ables voted against. Kenn Wiltshire abstained due to a possible conflict of interest.

The motion passed 4-2.

Councilor Edwards asked the City Manager to request an official ethics ruling for clarity.

CONSIDER

Ordinance No. 15-018 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning the Portion of a Parcel of Land Located at 704 Milwee Avenue Totaling .43 Acre from RM7 (High Density Residential Manufactured Housing) to R10 (High Density Residential).

(1st reading)

City Manager Charles Barrineau discussed the rezoning request to allow additional multi-family units on 704 Milwee Avenue that is similar to the units that are already there.

No one spoke for or against the proposed ordinance.

DISCUSSION:

City/County Planning Director Phil Lindler confirmed to Councilor Boles that the owner wants to add 10 units per acre.

A motion to deny the rezoning request at 704 Milwee Avenue was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-019 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning a Parcel of Land Located at 607 Gilliam Avenue Totaling .07 Acre from RM7 (High Density Residential Manufactured Housing) to NC (Neighborhood Commercial).

(1st reading)

City/County Planner Phil Lindler informed Council of the rezoning request at 607 Gilliam Avenue that will allow for a restaurant which is a nonconforming structure.

Jenny Cameron of 2010 Ridge Road spoke on behalf of Mr. Satterwhite whom she indicated was unaware of the Planning Commission meeting because of his disabilities. He is requesting the rezoning to Neighborhood Commercial.

DISCUSSION:

Councilor Hutto confirmed to Councilor Boles that the Planning Department will be working on different types of Neighborhood Commercial that will specify the hours of operation and different uses that is more neighborhood friendly. Phil Lindler confirmed that discussion on the Planning Commission level will start next week and should be presented to Council in July or August.

Councilor Edwards stated that she knew the difference between a restaurant and sports bar, with the restaurant opening at 11 a.m. and closes after lunch.

She added that no one in the neighborhood knew of the rezoning request but suggested looking into the different times allowed in Neighborhood Commercial.

Phil Lindler confirmed to Councilors Wiltshire and Williams that, if denied, the same property can be considered for rezoning again after two years unless a majority of Council votes to bring the request back.

Councilor Hutto is concerned if the classification would be fair for the property owner. Phil Lindler suggested Council to table the rezoning request until changes are made to Neighborhood Commercial.

A motion to deny rezoning 607 Gilliam Avenue was made by Kenn Wiltshire, seconded by Johnny Williams.

Kenn Wiltshire voted in favor of denying. Mayor Adams, Niki Hutto, Linda Edwards, Betty Boles, Johnny Williams, and Ronnie Ables voted against.

The motion did not pass 1-6.

A motion to table the rezoning request until changes are made to the Neighborhood Commercial zoning classification was made by Johnny Williams, seconded by Linda Edwards.

Those who voted in favor were Mayor Adams, Niki Hutto, Linda Edwards, Johnny Williams, and Ronnie Ables. Betty Boles and Kenn Wiltshire voted against.

The motion passed 6-2.

CONSIDER

Ordinance No. 15-020 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning a Parcel of Land Located at 1148 Edgefield Street Totaling .78 Acre from R7 (High Density Residential) to OP (Office Professional).

(1st reading)

City/County Planner Phil Lindler discussed the owner's request to rezone the property located near the hospital to Office Professional for possible office use.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to rezone 1148 Edgefield Street to Office Professional was made by Niki Hutto, seconded by Ronnie Ables.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-014 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning One Portion of a Parcel of Land Located at 133 Merrywood Drive Totaling .83 Acre from R4 (Two Family Residential) to GC (General Commercial).

(2nd reading)

Under Unfinished Business, City Manager Charles Barrineau reviewed the request to rezone a portion of a parcel of land at 133 Merrywood Drive that is located near the Chick-fil-a.

DISCUSSION:

City Manager Barrineau confirmed to Councilor Hutto that only the front portion is under consideration.

Councilor Williams stated that the property must be rezoned because it is surrounded by other commercial properties.

Councilor Wiltshire asked if there was any more information as to the owner's plans for the property. City Manager Barrineau stated that it will be some type of retail.

A motion to approve Ordinance No. 15-014 was made by Johnny Williams, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER Under New Business, City Manager Charles Barrineau discussed the City's partnership with Habitat for Humanity to demolish Mineral Court Apartments. Habitat purchased the property with long term hopes of building a single-family neighborhood and the City will use \$25,000 from the Community Development Account to support the demolition.

Resolution No. 15-009 to Financially Support and Partner with Greenwood Area Habitat for Humanity for the Demolition of Mineral Court Apartments.

There was no discussion from Council.

A motion to approve Resolution No. 15-009 was made by Niki Hutto, seconded by Johnny Williams.

The motion passed unanimously.

CONSIDER City Manager Barrineau reminded Council that the City Code requires the Senior Municipal Court Judge and Municipal Court Administrator be appointed by resolution of City Council. Because of Senior Municipal Court Judge Ted Wyndham's retirement, he recommended a four year appointment of Judge Lee Miller as Senior Court Judge and Judge Shameka Brown as the Administrative Municipal Court Judge.

Resolution No. 15-007 to Authorize Appointment of Judges for the Municipal Court in Accordance with Greenwood Code Section 32-2.

A motion to appoint Judge Lee Miller as Senior Municipal Court Judge and Judge Shameka Brown as Administrative Municipal Court Judge was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER City Manager Charles Barrineau described some of the job outlines for the Ministerial Recorder and recommended Mary Jo Carpenter for the Greenwood Municipal Court. He reviewed her work history with the City of Greenwood and the Municipal Court Office.

The Appointment of Mary Jo Carpenter as Ministerial Recorder for the Greenwood Municipal Court.

A motion to appoint Mary Jo Carpenter as Ministerial Recorder for the Greenwood Municipal Court was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

Mayor Adams administered the Oath of Office to Lee Miller, Shameka Brown, and Mary Jo Carpenter.

CONSIDER

Acceptance of the U.S. Department of Justice JAG Grant for the Greenwood Police Department in the Amount of \$25,103.

City Manager Charles Barrineau recommended Council to accept the JAG Grant award that will allow the purchase of body cameras for the Police Department.

DISCUSSION:

Mayor Adams believes the Police Department will receive a credit if the provision of body cameras is approved at the State level. City Manager Barrineau noted that the budget can be amended if body cameras are funded by the State.

A motion to approve the \$25,103 JAG Grant award was made by Kenn Wiltshire, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-021 to Adopt by Reference Greenwood County Ordinance Number 2015-01.

(1st reading)

City Manager Charles Barrineau informed Council of the Bailey Bill, a historical tax credit initiative issued by the State, that Greenwood County Council has already approved. If approved, Council will adopt their ordinance verbatim.

A motion to adopt, by reference, Greenwood County Ordinance Number 2015-01 was made by Linda Edwards, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER

Ordinance No.
15-022 Amending
Greenwood Code
of Ordinances
Section 6-139
and Section 6-
144.

(1st reading)

City Manager Barrineau informed Council of Chief Brooks' recommendation that animal quarantines should be amended to align with State codes to include the definition, description, and location of where the animals are quarantined at the discretion of the County Health Officer.

DISCUSSION:

Councilor Williams stated that DHEC (Department of Health and Environmental Control) quarantined animals for a 21 day period.

City Manager Barrineau confirmed to Councilors Wiltshire and Hutto that this ordinance gives owners options for quarantining their pets (such as the animal shelter). If bitten by a wild animal, the victim must hire a professional trapper.

A motion to amend the Greenwood Code of Ordinances Section 6-139 and Section 6-144 was made by Niki Hutto, and seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Ordinance No.
15-023 to
Establish
Various
Inspection
Related Fees.

(1st reading)

City Manager Barrineau discussed Plan Reviewer and Building & Fire Department re-inspection fees. He noted that the City currently doesn't charge for commercial plan review fees. While many other counties charge 50% of permit fees, he suggested charging 25% for commercial properties, new buildings, additions, and/or enlargements. City Manager Barrineau informed Council that \$25 building re-inspection fees are to be paid prior to inspection and must be paid before a Certificate of Occupancy is issued. The \$25 fire re-inspection fee is for violations of the fire code that hasn't been corrected.

DISCUSSION:

City Manager Barrineau confirmed to Councilor Boles that, although plan review fees are new for the City, it is very common and the Lakelands Homebuilders Association doesn't have any concerns.

Councilor Hutto didn't want to vote until County Council passes the same thing. City Manager Barrineau suggested considering the first reading. If passed, the second reading will be July 20 and will not go into effect until September. Building re-inspection fees are imposed on items that haven't been fixed yet.

Councilor Williams confirmed that public schools are inspected by the State Fire Marshal.

A motion to establish various inspection related fees was made by Johnny Williams, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER

Resolution No.
15-008 to
Support a
Renovation
Budget for the
City of
Greenwood Owned
Main Street
Arcades.

City Manager Charles Barrineau informed Council of the cash flow needed for the renovation of Uptown arcades. He noted that there will be \$500,000 remaining in the budget at the end of the year but the \$1.5 million needed for the total renovation will not be available until the end of 2017. He wanted to know if Council wanted to continue moving forward with the design and research with the intent of doing the whole project that will not start until 2017.

DISCUSSION:

Councilor Williams stated that he doesn't want the City to be bound for two years and suggested that it is better to wait just in case something may happen to any of the other City projects. City Manager Barrineau stated that all projects can be bundled together into a bond. There is still \$100,000 in the budget to assess the arcades.

Mayor Adams needed confirmation if the City needed to move forward now or not. City Manager Barrineau noted that the City doesn't have the cash flow for the project now but can get the construction plan and design started.

Councilor Hutto asked if the project can be done in stages without full funding. City Manager Barrineau stated that DSP Architects can create construction drawings and assess the condition of arcade bricks.

Councilor Ables suggested using the \$100,000 to take care of safety concerns and wait until the City has the money to do the rest. City Manager Barrineau confirmed that the money will be available in the Hospitality Tax fund in 2017.

A motion to approve \$1.5 million for arcade renovation by the end of 2017 was made by Niki Hutto, seconded by Betty Boles.

Those who voted in favor were Mayor Adams, Niki Hutto, and Betty Boles. Linda Edwards, Johnny Williams, and Ronnie Ables voted against. Kenn Wiltshire abstained due to a conflict of interest.

The vote was 3-3 and did not pass.

Councilor Williams preferred not to vote on a large expenditure when there is an election year coming up. Councilor Edwards stated that voting should not be dependent on whether or not they're coming back.

CONSIDER

City Manager Charles Barrineau asked Council for an Executive Session to discuss contractual matters.

Executive Session to Discuss Contractual Matters.

A motion to enter into Executive Session was made by Niki Hutto, seconded by Linda Edwards.

The motion passed unanimously.

CITY MANAGER COMMENTS

There were no comments at this time.

CITY COUNCIL COMMENTS

There were no comments at this time.

ADJOURNMENT

A motion to adjourn was made by Niki Hutto, seconded by Linda Edwards.

Mayor Adams adjourned the meeting at 6:43 p.m.

D. Welborn Adams, Mayor

ATTEST:

City Clerk and Treasurer