

GREENWOOD CITY COUNCIL

May 16, 2011 - 5:32 p.m.

**MINUTES**

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PRESENT Council Members: Mayor D. Welborn Adams, Linda Edwards, Kenn Wiltshire, 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; GreenwoodToday.com and Chris Trainor of the Index Journal.

Betty Boles entered the meeting at 5:34 p.m.

ABSENT Niki Hutto; 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 Adams at 5:32 p.m.

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 Kenn Wiltshire.

The motion passed unanimously.

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CONSIDER                      Under Proclamations, Mayor Adams read the Memorial Day Proclamation and presented it to Mr. Terry Weeks, President, of the Greenwood County Coalition of Veteran Organizations and Program Director of the Kinard Manor Veteran's Transitional Housing Facility.

Memorial            Day  
Proclamation.

Councilor Betty Boles entered the meeting at 5:34 p.m.

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RECOGNIZE                      Under Public Appearance, Mayor Adams recognized Mr. Charles H. Herndon, III, of 117 Charles Street who invited everyone to attend the joint town hall meeting between the City and County governments at the library to discuss issues. The Citizens for Better Government of Greenwood is a nonpartisan group that intends to get more people involved in government.

Mr. Charles H.  
Herndon, III. /  
Citizens            for  
Better  
Government        of  
Greenwood.

Councilor Betty Boles inquired about the frequency of town hall meetings because she will not be able to attend this one. Mr. Herndon stated that this will be the group's first town hall meeting even though they did a political candidate forum at Lander University. The Citizens for Better Government of Greenwood meets every month for only one hour at the library with \$25 a year membership dues.

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 Public Hearings, Mayor Adams read the first item and recognized City Manager Charles Barrineau who stated that this ordinance will update the City Code. No changes have been done to this particular ordinance since the last meeting.

No one spoke in favor or against the proposed ordinance.

There were no comments from City Council.

Motion to accept the Ordinance establishing a new code book for the City of Greenwood was made by Ronnie Ables, seconded by Linda Edwards.

The motion passed unanimously.

-attach-

City Manager Barrineau thanked the Finance Director and City Attorneys for their work on this project for over a year.

(2<sup>nd</sup> reading)

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

Mayor Adams read the next item and recognized City Manager Barrineau who stated that this ordinance will exempt from the City Business License requirements of local growers who could show a Certified Grower's Permit issued by the Clemson Extension. He recommends City Council's approval.

No one spoke in favor or against the proposed ordinance.

There was no discussion from Council.

(2<sup>nd</sup> reading)

Motion to adopt Ordinance 11-007 was made by Kenn Wiltshire, seconded by Betty Boles.

The motion passed unanimously.

-attach-

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.

Mayor Adams read the next item and recognized City Manager Barrineau who stated that this ordinance will 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.

No one spoke in favor or against the proposed ordinance.

There was no discussion from Council.

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 Johnny Williams, seconded by Ronnie Ables.

The motion passed unanimously.

-attach-

(2<sup>nd</sup> reading)

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 Adams read the next item and recognized City Manager Barrineau who stated that this ordinance will allow a farmers market to locate in Core Commercial which is predominately in the Uptown district.

No one spoke in favor or against the proposed ordinance.

There was no discussion from Council.

Motion to amend the ordinance was made by Kenn Wiltshire, seconded by Betty Boles.

The motion passed unanimously.

-attach-

(2<sup>nd</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.

(2<sup>nd</sup> reading)

Mayor Adams 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 from May 1 to August 31.

No one spoke in favor or against the proposed ordinance.

Councilor Boles wanted clarification on outdoor retail sales and the temporary sale of seasonal produce and flowers. City Manager Barrineau stated that eggs, meat, and anything that are produce and perishable grocery items only are allowed.

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

The motion passed unanimously.

-attach-

CONSIDER  
 Ordinance No. 11-005 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 1802 & 1810 South Main Street and 124 Kirksey Drive West from NC (Neighborhood Commercial) to GC (General Commercial).

Under Unfinished Business, Mayor Adams read the next item and recognized City Manager Barrineau who stated that this ordinance will change the zoning from Neighborhood Commercial to General Commercial. Approval was recommended from the Planning Commission.

Councilor Linda Edwards asked where 1802 South Main Street was located. City Manager Barrineau stated that it was located in front of 1810 on the same corner. They're owned by different owners but the zoning change will make them a conforming use.

Motion to approve Ordinance 11-005 was made by Ronnie Ables, seconded by Johnny Williams.

The motion passed unanimously.

-attach-

(2<sup>nd</sup> reading)

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

Mayor Adams read the next item and recognized the City Manager who named the following streets that are selected for road improvements:

Hardwood Loop, Cole, South Ames, South Hospital, Yvonne, Squires Court, Baptist Court, Griffin Place, Chesterfield Court, Millwee and Meadows. The total cost to repair the roads is \$264,000 but the Greenwood County Transportation Committee will probably approve a lesser amount.

Motion to approve the "C-Funds" recommendation was made by Betty Boles, seconded by Kenn Wiltshire.

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

The motion passed.

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CONSIDER

Ordinance No.  
11-011 Amending  
Ordinance 10-  
021, the City  
of Greenwood  
2011 General  
Budget.

Mayor Adams read the next item and recognized City Manager Barrineau who stated that the City had a number of items that will require a budget ordinance amendment. This ordinance amendment would allow for \$544,000 to improve the municipal building with the new HVAC and lighting. The City will have a net of \$396,989 in City Capital Improvement Funds to include \$147,000 in grant revenue from the State. To operate the two new produce stands, \$5,000 will be coming out of the Hospitality Tax Account.

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

Councilor Kenn Wiltshire asked if the \$5,000 includes payments to CPW. City Manager Barrineau stated that he anticipates the City having to pay for utilities but the CPW are working with the City for the water tap fee.

Mayor Adams asked when the produce stands will be open. It opens Monday, May 23, at 8 a.m. and will operate on Monday, Tuesday, Thursday and Friday. Lights, flags, and other things will be added this week. The City will also be putting a polyurethane coating on the stands.

Motion to accept the proposed ordinance was made by Johnny Williams, seconded by Kenn Wiltshire.

The motion passed unanimously.

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CONSIDER

Resolution No.  
11-003  
Authorizing and  
Approving the  
Acceptance of  
Certain Loan  
Assistance  
Monies from the  
South Carolina  
Water Quality  
Revolving Fund  
Authority;  
Authorizing the  
Mayor to  
Execute that  
Certain Loan  
Assistance  
Agreement  
between the  
City of  
Greenwood and  
the South  
Carolina Water  
Quality  
Revolving fund  
Authority; and  
Other Matters  
Relating  
Thereeto.

Mayor Adams read the next item and recognized City Manager Charles Barrineau who stated that the Commissioners of Public Works were approved to receive a principal forgiveness loan to run water lines to Augusta Fields Subdivision that is located on US Highway 25 South, just outside the corporate limits of the City. The funding is coming through the State of South Carolina Revolving Fund for drinking water. Even though it is necessary for the City of Greenwood to be a sponsor agency for CPW's application, this will not hamper the City's ability to apply for grants now or in the future. By approving this resolution, City Council is agreeing for the City to have an agreement between the SC Quality Revolving Fund Authority on behalf of the CPW to run waterlines to August Fields.

Mayor Adams asked if the City will be approving this project. City Manager Barrineau stated that only the City of Greenwood's name will be on the project while the CPW administers it.

Councilor Boles inquired about any liabilities. City Manager Barrineau stated that he doesn't anticipate any after doing four similar projects with the CPW.

Greenwood Public Works Commissioner Mike Monaghan told Councilor Linda Edwards that he anticipated the project to start the first of June if the State acts quickly.

Motion to approve Resolution No. 11-003 was made by Betty Boles, seconded by Linda Edwards.

The motion passed unanimously.

-attach-



CONSIDER

Authorizing the City Manager to Sign a Construction Agreement with CSX Transportation Incorporated for Improvements to the Maxwell Avenue Crossing.

Mayor Adams read the next item and recognized City Manager Charles Barrineau who addressed Councilor Johnny Williams inquiry of why the City is providing funds for this project. It is CSX's opinion that the Maxwell Avenue crossing meets their standards and there is no need for any improvements. The Greenwood County Transportation Committee authorized funding and the SC Department of Transportation agreed to provide the necessary traffic control needed during the construction.

CSX believes the concrete panel system, which is above and beyond what they would put at a standard crossing, would cost around \$28,600. The City would also be responsible for the approach on both sides of the tracks at a cost of less than \$25,000. The CTC has authorized over \$50,000 to cover both of those expenditures to be paid from the State Gasoline Tax. Since that time, CSX stated the concrete panel system is actually going to cost \$36,000 but is willing to pay for the difference.

City Attorneys Bacot & Padgett have been reviewing it and made some requests of CSX. The City will only be doing that one time improvement and CSX will maintain the actual concrete system. The asphalt approach on both sides is the responsibility of the Department of Transportation. City Manager Barrineau would like to get authorization from Council to enter into this agreement.

Councilor Wiltshire asked if CSX will do the concrete labor. Mr. Barrineau stated that they will or they may subcontract. All the improvements will be done at one time around the end of the year.

Councilor Boles inquired about the funding. Mr. Barrineau stated that the money will come from the Greenwood CTC. The City will just manage the project.

Motion to authorize the City Manager to sign the construction agreement as amended and approved by City Attorneys was made by Johnny Williams, seconded by Kenn Wiltshire.

The motion passed unanimously.

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CITY MANAGER            There were no comments from the City Manager at this  
COMMENTS                time.

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CITY COUNCIL            Mayor Adams stated to the audience that City Council will  
COMMENTS                not address the Grace Street property tonight but will do  
                              so in the future.

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ADJOURNMENT            Motion to adjourn the meeting was made by Betty Boles.

                              The meeting adjourned at 6:05 p.m.

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ATTEST:

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D. Welborn Adams, Mayor

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City Clerk and Treasurer