

GREENWOOD CITY COUNCIL

June 17, 2013 - 5:33 p.m.

MINUTES

PRESENT Council Members: Mayor D. Welborn Adams, Linda Edwards, Betty Boles, Kenn Wiltshire, Johnny Williams, and Ronnie Ables. City Manager Charles Barrineau, Assistant to City Manager Julia Wilkie, City Clerk Steffanie Dorn, City Police Chief Gerald Brooks, and City/County Planning Director Phil Lindler; City Attorney Tripp Padgett; Brian King of GwdToday.com and Chris Trainor of the Index Journal.

ABSENT Niki Hutto

CALL TO ORDER The meeting in the Council Chambers was called to order by Mayor Adams at 5:33 p.m. and he welcomed everyone to the meeting.

Councilor Linda Edwards gave the invocation.

QUORUM AND STATEMENT 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 stated that there was 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 Johnny Williams, seconded by Kenn Wiltshire.

The motion passed unanimously.

CONSIDER Carolina Day. Under Proclamations, Mayor Adams recognized and presented a proclamation to Pierce Stockman, Jr. Mr. Stockman informed Council that Carolina Day is the celebration of the anniversary of when the British left South Carolina in 1783. He noted that Charleston celebrates with a big parade and hopes that Greenwood will do the same.

CONSIDER Lander University Team Fan Day. Mayor Adams noted that Lander University Team Fan Day will be 5:30 p.m., Thursday, June 20, at the Bearcat topiary in Uptown.

CONSIDER Ordinance No. 13-015 for Beer/Wine Sections during the Festival of Discovery. Under Public Hearings, City Manager Charles Barrineau reviewed the proposed ordinance that will allow for beer and wine consumption in specific areas during the Festival of Discovery. No one spoke for or against the proposed ordinance. There was no discussion from Council.

(2nd reading)

A motion to approve Ordinance No. 13-015 was made by Kenn Wiltshire, seconded by Betty Boles.

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

The motion passed 4-2.

-attach-

CONSIDER
Ordinance No.
13-017 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning a 0.18
Acre Parcel of
Land Located at
410 West Durst
Avenue from GC
(General
Commercial) to
R7 (High Density
Residential).

(1st reading)

City Manager Charles Barrineau recognized City/County Planning Director Phil Lindler who informed Council of the request by Aaron P. Layer to rezone the parcel located at the southeast corner of Lander University campus. It was most currently used as a commercial office but the owner now wants to use it as a residence. Because R7 is cattycorner from Durst Avenue, it is the most similar zoning district in the area.

Councilor Kenn Wiltshire inquired if the property will be split into a duplex. Phil Lindler stated that the owner desires a residential use but may consider a duplex at a later time. Councilor Betty Boles inquired if the owner will live there. Phil Lindler stated that the owner may stay in one unit and rent the other or may rent both units.

Councilor Betty Boles inquired of adequate parking, and if there were any opposition from residents. Phil Lindler noted that there are parking spaces at the rear of the building and in front but will not be a factor if rezoned to residential. His office received calls of concern regarding the multi-family use but no one spoke in opposition. Fraternity houses are not allowed in R7 zoning.

No one spoke for or against the proposed ordinance.

Phil Lindler clarified to Councilor Linda Edwards that, if the property is rezoned to R7, there will be a two year waiting period if the owner may want to change back to General Commercial.

A motion to approve the rezoning of 410 West Durst Avenue was made by Kenn Wiltshire, seconded by Johnny Williams.

The motion passed unanimously.

-attach-

CONSIDER

Ordinance No.
13-018 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning Three
Contiguous
Parcels of Land
Totaling 1.18
Acres, Two
Unaddressed and
the Third
Located at 221
West Durst
Avenue, from R4
(Medium Density
Residential) to
R12 (High
Density
Residential).

(1st reading)

Mayor Adams deferred presiding over the agenda item to Mayor Pro Tempore Ronnie Ables due to a conflict of interest.

Phil Lindler informed Council that the property is located on the corner of Lawson Street and West Durst Avenue, just east of Lander University's Main Campus. The rezoning will allow for fraternity housing if it is located up to 1,000 feet from a college or university and this property is located 360 feet from Lander University campus.

Those speaking against the proposed rezoning:

Taylor Tucker of 202 West Durst Avenue requested everyone who would be affected and are against the proposed rezoning to raise their hands. (Many hands were raised.) She stated that the neighbors are happy with their property values and neighborhood. She noted problems with trash, fighting, and drag racing from renters who were not monitored by homeowners. The neighbors respect the developers' desire to build on the property as long as it is within the current zoning laws. Councilor Wiltshire asked why no one spoke against the previous zoning change. Ms. Tucker knows the owner and believes he will do the right thing concerning the neighborhood.

Karen Crow of 214 West Durst Avenue has three children that live in front of this property. They just purchased the home and want to stay but don't want to raise her children in front of three fraternity chapters.

Carol Burgess of 107 West Durst Avenue grew up in the neighborhood on Lawson Street. She reported that her neighbor's son's fraternity rented the house next door that became very disruptive. She believes the quality of life of the people who live there now is more important than changing the zoning and moving in that many unsupervised young men.

Nancy Cochran lives in the neighborhood with her 98 year old mother. She doesn't want fraternity houses in the neighborhood because Lander University has no jurisdiction of them if located off campus.

Bill Wilson, who lives on 121 West Gate Drive and owns two single family residences in front of 221 West Durst, stated that he's not against frat houses, but the proposed location of them on West Durst Avenue.

He believes that it will change the dynamics of the street and rezoning to R12 will be a disservice to residents.

Pam Moore of 210 West Durst Avenue is against the rezoning because West Durst Avenue is a family oriented street and there is enough traffic on the road.

Betty Harper of 307 West Durst Avenue has lived there since 1950. She is opposed to the rezoning because it is a bad idea for an old neighborhood and the increased traffic.

Calvin Richardson is a 15 year resident of West Durst Avenue. He noted that he had problems with noise and late night parties at a rental home behind his. A lot of money is spent for the upkeep of the houses in the neighborhood and he doesn't see any benefit for having extra people living there. West Durst Avenue is a quiet street and may be old enough to be a historical neighborhood that definitely doesn't need additional traffic.

Those who spoke in favor of the proposed rezoning:

Russell Lawrence of 202 Harbor Cove Road, Ninety Six, South Carolina, was hired to sell the properties to the developers from Augusta, Georgia, that were once interested in Sunnyside. He presented a poster showing three, four bedroom, four bathroom homes, stating that the developers are offering to spend \$1.25 million for them. Mr. Lawrence doesn't believe that they will allow bad things to happen on their properties for that much of an investment. He stated that there will be plenty of parking located in the back and noted the location of apartments next to the properties.

Councilor Wiltshire would be in favor of rezoning if the proposed development was only two houses. He inquired of who will have ownership once sold. Mr. Lawrence stated that once sold, the property will belong to the investors located in Augusta, Georgia. He is not sure if the developers would pursue only two houses instead of three.

Councilor Betty Boles would be in favor of fraternity houses if mandated by Lander University. She asked if the properties were rentals and the age of House Parent. Mr. Lawrence stated fraternal houses will be rented year round. If there were to be many complaints, it will be disbanded. The House Parent will most likely be a graduate student.

Councilor Edwards confirmed that the sale of the properties is contingent upon the rezoning. She noted that she has problems with outsiders building worse situations for those who own their homes.

Campbell Wiltshire, the son of Councilor Wiltshire, didn't speak for or against the rezoning but shared his experience with fraternity housing at the University of South Carolina.

Randy Boutknight, Vice President of Student Affairs at Lander University, stated that he had no knowledge of the development. There is a difference between a Greek Row and a residential area. He hasn't spoken with any national offices regarding their interest in being a part of a fraternity on or off campus. He did note that fraternity houses are businesses that must be full to make rental payments but is not sure if their national fraternities have that number.

Councilor Johnny Williams noted that Friday night means parties and Saturday is cleanup at fraternity houses. His neighborhood got rid of a sorority that was renting a home in the area.

A motion to deny rezoning the three contiguous parcels located on West Durst Avenue was made by Johnny Williams, seconded by Linda Edwards.

Those who voted to deny were Mayor Pro Tempore Ronnie Ables, Linda Edwards, Betty Boles, Kenn Wiltshire and Johnny Williams. Mayor Adams didn't vote due to a conflict of interest.

The motion passed 5-0.

CONSIDER

Ordinance No.
13-019
Authorizing the
Renaming of
Smith Street to
Alta Vista
Street.

(1st reading)

City Manager Charles Barrineau informed Council of the request from the Greenwood County GIS Department to rename Smith Street because of name duplication.

No one spoke for or against the proposed ordinance.

Councilor Edwards inquired of the location. Councilor Wiltshire stated that it is the road beside the New Springs Church. He doesn't believe that anyone will be affected by the name change.

A motion to rename Smith Street to Alta Vista Street was made by Kenn Wiltshire, seconded by Betty Boles.

The motion passed unanimously.

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<p>CONSIDER</p> <p>Ordinance No. 13-020 Amending Ordinance Number 12-024, the City of Greenwood Budgets for 2013.</p>	<p>Under New Business, City Manager Charles Barrineau reminded Council of the two FEMA grants for fire department equipment totaling \$257,900 that required a \$73,100 local match out of the Capital account. Council also authorized staff to accept a Brownfields Revolving Loan Grant that will be paid back over the next 10 years. The first interest payment of \$3,500 will be paid out of the unallocated reserve account.</p>
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<p>(1st reading)</p>	<p>A motion to amend the City of Greenwood budgets for 2013 was made by Johnny Williams, seconded by Ronnie Ables.</p>
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The motion passed unanimously.

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<p>CONSIDER</p> <p>Ordinance No. 13-021 Adding Section 14-24 of the City of Greenwood Code of Ordinances.</p>	<p>City Manager Charles Barrineau informed Council of a staff member attending a FEMA training event to learn about receiving federal aid. It was discovered that the City needs a policy in place to be reimbursed for exempt employees' pay if a federal disaster is ever to be declared. This policy is only used for a state of emergency where federal aid will be designated and gives the City the option of paying City exempt employees for working overtime. For example, staff was sent to Greenville, South Carolina, to pick up debris after an ice storm.</p>
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<p>(1st reading)</p>	<p>The City Manager confirmed to Councilor Edwards that exempt employees are salaried, not hourly.</p>
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A motion to add Section 14-24 to the City of Greenwood Code of Ordinances was made by Kenn Wiltshire, seconded by Johnny Williams.

The motion passed unanimously.

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CONSIDER

Acceptance of
Bids for Main
Street and Oak
Avenue
Streetscape,
Authorize City
Funding, and
Recommend
Pending SC
Commerce
Approval.

City Manager Charles Barrineau reminded Council of their acceptance of a \$500,000 Community Development Block Grant award this past Fall. Of the anticipated \$875,000 total, \$375,000 was allocated from the local Hospitality Tax fund. Sossamon Construction in Gaffney, South Carolina, had the lowest bid of \$734,257.80. The City Manager believes that they're a qualified construction company that also upgrades water lines and has been in business since 1946. He suggests Council's contingent approval once approved by the South Carolina Department of Commerce.

The City Manager then discussed the additional area at the upper level of the proposed streetscape at the vacant Textile Building to develop a heavy landscaped plaza with cobblestone and the installation of three outdoor swings.

Mayor Adams asked if the City must accept the lowest bid. City Manager Barrineau stated the City will be mandated to do so with the federal funds from the SC Department of Commerce CDBG award.

Councilor Williams inquired of any local contractors that may be qualified for the job. City Manager Barrineau stated that the City will not be allowed to accept anyone other than the lowest bid with federal funding.

Councilor Wiltshire inquired of Sossamon Construction's fee change and if anyone has proper verification. City Manager Barrineau distributed a sheet with the corrected bid amount from Sossamon that showed an accounting error that reduced their contract by \$6,000 which they will honor. He viewed their website that shows their work extensively in the Gaffney, Union, and Spartanburg areas with ball fields, church projects, and roadwork. Davis and Floyd has no immediate past experience but has no reason not to accept their bid.

A motion to accept Sossamon's bid, authorize City funding, and pending SC Department of Commerce recommendation was made by Kenn Wiltshire, seconded by Johnny Williams.

The motion passed unanimously.

City Manager Barrineau assured Councilor Boles that he will look into permission to use a local firm.

CITY MANAGER
COMMENTS

City Manager Barrineau is working on transportation for Greenwood Day for the Greenville Drive Baseball game at Fluor Field. He reminded Council that the July work session was moved from Monday, July 1st to Monday July 8th to discuss vacant CPW seat applications. The letters of request are due Friday at noon.

CITY COUNCIL
COMMENTS

Councilor Wiltshire thanked CPW for all the work they're doing in preparation for the Festival of Discovery.

ADJOURNMENT

A motion to adjourn the meeting was made by Linda Edwards.

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

D. Welborn Adams, Mayor

ATTEST:

City Clerk and Treasurer