

GREENWOOD CITY COUNCIL

May 21, 2012 - 5:35 p.m.

**MINUTES**

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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 to City Manager Julia Wilkie, City Clerk Steffanie Dorn, Police Chief Gerald Brooks, City/County Planning Director Phil Lindler; City Attorney Tripp Padgett; Michael Davis of GwdToday and Chris Trainor of the Index Journal.

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CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Adams at 5:35 p.m. and he welcomed everyone to the meeting.

Councilor Linda Edwards 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."

The City Clerk, Steffanie Dorn, stated that there was a quorum present.

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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 Betty Boles.

The motion passed unanimously.

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CONSIDER

Ordinance No. 12-009 Amending Ordinance 03-010, Zoning Ordinance, Chapter 3, Section 3.2.1.2., to Allow for Community Agriculture as a Conditional Use in All Residential Zoning Districts.

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

City/County Planning Director Phil Lindler discussed the proposed amendment to the zoning ordinance that was made earlier this year concerning community agriculture. This amendment would change the number of chickens that are allowed at a residence from a maximum of four to six. The Planning Department found after passage of the original ordinance that most businesses, local or internet, only sell chickens in lots of a half dozen. In order to make things a little easier, the Planning Department would like to modify the number of chickens at a residence from four to six.

Mayor Adams inquired of possessing goats. Phil Lindler noted that there is a provision in the ordinance for livestock but no goats or cattle are allowed.

Councilor Betty Boles is concerned that six chickens are too much for a residence. Mayor Adams didn't see a difference from four chickens to six. Councilor Edwards has concerns about the cleanup behind chickens. Phil Lindler stated that if there is a situation where there are a lot of neighbor comments and concerns they will investigate if the owner has too many. If there is a major concern regarding the ordinance, the Planning Department will relay them back to City Council.

A motion to amend the zoning ordinance to allow six chickens per residence was made by Niki Hutto, seconded by Kenn Wiltshire.

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

The motion passed.

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CONSIDER

Ordinance No. 12-010 Annexing Property Owned by Goodwill Industries of Upstate / Midlands SC, Inc.

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

City Manager Barrineau stated this ordinance will allow the annexation of property owned by Goodwill Industries of the Upstate/Midlands SC, Inc. that is located next to Fatz Café. They have chosen to be serviced by Duke Energy as their electrical provider and will be paying the additional franchise fee. He doesn't anticipate a lot of service requirements from the City because they have a garbage compaction system.

A motion to annex property owned by Goodwill Industries of Upstate/Midlands SC, Inc. was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

City Manager Barrineau noted that the property will be zoned City General Commercial.

-attach-

CONSIDER

Ordinance No. 12-011 Annexing Property Owned by Nehemiah Community Revitalization Corporation.

City Manager Charles Barrineau stated this is an ordinance annexing property owned by Nehemiah Community Revitalization Corporation located on Cross Street in the Mathews Mill Village Community. They intend to construct five single family homes to be served by the City and The Commissioners of Public Works (CPW) and is zoned City R-7.

Mr. Tom Faulkner, President of the corporation, stated they are also working with a new nonprofit, Seventh District AME Church, created by elder Samuel McPherson who is basically the assistant Bishop for Greenwood, McCormick, and Abbeville Counties to look at opportunities to strengthen and revitalize neighborhoods. The houses will be compatible with the nature of the neighborhood and may be expensive to rent but some may want to buy on a lease/purchase basis.

Mayor Adams asked for contact information for home renovations. The corporation contact number is 235-0534. Mr. Faulkner noted the corporation is also working with Ruth Laforge and staff of the Upper Savannah Council of Governments.

Councilor Boles inquired of the rent-to-own program. Mr. Faulkner stated that it depends on the funding received. Greenwood, with the support of the Council of Governments, has now established itself as a consortium and incoming funds will give them the flexibility to potentially allow leases/purchases.

A motion to annex property owned by Nehemiah Community Revitalization Corporation was made by Niki Hutto, seconded by Kenn Wiltshire.

The motion passed unanimously.

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CONSIDER

Authorizing the  
City Manager to  
Sign a  
Facilities  
Transfer  
Agreement with  
Duke Energy.

City Manager Barrineau reminded Council of the City's efforts to clean up the mill site off of Kitson Street. Duke Energy requested a substantial payment to remove their electrical services going into the site. Because CPW agreed to remove it for free as their joint effort with the City on the project, Duke Energy asked for a signed agreement for the electric facilities transfer where all the equipment will become the City's property which will then be given to the CPW for proper disposal. The other agreement will be for the easement right-of-way. The City Manager asked Council's permission to sign those agreements pending the City Attorney's review.

Councilor Niki Hutto inquired of the easement location. City Manager noted Duke Energy has an easement from Mason Street crossing over to Mr. Tatum's property through what is now the City's property up to the side of Norwood to Kitson. Mr. Tatum will be asked to sign a similar agreement to remove all the clutter.

A motion to authorize the City Manger to sign a facilities transfer agreement was made by Kenn Wiltshire, seconded by Johnny Williams.

The motion passed unanimously.

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CONSIDER

Ordinance No. 12-012 an Ordinance of the City Council of the City of Greenwood Imposing Temporary Suspension of Certain Municipal Code Provision along a Designated Section of Oregon Avenue for the Purposes of Conducting a One-Night Festival.

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

City Manager Barrineau reminded Council that Click646 creator and Uptown business owner Jon Holloway requested to allow the City a one-time beer and wine permit within Oregon Avenue, a City owned street, during a specific period of Saturday, October 6, 2012. Presently, Section 4-2 of the City Code does not allow for the possession or consumption of alcoholic beverages on any street, highway, park, or public property in the City of Greenwood. Over the last three years, Click 646 has legally obtained a temporary alcohol permit from the SC Department of Revenue to serve beer and wine within an area of private property. This ordinance will temporary suspend Section 4-2 and allow for beer and wine along Oregon Avenue from 5 - 11 p.m. on Saturday, October 6, 2012. Staff researched other cities in the Upstate that currently allow beer and wine on a public street under certain criteria and drafted an ordinance tonight that includes those criteria ranging from fencing off the area to restrict those from leaving with an alcoholic beverage, signage requirements, wristband requirements, and additional insurance of the event naming the City of Greenwood as an additional insured. If approved by Council, staff will assess the results of the event to discuss the feasibility of writing similar requests in the future.

Councilor Johnny Williams stated that drinking should not be allowed because you still can't drink in front of his house and it's against the South Carolina Open Container Law. He's concerned that once this starts, it'll spread like cancer. Councilor Ronnie Ables stated that there should not be any public drinking because it's not a good environment for children.

Councilor Edwards stated that she is not for drinking but is willing to give this event a try since it will be in a confined environment and people will be tagged with wristbands that will be sold for \$1 by the City. City Manager Barrineau confirmed that this part of the event will only last six hours. Mayor Adams stated that he's for it because it will be in a contained area and will bring more people into Uptown Greenwood.

Motion to temporarily suspend certain municipal code provisions along a designated section of Oregon Avenue 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.

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CONSIDER

2012 Paving  
Request to the  
Greenwood County  
Transportation  
Committee.

City Manager Charles Barrineau distributed a list of streets slated for repaving and/or repairs and noted that a slight amendment will be made. He thinks the Greenwood County Transportation Committee (CTC) will put all focus on the reclamation process where the State will actually reclaim rural roads, grind them up, and put it back down. He doesn't think the City will receive the same range of money as before but the estimated costs are \$145,247. The first four streets that will be paved are: Spring Valley, Wiley Court, Meadow Street (off of Taggart), and Walnut Street in Blyth Heights where the sewer underneath has been patched a number of times but the whole road needs resurfacing. All the deep patching sections are Walnut Street, Independence Way, Rock Knoll Drive, Kathwood Drive, Lupo Drive, Pam Avenue, Milton Street, Adrian Avenue, and Edward Avenue. He asked Council to consider the request in the order he listed if the City receives \$100,000 or less.

Councilor Williams asked how much money the City sent back to the CTC last year. City Manager Barrineau stated that the City always returned unused monies, about \$50,000 to \$75,000 last year, to be reallocated to the County.

Motion to approve the paving request to the Greenwood CTC was made by Kenn Wiltshire, seconded by Ronnie Ables.

Under discussion, Councilor Edwards received confirmation from City Manager Barrineau that the first four streets are for paving and the second set is listed for just deep patching.

The motion passed unanimously.

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CITY MANAGER  
COMMENTS

There were no comments at this time.

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CITY COUNCIL COMMENTS      Counselor Kenn Wiltshire inquired of the 13% increase in parking fines. City Manager Barrineau stated the attendant isn't doing anything different but the increase may be due to the increased traffic in Uptown. Councilor Johnny Williams suggested to eliminate parking fees for even more traffic in Uptown and no available spaces.

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

Mayor Adams adjourned the meeting at 6:16 p.m.

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D. Welborn Adams, Mayor

ATTEST:

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City Clerk and Treasurer