

GREENWOOD CITY COUNCIL

November 16, 2015 - 5:30 p.m.

MINUTES

PRESENT

Council Members: Mayor D. Welborn Adams, Niki Hutto, Linda Edwards, Betty Boles, Johnny Williams, and Ronnie Ables; City Manager Charles Barrineau, Assistant City Manager Julia Wilkie, City Clerk Steffanie Dorn, City/County Planning Director Phil Lindler, Police Chief Gerald Brooks, and City Attorney James Padgett; Brian King from gwdToday.com and Colin Riddle from the Index Journal.

Councilor Kenn Wiltshire entered the meeting at 5:32 p.m.

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.

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.

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 Ronnie Ables.

The motion passed unanimously.

Councilor Kenn Wiltshire entered the meeting at 5:32 p.m. and did not vote.

CONSIDER Under Public Hearings, City Manager Charles Barrineau reviewed deleted Section 30-39 of the City of Greenwood Code of Ordinances. If approved, the City will defer to State Law regarding texting while driving.

Ordinance No 15-035 Deleting Section 30-39, E-Mailing or Text Messaging on Mobile Device while Operating a Motor Vehicle, of the City of Greenwood Code of Ordinances.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to approve Ordinance No. 15-035 was made by Betty Boles, seconded by Niki Hutto.

(2nd reading) The motion passed unanimously.

CONSIDER City Manager Charles Barrineau recognized City/County Planning Director Phil Lindler who reminded Council of the owner's previous rezoning request for Neighborhood Commercial. The owner is now requesting the new Neighborhood Services zoning designation that allows for a limited number of uses within the site of no more than 2,500 square feet of gross floor area and 7 a.m. to 9 p.m. operational hours. The City/County Planning Commission recommended approval of the request.

Ordinance No. 15-036 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning One Parcel of Land Located at 209 Booker Street Totaling .35 Acre from R7 (High Density Residential) to NS (Neighborhood Services).

Phil Lindler confirmed to Councilor Linda Edwards that there aren't any plans specified for this building yet.

No one spoke against the proposed ordinance.

Hilton Dodgen spoke on behalf of the owner who is in favor of the rezoning request. There is no buyer at this point but he has received interest for a beauty and barber shop operation in the building. He confirmed to Councilor Betty Boles that there was a beauty and barber shop operating there but the owner hasn't been able to rent the building because of the current zoning. The owner is also aware that it cannot be used as a social club.

(1st reading)

DISCUSSION:

Councilor Kenn Wiltshire commented that Council may want to know what will be placed in that building first. Councilors Niki Hutto and Linda Edwards noted that it must adhere to the Neighborhood Services guidelines.

There was no further discussion from Council.

A motion to rezone 209 Booker Street from High Density Residential to Neighborhood Services was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Ordinance No. 15-037 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning One Parcel of Land Located at 410 Sample Road Totaling .96 Acre from R3 (Medium Density Residential) to NS (Neighborhood Services).

City/County Planning Director Phil Lindler discussed the owner's request to rezone 410 Sample Road to operate a beauty shop. He confirmed to Councilor Hutto that the building will not be a home occupation even though Neighborhood Services does allow it. He also confirmed to Councilor Boles that the building sits among several residences. The Planning Commission recommended approval.

No one spoke against the rezoning request.

Holly Clark, a stylist for four years, spoke in favor of the rezoning request. She stated that she will not be a nuisance but very convenient to her community. Ms. Clark and Councilor Wiltshire confirmed to Councilor Edwards that all nearby residents were aware and are okay with this rezoning request.

There was no further discussion from Council.

(1st reading)

A motion to rezone 410 Sample Road to Neighborhood Services was made by Kenn Wiltshire, seconded by Ronnie Ables.

The motion passed unanimously.

CONSIDER

Ordinance No.
 15-038 Amending
 Ordinance 03-
 010, Zoning
 Ordinance,
 Chapter 3,
 Article 2,
 Sections
 3.2.1.3.,
 3.3.2.3.,
 3.3.4.2.,
 3.4.1.3.,
 Special
 Exceptions
 Requirements for
 Communication
 Towers within
 the City Limits;
 and Article 6,
 Planned
 Development
 District
 Regulations for
 Communication
 Towers within
 the City of
 Greenwood.

City/County Planning Director Phil Lindler discussed the Planning Commission's request for a text amendment to the Zoning Ordinance regarding communication towers. If approved, all applicants that wish to place a tower in the City of Greenwood must receive special exception approval from the Board of Zoning Appeals to include a public hearing and notification to surrounding property owners.

No one spoke for or against the proposed ordinance.

There was no discussion from Council.

A motion to amend Chapter 3, Special Exceptions Requirements for Communication Towers within the City Limits and Planned Development Districts of the City of Greenwood was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

(1st reading)

CONSIDER Under Unfinished Business, City Manager Charles Barrineau reviewed the Board of Architectural Review request to amend the Uptown Greenwood Overlay Ordinance that will allow Uptown businesses selling food and/or beverages to display menu boards attached to the outside of their building.

Ordinance No. 15-033 Amending Ordinance No. 03-030, Zoning Ordinance, Chapter 4, Section 4.6.4.12., Wall Sign Standards For Businesses Selling Food and/or Beverages in the Uptown Greenwood Overlay Zoning District (O-UP).

There was no discussion from Council.

A motion to approve Ordinance 15-033 was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

(2nd reading)

CONSIDER Under New Business, City Manager Charles Barrineau reminded Council that this bond anticipation note would allow the CPW to purchase up to \$10 million of natural gas, if needed. To his knowledge they haven't had to use it, but Council approves this ordinance annually.

Ordinance No. 15-039 to Authorize the City Manager to Issue CPW Revenue Bond Anticipation Notes in 2016.

There was no discussion from Council.

A motion to authorize the City Manager to issue CPW Revenue Bond Anticipation Notes in 2016 was made by Niki Hutto, seconded by Johnny Williams.

(1st reading)

The motion passed unanimously.

CONSIDER City Manager Charles Barrineau informed Council of a slight change of the proposed ordinance with more accurate rates for Worker's Compensation Insurance. He noted the budget is balanced at \$15,019,804, which is an increase of just over \$300,000 from 2015. After reviewing several budgeted line items, he recommended a 7.99 mill tax increase that will be due January 15, 2017.

Ordinance No. 15-040 to Adopt the Budget for 2016.

(1st reading)

There was no discussion from Council.

A motion to adopt the budget for 2016 was made by Niki Hutto, seconded by Kenn Wiltshire.

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

The motion passed 5-2.

CONSIDER

Ordinance No. 15-041 to Levy Tax for the City of Greenwood for 2016.

(1st reading)

City Manager Charles Barrineau reminded Council of the set millage increase at 111.69 for real estate property and 103.7 for motor vehicles.

There was no discussion from Council.

A motion to levy tax in the City of Greenwood for 2016 was made by Kenn Wiltshire, seconded by Betty Boles.

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

The motion passed 5-2.

CONSIDER

Authorizing the Mayor and City Manager to Sign a Joint Agreement with Greenwood County for Special Operations to Include Hazardous Material Mitigation, Confined Space Rescue, High and Low Angle Rope Rescue, and Trench Rescue.

City Manager Charles Barrineau discussed the formal agreement for Greenwood County to pay a \$10,000, one-time, annual transfer for three years to clean meth labs and operate rescues outside City limits. He confirmed to Councilor Boles that Greenwood County will pay the City \$10,000 every year for three years but Council will monitor this agreement annually. Councilor Wiltshire commented that \$10,000 a year is better, considering not receiving anything from prior years.

A motion to authorize the Mayor and City Manager to sign a joint agreement with Greenwood County for special operations was made by Niki Hutto, seconded by Johnny Williams.

DISCUSSION:

City Manager Barrineau confirmed to Councilors Edwards and Hutto that an estimated 20 to 30 calls a year regarding meth labs have been answered throughout the County; about 60% were in the County, versus 40% in the City. Calls for rescues were very rare.

There was no further discussion from Council.

The motion passed unanimously.

CONSIDER

Resolution No. 15-013 Adopting the Greenwood Multi-Jurisdictional Hazard Mitigation Plan.

City Manager Charles Barrineau confirmed to Council that the City is required to have a Multi-Jurisdictional Hazard Mitigation Agreement to qualify for FEMA funds and recommended their approval of the plan. Assistant City Manager Julia Wilkie represented City staff during the meeting process.

DISCUSSION:

Councilor Wiltshire asked if there was a timeline for compliance. Julia Wilkie confirmed that Greenwood County has already adopted a plan that FEMA approved.

There was no further discussion from Council.

A motion to adopt the Greenwood Multi-Jurisdictional Hazard Mitigation Plan was made by Johnny Williams, seconded by Betty Boles.

The motion passed unanimously.

CONSIDER

Resolution No. 15-014 Authorizing Christmas Gifts for City Employees.

City Manager Charles Barrineau reminded Council of the resolution that allows City employees to receive Christmas gift cards (\$50 to those employed over one year and \$25 for those that are part-time and/or employed less than one year) that was budgeted for 2015. He confirmed to Councilor Boles that a past complaint resulted in the State Ethics Commission recommending Council approving a resolution every year.

A motion to authorize Christmas gift cards for City employees was made by Johnny Williams, seconded by Niki Hutto.

The motion passed unanimously.

CONSIDER
Amending the
Indigent Defense
Contract
Authorized on
October 5, 2015.

City Manager Charles Barrineau informed Council of Tommy Stanford's review of the Indigent Defense contract. He requested two amendments that will allow him to have a 30 day notice to opt out of the agreement and a \$250 stipend per appeal, which Judge Miller confirmed is very rare.

A motion to amend the Indigent Defense Contract was made by Kenn Wiltshire, seconded by Niki Hutto.

Linda Edwards had a question and didn't act on the first vote.

DISCUSSION:

City Manager Barrineau confirmed to Councilor Edwards that appeals are very rare and there doesn't have to be a specific reason for a contract termination by the contractor or Council.

City Attorney James Padgett confirmed to Councilor Boles that these terms are for this particular contract. As City Attorney, he works at the pleasure of Council and can be terminated at any time.

The motion passed unanimously on the second vote.

CONSIDER
Reappointing
Cecil Hill and
Wayne Kelly;
Also Fill A
Vacant Position
to the Greenwood
City/County
Planning
Commission.

City Manager Barrineau recommended Council to reappoint Cecil Hill and Wayne Kelly to the City/County Planning Commission. He also asked Council for their recommendation to fill a vacant position.

A motion to reappoint Cecil Hill and Wayne Kelly to the City/County Planning Commission was made by Johnny Williams, seconded by Niki Hutto.

The motion passed unanimously.

CITY MANAGER
COMMENTS

City Manager Charles Barrineau informed Council that regularly scheduled meetings through June 2016 are okay, but July 4th and Labor Day holidays will fall on meeting dates. Council agreed to have their work sessions on Monday, July 11th and Tuesday, August 6th.

CONSIDER

Executive Session to
Discuss a
Contractual Request
Regarding a City
Owned Parcel of
Property.

City Manager Charles Barrineau asked Council to enter into Executive Session to discuss a contractual request regarding a City owned parcel of property.

A motion to enter into Executive Session was made by Betty Boles, seconded by Kenn Wiltshire.

The motion passed unanimously.

The meeting was adjourned into Executive Session at 6:05 p.m.

CITY COUNCIL
COMMENTS

There were no comments at this time.

ADJOURNMENT

A motion to adjourn was made by Betty Boles, seconded by Kenn Wiltshire.

Mayor Adams adjourned the meeting at 6:11 p.m.

D. Welborn Adams, Mayor

ATTEST:

City Clerk and Treasurer