

GREENWOOD CITY COUNCIL

April 18, 2011 - 5:34 p.m.

**MINUTES**

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PRESENT Council Members: Mayor Pro Tempore Linda Edwards, Niki Hutto, Betty Boles, Johnny Williams, and Ronnie Ables. City Manager Charles Barrineau; City Clerk Steffanie Dorn; City Attorneys Adam Bacot and James Padgett, III; City/County Planning Director Phil Lindler; Leslie Lane of GreenwoodToday.com and Chris Trainor of the Index Journal.

Kenn Wiltshire entered the meeting at 5:54 p.m.

ABSENT Mayor D. Welborn Adams, Assistant to the City Manager, Julia Wilkie

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CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Pro Tempore Linda Edwards at 5:34 p.m. and she gave the invocation.

STATEMENT AND QUORUM Mayor Pro Tempore Edwards 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 Pro Tempore Edwards 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.

RECOGNIZE Under Public Appearance, Mayor Pro Tempore Linda Edwards recognized Ms. Virginia Boyd, CPS/CAP, and presented the Administrative Professionals Week Proclamation.

Virginia Boyd,  
 CPS/CAP,  
 International  
 Director,  
 Southeast  
 District;  
 Administrative  
 Professionals  
 Week  
 Proclamation.

CONSIDER Under Public Hearing, Mayor Pro Tempore Edwards read the ordinance and recognized City/County Planning Director Phil Linder who stated that the Planning Commission advised to include all three properties on that corner.

Ordinance No. 11-005 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property Located at 1810 South Main Street from NC (Neighborhood Commercial) to GC (General Commercial).

Mr. Lonnie D. Holloway of 606 Davis Street spoke in favor of the request. He has signed a lease for the old Greenwood Tire building in March, already renovated the inside and is moving towards the outside. He is a Certified Master and Certified Teacher Mechanic and will be providing general auto repair.

Motion to approve rezoning 1810 South Main Street from Neighborhood Commercial to General Commercial was made by Niki Hutto, seconded by Johnny Williams.

(1<sup>st</sup> reading) The motion passed unanimously.

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CONSIDER  
 Ordinance No. 11-004 Adopting and Enacting a New Code for the City of Greenwood, South Carolina; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When Such Code This Ordinance Shall Become Effective.

Under New Business, Mayor Pro Tempore Edwards read the first item and recognized City Manager Charles Barrineau who noted that South Carolina State Code, Section 5-7-290, states that each municipal government shall provide by ordinance the codification and indexing of all ordinances, either type written or printed, in a current form reflecting all amendments and repeals. All ordinances, as codified, shall be available upon public inspection at reasonable times. The last codification for City of Greenwood ordinances was done in 1999. This ordinance will adopt the new codification as of December 2010. The City has contracted with the Municipal Code Corporation and staff reviewed the book for grammatical errors.

Councilor Betty Boles inquired if the new code book is totally completed. City Manager Barrineau stated that staff will keep the new code book updated and any changes to the codes will be sent to the Municipal Code Corporation at \$25 per ordinance to stay current online. He also recognized City Clerk Steffanie Dorn and City Attorneys, Bacot and Padgett, for the many days and reams of paper that were spent working on the codes.

Motion to accept the new code book for the City of Greenwood was made by Betty Boles, seconded by Ronnie Ables.

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

The motion passed unanimously.

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CONSIDER

Ordinance No. 11-006 to Adopt the South Carolina Model Flood Damage Prevention Ordinance Recommended by South Carolina Department of Natural Resources (SC DNR) and Required by the Department of Homeland Security's Federal Emergency Management Agency (FEMA).

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

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that the City of Greenwood didn't make any changes to the SC DNR model ordinance. This model ordinance was approved by FEMA who completed a revaluation of flood hazards within the City of Greenwood, changing weather patterns, erosions and development that can cause flood plain changes to the boundaries. The base flood elevation information obtained is used to identify flood hazards in the community. Prior to May 3 of this year, City Council is mandated by FEMA to adopt, or show evidence of floodplain management regulations, that meet their standards adopted by the Federal Government. These rules must be adopted in order for properties within the City to be eligible for the National Flood Insurance Program (NFIP). It was created in 1968 to help provide a means for property and business owners and renters to financially protect themselves with flood insurance if they participate in the NFIP. The City doesn't have a lot of flooding problems but there are a few areas in flood plains to be examined closely.

Councilor Niki Hutto inquired if the change in regulations were made for new construction in flood plain areas. City Manager Barrineau stated that new construction guidelines will be evaluated at the City/County Engineers Office through the permitting process.

City Manager Barrineau also noted that second reading of this ordinance will be considered at the May 2 Work Session.

Motion to adopt the Flood Damage Prevention Ordinance was made by Niki Hutto, seconded by Betty Boles.

Councilor Kenn Wiltshire entered the meeting at 5:54 p.m. and did not vote.

The motion passed.

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CONSIDER

Ordinance No.  
11-007 Amending  
Sections 15-16  
and 15-20 of  
the City of  
Greenwood code  
of Ordinances.

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

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that this ordinance will exempt from a City Business License for local growers who could show a grower's permit issued by the Clemson Extension. This is the administrative policy that staff is seeking to get Council to put it into code. He's still trying to meet with the Clemson Extension agent to confirm his understanding of their process and prevent them from being too overwhelmed with required inspections. The City Manager will have more information ready by the work session and recommends Council's approval.

Councilor Kenn Wiltshire asked if anything was learned at the last community meeting. City Manager Barrineau stated that it was a very good meeting in regards to the produce stands but not in regards to this particular issue.

Motion to accept growers permit in lieu of a business license was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

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## CONSIDER

Ordinance No. 11-008 Amending Ordinance 08-051 City Council's Policy and Guidelines Governing Participation by the City of Greenwood in the Costs of Health Insurance for Eligible Employees Retiring after December 31, 2008.

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

Mayor Pro Tempore Edwards read the next item and recognized City Clerk Steffanie Dorn who reminded City Council that staff asked for a change in the retirees' insurance policy to better comply with the costs to fund a trust for retirees insurance benefits in 2008. The amount that has been previously approved was no longer enough to cover the percentages because of the increase for health insurance costs this year. This proposed ordinance will increase those amounts to cover the premiums that have been passed on to the City by the State Health Insurance program. The only change is the amount the City will cover, not the allocation.

Mayor Pro Tempore Linda Edwards inquired about the different groups of retirees. Steffanie Dorn explained that there are three groups of retirees:

- Group 1: 28 years in the regular retirement system and 25 years for the Police Department
- Group 2: 23 years in the regular retirement system and 20 years for the Police Department
- Group 3: 18 years in the regular retirement system and 15 years for the Police Department

Motion to amend the policy and guidelines governing participation by the costs of health insurance for eligible employees retiring after December 2008 was made by Kenn Wiltshire, seconded by Niki Hutto.

The motion passed unanimously.

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CONSIDER

Ordinance No.  
11-009 Amending  
the City of  
Greenwood  
Zoning  
Ordinance 03-  
11, by Amending  
Sections  
3.1.3.4. and  
3.3.5.2. to Add  
Farmer's Market  
as a  
Conditional Use  
in CC (Core  
Commercial)  
Zoning  
District.

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that this ordinance will allow a farmers market to locate in core commercial which is predominately the Uptown district.

Motion to amend the ordinance was made by Johnny Williams, seconded by Niki Hutto.

The motion passed unanimously.

-attach-

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

CONSIDER  
 Ordinance No. 11-010 Amending the City of Greenwood Zoning Ordinance, Being Ordinance 03-11, by Amending Sections 3.1.3.4., 3.3.5.2., and 3.3.3.6. to Add the Temporary Outdoor Seasonal Sale of Produce and Perishable Grocery Items as a Conditional Use in the CC (Core Commercial) Zoning District.

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

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that this proposed ordinance will allow the temporary sale of produce and perishable grocery items to include organic beef and flowers in Core Commercial. It will also prohibit any similar uses within 1,000 feet. The ordinance also changes the General Commercial temporary sale period to match what is being considered for Core Commercial from May 1 to August 31.

City/County Planning Director Phil Lindler answered Councilor Wiltshire's inquiry of one seasonal use which meant only one type of produce, or one specific produce stand, per property. For example, an individual property cannot hold three temporary stands at one time. City Manager Barrineau stated that the two stands from the Department of Agriculture will be side by side and considered as one.

Councilors Betty Boles and Linda Edwards inquired about the sale of meat. Councilor Hutto stated that there is already a stand that sells fish. City Manager Barrineau added that the meat can be anything that is DHEC Certified Organic and will be frozen at the time of the sale.

Motion to amend the ordinance to allow temporary outdoor seasonal sale of produce and perishable grocery items was made by Niki Hutto, seconded by Johnny Williams.

The motion passed unanimously.

-attach-

City Manager Barrineau did state that, out of the 80 regional growers and producers he sent letters to who wanted to participate in this program, about 12 of them showed up at the meeting. He feels confident that the City has a strong group of local growers and producers that want to participate in the City's produce stand and are willing to sign up for a calendar of set days because they all are really excited about this.

The actual installation of the stands will begin on Monday, April 25, and should take three to four days to complete with the electrical feed and water tap.

The City Manager anticipates its operation by the second or third week in May. He will have the specifics at the May work session.

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CONSIDER

City Manager's  
Recommendation  
on "C-Funds"  
Request.

After Mayor Pro Tempore Edwards read the next item, Councilor Johnny Williams asked and Councilor Ronnie Ables agreed to postpone making any decisions until Council could take a look at the roads and meet the official, Mr. Jim Hull, of the Greenwood County Transportation Committee (CTC) regarding the criteria for choosing the roads. City Manager Barrineau stated that there are no written criteria other than going by the list submitted by him through the recommendation of the Public Works Director, Billy Allen.

Councilor Ronnie Ables is concerned that there are roads in Blyth Heights that needs paving more than some of the roads listed. City Manager Barrineau stated that he changed the list to remove some of the Blyth Heights roads because of the neighborhood's need of sewer line stability.

Motion to table the "C-Funds" request recommendation and to meet with Mr. Jim Hull and Public Works Director Billy Allen at the next City Council work session was made by Johnny Williams, seconded by Ronnie Ables.

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

The motion passed.

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CONSIDER

Acceptance of  
Quit Claim Deed  
from the  
Greenwood  
Commissioners  
of Public Works  
for the  
Greenwood  
Municipal  
Building.

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that an agreement has been made between the City of Greenwood and the Commissioners of Public Works Attorneys giving ownership of the municipal building to the City. However, the City of Greenwood must share half of the proceeds with the CPW if the building is ever sold.

Motion to accept the quit claim deed was made by Niki Hutto, seconded by Betty Boles.

The motion passed unanimously.

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CONSIDER

Donating Fire  
Equipment to  
the Promise  
Land Fire  
Department.

Mayor Pro Tempore Edwards read the next item and recognized City Manager Charles Barrineau who stated that the City has many sets of turnout gear that is no longer in service by the City of Greenwood Fire Department. The Promise Land Fire Department has requested the equipment and he recommends that the City donate it to them.

Motion to donate the fire equipment was made by Johnny Williams, seconded by Kenn Wiltshire.

The motion passed unanimously.

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CITY MANAGER  
COMMENTS

City Manager Charles Barrineau made the following notes:

- Because of the Good Friday Holiday, Friday trash service will be picked up on Wednesday. Mayor Pro Tempore Edwards asked if he could make flyers in Spanish and English.
- The CPW requests a joint dinner meeting on Thursday, May 5, at 6:30 p.m. at their Operations Center.
- The HVAC and Lighting project is moving along smoothly. He's hoping for an early June completion.
- The Long Alley façade improvement starts this week

or next week. Town and Country Construction is the same company that completed the Maxwell Avenue Façade Project.

- The Uptown Phase V Project which was located in front of the library is finished except for the punch list.
- The Federal Building Courtyard Phase II is going along well. He hopes to have all the new pavers down by the end of the week. He encourages everyone to go by and see it.
- The Dr. Benjamin Mays Dedication ceremony will be next Tuesday at 1 p.m. and the City will provide transportation because of limited parking. There will be a 5:30 p.m. reception at the Federal Building that night. Councilor Kenn Wiltshire stated that he may not be able to make it.

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CITY COUNCIL  
COMMENTS

Councilor Kenn Wiltshire apologized for being late to the meeting. He also wants everyone to attend the Easter Pet Parade this Saturday at 11 a.m.

Councilor Betty Boles stated that the Volunteer Cleaning Project of the City Dump starts April 25. City Manager Barrineau stated that he received a letter from DHEC approving the work plan. The next community meeting will be in June.

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ADJOURNMENT

After no further comments, Mayor Pro Tempore Edwards adjourned the meeting.

The meeting adjourned at 6:34 p.m.

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Linda M. Edwards, Mayor Pro Tempore

ATTEST:

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City Clerk and Treasurer