

GREENWOOD CITY COUNCIL

August 17, 2015 - 5:30 p.m.

**MINUTES**

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PRESENT

Council Members: Mayor D. Welborn Adams, Linda Edwards, Betty Boles, Kenn Wiltshire, Johnny Williams, and Ronnie Ables; City Manager Charles Barrineau, Assistant City Manager Julia Wilkie, City/County Planning Director Phil Lindler, and City Attorneys Bacot & Padgett; Brian King from gwdToday.com and Colin Riddle from the Index Journal.

Councilor Niki Hutto entered the meeting at 5:36 p.m.; City Clerk Steffanie Dorn entered the meeting at 5:33.

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CALL TO ORDER

Mayor Adams called the meeting in Council Chambers to order at 5:30 p.m.

City Manager Charles Barrineau 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."

City Manager Charles Barrineau confirmed that a quorum was present.

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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 Johnny Williams, seconded by Betty Boles.

The motion passed unanimously.

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RECOGNIZE                      Under Public Appearance, City Manager Charles Barrineau recognized Mr. Jack Logan, Founder of Put Down the Guns Now Young People Organization.

Mr. Jack Logan  
of Put Down the  
Guns Now Young  
People  
Organization.

MAYOR ADAMS                      "Good afternoon, Mr. Logan. I would (like to) remind you we limit these to five minutes, okay?"

JACK LOGAN                      "Mr. Mayor and Council Members, my name is Jack Logan. I'm the Founder of Put Down the Guns Now Young People Organization in the State of South Carolina.

Two years ago, there was a teen, as most of you know, (that) was gunned down here in the City of Greenwood with other teens. Rick and I and other members of our organization traveled up and down this road for two years going to the police trying to find out who killed this teen and shot those other teens. Here's a mother and a grandmother who's waited two years for justice. I did not know that the most recent detective handling this case had left the department, Captain McCallister, who's a very nice man I met with. But that's not acceptable.

I'm here tonight to ask this Council to ask the Chief of Police, Mr. Mayor, to ask S.L.E.D. to come in and investigate this case. This case has been fumbled with (for) two years. This kid was not out to get in any type of trouble. This kid was tending to his own business.

And the second thing I would like to ask this Council for is to provide the Police Department with some money so they can issue up a cash reward. People will talk to solve this case. This mother needs closure. She's not able to work. She's struggling from day to day; mental problems because of losing her child. I lost a mother just to natural death, but I witnessed so many mothers in this State, not in her shape, (or)position, because the other police departments have solved most of the cases in the State of South Carolina.

Greenwood Police has failed this family, has failed its citizens of Greenwood in the City. There is a killer out here and I want the killer behind bars for the rest of his life, whoever committed this hideous crime.

And I ask you as the Mayor, and every elected official, to work with the police and ask the police- (if) they don't have enough in their department, like I said, you can call S.L.E.D., hire a private detective, (or) some other agent to come in and help solve this case so this mother can lay down at night. No, Malik can't come back, but that killer is on the street. He killed once and subject to kill again.

And all I can ask you Mayor, Mr. Mayor, and Council Members here in Greenwood, (is) to help protect other people and the citizens of Greenwood. If I had it my way, if was an officer, all those other teens who got shot, (because) they know exactly who shot them, all of them would be in jail too. This mother's son was just out; (and) had (been struck by) a stray bullet. That could've been me. That could've been the Mayor. That could've been the City Manager. It could've been anyone. And all I ask of y'all is to bring closure to this mother."

LATASHA PADGETT "May I please say something?"

JACK LOGAN "Sure."

LATASHA PADGETT "I have been on depression medicine for two years. I've never been on depression medicine in my life. I haven't got a decent night of sleep in two years."

(unidentified) "And she can't go home."

LATASHA PADGETT "I can't even live by myself. I'm having nightmares of my child being killed."

MAYOR ADAMS "I don't want to cut you off, but I do appreciate your situation. We have met with the Police Chief. We've met the detective. We are very much aware of the situation. Councilwoman Boles, (and) myself, had a meeting today as a matter of fact. Unfortunately, this can't be resolved until some members come forward from the community and serve as witnesses. That's what's holding us back. It's not a situation of more money being needed. It's certainly not our police staff, but there are, like you said, there are people who know who did it..."

JACK LOGAN "Right."

BETTY BOLES "Um, hmmm"

MAYOR ADAMS "And they got to come forward. I'll give you a phone number, 942-8407, 942-8407. (If) someone knows and will come forward as a witness, we can have justice tomorrow for your son."

We got to have that witness to come forward. You can't...it won't work unless that witness comes forward.

And I'm sorry. I hate this happened. I really...I really...It's a terrible, terrible situation. It's awful and I'm very sorry about it, but no police and S.L.E.D.-no police force can do anything without a willing witness. Now that's, that's, that's the issue here. And that's why the Solicitor was not able to, you know, go forth when the arrests were made.

So, you know, I understand and I appreciate the situation. We are on top of it and I believe justice will be done. Justice will be served, but we got to have somebody to come forward."

JACK LOGAN "Alright. Our eyes will be on the City of Greenwood. We won't stop. We have not stopped."

MAYOR ADAMS "We don't want you to."

JACK LOGAN "Right. We're not going to stop and, Mr. Mayor, that's still not acceptable to me what you just said. I do believe people can come in. People do know who did it, but again, reward money help..."

(unidentified) "Yeah, that's how they found (inaudible)..."

JACK LOGAN "...reward money help and other agencies can come in. People are scared here because they don't trust the law enforcement here. I-that's what they feed back to me. I don't know. But all I can do is ask y'all to continue to bring justice and closure to this family and to the people-the innocent citizens in the City of Greenwood. I repeat, if you kill once, you'll kill again. Thank you, very much. But our eyes are on the City of Greenwood."

MAYOR ADAMS "Thank you."

BETTY BOLES "I got one question."

MAYOR ADAMS "Mrs. Boles would like to comment."

BETTY BOLES (speaking to Mayor Adams) "Well, they're going now so I can ask them later. I just wanted to know...maybe with the...um... Ms. Padgett...are they leaving? Ms. Padgett, right?"

(speaking to Ms. Padgett) "Excuse me, Ms. Padgett? One question. Have you been able to raise any money on your own for the reward?"

LATASHA PADGETT "I can't work right now. I'm disabled."

BETTY BOLES "Okay, (have) any friends or family made any offers or anything like that?"

LATASHA PADGETT (inaudible)

BETTY BOLES "Maybe, you know, once you get it started, then more money would probably be contributed to put forth as a reward money. But usually, you know, the-usually in a lot of the cases, the families and friends, they start first and then other people, um, will, you know, (be) willing to give and donate. And maybe something, you know, if, you know, (you) might want to look into that, we can talk about doing a fund raiser to raise some money to- for that case? And then, once you get started, a lot of times more people will contribute because they're not aware that it's being done. So that's something that we can, you know, we can start on, or we can work on."

LINDA EDWARDS "And I would just like to say my heart goes out when I even heard about it. But it's just (as) we are saying, something needs to be done. But, if somebody is not brave enough and not willing to put themselves aside and come forth... I agree with you, somebody at that gathering knows what happened and know who they are. But, when you start talking to people about coming forward, I don't care how much money you're putting up... The first thing is, if they kill once... Like you said, if it they kill one time, they'll kill again. How do I know (when) I'm not sitting in my house...?"

BETTY BOLES "Umm, hum."

LINDA EDWARDS "Now, word travels. You can keep it as secret as you want to, but there's always somebody that knows when somebody else is talking. And, unless somebody step up, I mean stop thinking about yourself (and) put yourself in the place that this could happen in my family (and) 'I'm gonna speak out whatever the cost; and we just not having that.' I'm in agreement with you. Somebody know because somebody was standing right beside this young man..."

BETTY BOLES "Umm, hmm."

LINDA EDWARDS "...but they're not gonna talk because they figure, 'If they gun him down like that, I'm next.' And you can put up all the money you want, some people (are) just not talking; not even for money. You hear a lot of street talk, but you can't put no value to that. You don't know how much of that is true, but there is a lot of street talk. But when it come to, as your sign say, getting justice for this young man, everybody clams up.

Nobody knows anything, and I think that's ridiculous. We had a young man that was not a citizen of Greenwood, came to Greenwood to visit, so I'm told, and get gunned down. That's a tragedy because the same thing could happen with the youth that are in Greenwood. You all know somebody. Talk to 'em and tell 'em, 'Please, please, if you know (something)...' you might be surprised what you know. But somebody got to take the first step and step forward and open your mouth. Everybody can't sit back and be scared. Don't-we never will get justice (for) anybody that dies a violent death such as this young man did.

Now, my heart goes out to you because I have children and I have grandchildren and I can't even begin to think how that mother feels. I can only empathize with her. But I don't want to see it happen to anybody else, be they black, white, Hispanic, or whom(ever). A child is a child and a life is a life and you don't know how it feels until it happens to you.

So I'm hoping, somewhere along the line, somebody will step up and do the right thing, but that's hard."

MAYOR ADAMS

"Well said."

CONSIDER

Ordinance No.  
15-025 Amending  
the City of  
Greenwood  
Taxicab  
Ordinance.

Under Public Hearings, City Manager Charles Barrineau reviewed the proposed amended Taxicab Ordinance with eliminated and updated language. There were no changes since the first reading.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

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

A motion to approve Ordinance No. 15-025 was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-026 Deleting Sections 10-27 and 10-53 of the City of Greenwood Code of Ordinances.

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

City Manager Charles Barrineau reviewed the deleted sections from the City Business License Ordinance that were replaced by the new Uptown Market fee structure.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to approve Ordinance No. 15-026 was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-027 Amending Ordinance 03-010, Zoning Ordinance, Chapter 3, Adding Section 3.3.7., NS (Neighborhood Services); along with Sections 3.3.7.1., 3.3.7.2., 3.3.7.3., & 3.3.7.4. Additional and Conditional Uses Allowed.

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

City Manager Charles Barrineau recognized City/County Planning Director Phil Lindler who discussed Neighborhood Services (NS) as a new zoning designation. It is basically a Neighborhood Commercial zone that has been pared down to a limited amount of uses that will be allowed within the district. All permitted uses and conditional uses would be limited to 2,500 square feet of gross floor area on the ground floor and limited hours of operation from 7 a.m. to 9 p.m.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to add the Neighborhood Services section and its uses to the Zoning Ordinance was made by Betty Boles, seconded by Niki Hutto.

The motion passed unanimously.

## CONSIDER

Ordinance No.  
15-028 Amending  
Ordinance No.  
03-010, Zoning  
Ordinance,  
Chapter 12,  
Administration  
and Enforcement;  
Article 3,  
Zoning  
Amendments;  
Sections 12.3.3.  
Application for  
Amendment and  
12.3.7.  
City/County  
Council Action.

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

City/County Planning Director Phil Lindler discussed the proposed ordinance amendment that will allow for additional language requiring a site plan showing the proposed usage, including any structural additions, as a part of their submittal package. The applicant must attend Council meetings to present their proposal and respond to questions or their request will be tabled or denied.

No one spoke for or against the proposed ordinance.

**DISCUSSION:**

Phil Lindler confirmed to Councilor Boles that the last part of the ordinance stating, '...the Zoning Official shall amend the Official Zoning Maps within one (1) day of the final reading by the City Council...' has been a part of the Zoning Ordinance since 2004. He confirmed to Councilor Edwards that Section 12.3.3.D., requiring the site plan and proposed usage to be included in the application packet, will be added to the ordinance.

Councilor Niki Hutto confirmed that, with this amendment, Council should already know what the request is, but the applicant must be present at the meeting.

A motion to amend Chapter 12 of the Zoning Ordinance was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

CONSIDER Under Unfinished Business, City Manager Charles Barrineau reviewed Ordinance 15-024 that gave definitions and uses for Community Centers and Social Clubs/Halls. There were no changes since first reading.

Ordinance No. 15-024 Amending Ordinance 03-010, Zoning Ordinance, Chapter 2, Definitions; Chapter 3, Section 3.2.1.2., Conditional Uses Allowed in All Residential Districts; and Sections 3.2.2.2., 3.3.4.2., 3.3.5.2., and 3.4.2.2., Conditional Uses Allowed.

There was no discussion from Council.

A motion to approve Ordinance 15-024 was made by Betty Boles, seconded by Niki Hutto.

The motion passed unanimously.

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

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**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 606 Gilliam Avenue Totaling .07 Acre from RM7 (High Density Residential Manufactured Housing) to NS (Neighborhood Services).

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

Under New Business, City Manager Barrineau reminded Council of their first discussion regarding the proposed rezoning request at 606 Gilliam Avenue to Neighborhood Commercial. It was tabled for that particular meeting and has now been placed again on this agenda for a Neighborhood Services rezoning consideration. If passed, it will be scheduled for a public hearing at second reading.

City/County Planning Director Phil Lindler reviewed the tabled discussion for the old Try Me restaurant that is now under consideration for Neighborhood Services. If approved, the uses will be limited to that zoning designation.

**DISCUSSION:**

Councilor Hutto asked about parking for the restaurant. City/County Planning Director Lindler couldn't confirm the total spaces for the site but the parking standard for a restaurant is one for every three seats and one additional parking space for every two employees for the restaurant. Occupancy is set by the Fire Marshall.

A motion to rezone 606 Gilliam Avenue to Neighborhood Services was made by Kenn Wiltshire, seconded by Betty Boles.

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

The motion passed 6-1.

Council gave the City Manager permission to hold the public hearing and second reading of this ordinance, along with proposed Ordinance No. 15-027, on Tuesday, September 8.

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CONSIDER  
Ordinance No.  
15-029  
Authorizing a  
Lease for a  
Portion of  
Property within  
the Right-of-Way  
of North Creek  
Drive.

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

City Manager Charles Barrineau informed Council that there are no recorded easements to the property within the right-of way of North Creek Drive so the City owns the sign. The shopping center is under contract to be purchased and the City Attorney(s) are working with the buyer's attorney for a formal lease agreement.

**DISCUSSION:**

City Manager Barrineau confirmed to Councilor Edwards that the City owns and maintains the whole street where the sign is located.

A motion to authorize a lease agreement for a portion of the property within the right-of-way of North Creek Drive was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

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CONSIDER  
To Authorize  
Funding for  
Improvements to  
a City Owned  
Parking Lot at  
115 Harvey  
Avenue.

City Manager Charles Barrineau reminded Council that 2007 was the last time the parking lot adjoining the Inn on the Square and neighboring businesses has had any maintenance from the City. He requested \$20,000 of improvements for the parking lot be funded from the Hospitality Tax account. He is also working with the Commissioners of Public Works to improve the lighting.

**DISCUSSION:**

Councilor Edwards asked if Mr. McGrier has been consulted. City Manager Barrineau confirmed that none of the spaces will be marked and most surrounding businesses agreed to have their patrons utilize the outermost spaces. He also confirmed to Councilor Ronnie Ables that it is a public parking lot and he's only asking for Council's consideration to make improvements.

Councilor Hutto noted that she observed how greatly the hotel has been improved.

City Manager Barrineau confirmed to Betty Boles that the opening date will be in October.

A motion to authorize funding for improvements at the City owned parking lot at 115 Harvey Avenue was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

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CONSIDER

To Authorize  
Funding for  
Demolition of  
Burned Structure  
at 216 Smythe  
Avenue.

City Manager Charles Barrineau informed Council of the house that burned last November. Research revealed the property owner is an LLC out of Texas which is connected to an LLC out of California that had a lease-to-own arrangement without insurance. Because the structure is coded as an imminent danger and no local person was found to issue a summons or pay taxes since last year, the City Manager believes the owner will abandon the property.

The average bid to demolish the house may be \$5,000 but City Manager Barrineau wanted Council's permission before requesting any bids for an actual cost. Although there are other structures that need demolition, he requested Council to approve the funds to be taken from the Community Fund because of the eminent danger.

**DISCUSSION:**

City Manager Barrineau confirmed to Councilor Ables that a lien will be recorded on the property and possibly sold at a tax sale.

A motion to authorize funding for demolition of the burned structure at 216 Smythe Avenue was made by Linda Edwards, seconded by Kenn Wiltshire.

The motion passed unanimously.

Councilor Edwards asked about the status of properties off of Magnolia Avenue and James Street that need to be demolished. City Manager Barrineau is hoping for a grant that will help fund demolitions on structures that would otherwise deplete the whole Community Fund.

Councilor Johnny Williams noted that he saw on television where 30 to 40 demolitions were done at one time. City Manager Barrineau confirmed that Community Development Block Grant programs conduct a survey every five years regarding their effectiveness and every surrounding county need demolitions in every community across the board.

CITY MANAGER COMMENTS                      City Manager Barrineau reminded Council of the following dates:

- Monday, September 7 - Labor Day
- Tuesday, September 8 - Work Session
- Thursday September 10 at 11 a.m. - MASC Regional Meeting at the Arts Center

CONSIDER    City Manager Charles Barrineau asked Council for an Executive Session to discuss:

Executive Session                      to                      • A Contractual matter regarding indigent defense.  
 Discuss    • A Legal/Contractual matter regarding the City's  
 Contractual and    nonprofit letter of understanding agreement.  
 Legal Matters.

A motion to enter into Executive Session was made by Betty Boles, seconded by Niki Hutto.

The motion passed unanimously.

The meeting adjourned into Executive Session at 6:10 p.m.

CITY COUNCIL COMMENTS                      There was no discussion at this time.

ADJOURNMENT    A motion to adjourn was made by Lind Edwards, seconded by Kenn Wiltshire.

Mayor Adams adjourned the meeting at 6:47 p.m.

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 D. Welborn Adams, Mayor

ATTEST:

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 City Clerk and Treasurer