

GREENWOOD CITY COUNCIL

May 19, 2014 - 5:32 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, Police Chief Gerald Brooks, City Attorney Tripp Padgett, and City/County Planner Director Phil Lindler; Brian King of Gwdtoday.com and Chris Trainor of the Index Journal.

ABSENT Assistant to City Manager Julia Wilkie, and City Clerk Steffanie Dorn.

CALL TO ORDER After the invocation was given by Councilor Linda Edwards, Mayor Adams called the meeting in Council Chambers to order at 5:32 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 Manager Charles Barrineau confirmed that a quorum was 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 Ronnie Ables, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Ordinance No. 14-011 Amending Section 402 of the City of Greenwood Code of Ordinances.

City Manager Charles Barrineau reviewed the proposed amendment to update a portion of the code that referred to the Alcoholic Beverage Commission which is no more.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

(2nd reading)

A motion to approve Ordinance 14-011 was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

-attach-

CONSIDER

Ordinance No. 14-012 Providing for the Issuance and Sale of a Not Exceeding Three Million Dollars (\$3,000,000) Hospitality Fee Revenue Bond, Series 2014 of the City of Greenwood, South Carolina, and Other Matters Relating Thereto.

City Manager Charles Barrineau reviewed the proposed \$3 million Hospitality Tax Revenue Bond Ordinance to be used for the Uptown Market project.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

(2nd reading)

A motion to approve Ordinance No. 14-012 was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

-attach-

CONSIDER
 Ordinance No. 14-013 Imposing a Temporary Suspension of Certain Municipal Code Provisions along Designated Section(s) Main Street the During the Three Day South Carolina Festival of Discovery.

City Manager Charles Barrineau reviewed the proposed ordinance to allow the possession and consumption of beer and wine along designated sections on Main Street during the three days of the Festival of Discovery.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to approve Ordinance 14-013 was made by Kenn Wiltshire, seconded by Niki Hutto.

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

(2nd reading)

The motion passed 5-2.

-attach-

CONSIDER
 Ordinance No. 14-015 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Two Adjacent Parcels of Land Located at 316 and 318 West Alexander Avenue Totaling 0.63 Acres from OP (Office Professional) to IP (Institutional Professional).

City Manager Barrineau recognized the City/County Planning Director Phil Lindler who discussed the request to rezone 316 and 318 West Alexander Avenue to operate a group home. He confirmed to Councilor Ronnie Ables that no one spoke in opposition at the hearing and the Planning Commission recommended approval.

No one spoke against the proposed ordinance.

Robbie Strickland, co-founder and owner of God's Way Recovery Community, Inc., spoke in favor of the rezoning request to operate an alcohol and drug in-treatment center for women. Their other facilities have a 70% success rate of clients who become productive citizens.

Councilor Betty Boles inquired of their current location and if the facility accepts local patients. Mr. Strickland noted that they're currently located at 316 and 318 West Alexander but didn't know that the property wasn't zoned for group homes. They can but generally don't accept local patients because of their familiarity of the area to get access to alcohol and drugs.

(1st reading)

Councilors Ronnie Ables and Niki Hutto inquired of the organization's length of operation and the acceptance of male clients. Mr. Strickland stated he took over 927 Brooks Street for the latter part of January from Laura Kenny who operated the Light House that was based on the Faith Home.

Councilor Edwards inquired if the location was near the Hospice House. Mr. Strickland noted that it's located further down and across the street. Mayor Adams agreed that it's a good location.

A motion to rezone 316 and 318 West Alexander Street from Office Professional to Institutional Professional was made by Kenn Wiltshire, seconded by Johnny Williams.

The motion passed unanimously.

-attach-

<p>CONSIDER</p> <p>Ordinance No. 14-008</p> <p>Authorizing the Renaming of Hampton Street to Hampton Avenue.</p> <p>(2nd reading)</p>	<p>Under Unfinished Business, City Manager Charles Barrineau reviewed the GIS request to formally change Hampton Street to Hampton Avenue.</p> <p>Motion to rename Hampton Street to Hampton Avenue was made by Linda Edwards, seconded by Niki Hutto.</p> <p>Those who voted in favor were Mayor Adams, Niki Hutto, Linda Edwards, Betty Boles, Johnny Williams, and Ronnie Ables. Kenn Wiltshire voted against.</p>
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The motion passed 6-1.

-attach-

CONSIDER City Manager Charles Barrineau reviewed the GIS request to rename Fuller Avenue to Wright Avenue in the Mathews Mill Village.

Ordinance No. 14-009
 Authorizing the Renaming of Fuller Avenue to Wright Avenue.

A motion to rename Fuller Avenue to Wright Avenue was made by Linda Edwards, seconded by Ronnie Ables.

(2nd reading) The motion passed unanimously.

-attach-

CONSIDER City Manager Charles Barrineau reviewed the proposed zoning change that would allow mobile food truck vendors to operate in General and Core Commercial areas. Phil Lindler reminded Councilor Boles that seating and restroom requirements were deleted from the proposed ordinance.

Ordinance No. 14-010 Amending Ordinance 03-010, Zoning Ordinance, Chapter 3, Section 3.3.4.2. Additional Conditional Uses Permitted in GC (General Commercial) and Section 3.3.5.2. (Additional Conditional Uses Permitted in CC (Core Commercial)).

A motion to approve the proposed amended zoning ordinance to allow mobile food trucks in General and Core Commercial was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

(1st reading)

-attach-

CONSIDER

Ordinance No.
14-014 Adding
Section 26.11
Stop and
Identify.

(1st reading)

Under New Business, City Manager Charles Barrineau discussed the proposed ordinance to help protect police officers. It will require an individual to give their name, address, and date of birth to law enforcement when they're suspected of committing, have committed, or are about to commit a criminal act.

Councilor Edwards had concerns regarding the term, "...has committed a crime" relating to past incidences and the effects of a person giving false information to police officers. City Attorney Tripp Padgett noted that under this statute, police are required to get information to rule an individual out or confirm that that they're a suspect. Prior acts are subject to a reasonable analysis by the court. Councilor Kenn Wiltshire noted that this shouldn't give police permission to stop someone because they have a criminal history.

Councilor Betty Boles had concerns that this proposed ordinance may be used in an abusive way by police officers. She inquired of any age restrictions, if an individual would be punished under Section 1-13 if they exercised their Miranda Rights, and how exactly will this help police officers. Tripp Padgett noted that with this law, an individual would be required to give their information unless they opt to use their 5th Amendment Right protection. Councilor Wiltshire added that, once their information is given to police, they can research and call for backup if the person is a violent offender.

Councilor Johnny Williams thought that it was already policy for police to ask for identification. Councilor Edwards is concerned of the rush to make this into a law when this procedure has been going on already. Councilor Wiltshire stated that this procedure has been in practice for a long time and this proposed ordinance only formalizes it. City Manager Barrineau noted that there isn't a rush to pass this ordinance and voting can be postponed for Council to get more information from Chief Brooks.

Councilor Hutto thought this ordinance was more of a "caught in the act" type procedure. Tripp Padgett stated that this ordinance is more of a request for information from a pedestrian.

Councilor Wiltshire inquired if this ordinance applies only to felonies. Tripp Padgett noted that it's for any incident under investigation.

Mayor Adams inquired if this ordinance gives policemen the right to ask a person's information if they're just suspicious. Tripp Padgett stated that police must state the reason why they're requesting information from an individual.

A motion to approve the ordinance adding Section 26.11 Stop and Identify to the Code of Ordinances was made by Kenn Wiltshire, seconded by Johnny Williams.

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

The motion passed 5-2.

-attach-

CONSIDER
Resolution 14-
003 for Post-
Issuance Tax
Compliance
Policies and
Procedures for
Tax-Exempt
Bonds.

City Manager Charles Barrineau recognized Lawrence Flynn from the Pope Zeigler Law Firm to review the proposed Hospitality Tax Revenue Bond. He noted that the bonds will be issued on Wednesday and documents were signed but the IRS wanted information on local tax policies and procedures. Once they are in receipt of the Hospitality Tax Bond Ordinance and are assured that the City will not make any money off the IRS, the rate will be confirmed at the intended 1.11%. He requested that Council allow the Pope Zeigler Law Firm to put terms on paper in case of an audit. If things change, they can make supplements.

A motion to approve Resolution 14-003 was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

-attach-

CONSIDER
 Allocation from
 Beautification
 Fund, Rose
 Garden
 Endowment, to
 the Greenwood
 City Garden
 Club for the
 Construction
 for the City
 Garden Rose
 Garden at West
 Cambridge
 Avenue.

City Manager Charles Barrineau reminded Council of Mr. Bob Haynie's request for the City to reimburse \$7,000 of Greenwood City Garden Club's expenses at the City's Men Garden. He recommended Council to use funds from two old beautification accounts; one for beautification and the other for the rose garden. He confirmed to Councilor Hutto that the garden club will purchase their own sign.

A motion to allocate funds from the Rose Fund endowment in the Beautification Fund was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER
 Executive
 Session to
 Discuss a Legal
 Matter.

City Manager requested a brief Executive Session to discuss a legal matter after he presented a video marking the 10th anniversary of the City Center Master Plan Conception.

Councilor Boles made a motion to adjourn into Executive Session, seconded by Niki Hutto.

The motion passed unanimously.

CITY MANAGER
 COMMENTS

There were no comments at this time.

CITY COUNCIL
 COMMENTS

There were no comments from City Council.

ADJOURNMENT

A motion to adjoin the meeting was made by Linda Edwards, seconded by Niki Hutto.

The meeting adjourned at 6:43 p.m.

 D. Welborn Adams, Mayor

ATTEST:

 City Clerk and Treasurer