

GREENWOOD CITY COUNCIL

January 26, 2009 - 5:28 p.m.

MINUTES

PRESENT Council Members: Mayor Pro Tempore Johnny Williams, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; Phil Lindler; Chris Trainor of the Index Journal and Lesley Lane of Greenwood Today.

CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Pro Tempore Johnny Williams at 5:28 p.m. and he welcomed everyone to the meeting.

Councilwoman, Linda Edwards gave the invocation.

STATEMENT AND QUORUM Mayor Pro Tempore Williams 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 Mayor Pro Tempore then asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mr. Williams, we have a quorum present."

APPROVAL OF CONSENT AGENDA Mayor Pro Tempore Williams asked for a motion to approve the consent agenda.

Motion to approve the consent agenda was made by Barbara Turnburke, seconded by Herbert Vaughn.

The Mayor Pro Tempore asked, "All in favor raise your right hand. So moved."

Motion passed unanimously.

CONSIDER Under Public Hearings, Mayor Pro Tempore Williams asked,
"Is there anybody here who wants to speak to this?
Ordinance No. Well, seeing and hearing none, I will close the public
09-004 Amending hearing. Now, do I have a motion?"
Ordinance No.
05-043,
Franchise Fee on
Revenue of
Electric
Utilities
Serving
Customers in
Areas Annexed
into the City
Limits.

(2nd reading)

LINDA EDWARDS "Did we discuss this?"

MAYOR PRO "This is the second reading of our Duke Power franchise
TEMPORE WILLIAMS agreement."

STEVEN BROWN "This brings the franchise fee in compliance with our
other fees by inserting a penalty for delinquent
payments. They have never been delinquent but we felt
all franchise fee ordinances should include penalties for
late payments."

LINDA EDWARDS "Okay. That was last year, right?"

MAYOR PRO "Yes. Do I have a motion?"
TEMPORE WILLIAMS

Motion was made by Niki Hutto, seconded by Linda Edwards.

"Is there any discussion? Hearing none, all in favor
raise your right hand. So moved."

The motion passed unanimously.

CONSIDER Under Unfinished Business, Mayor Pro Tempore Williams read the first item and asked for a motion.

Ordinance No. 09-001 Amending Ordinance 03-010, Zoning Ordinance, Chapter 3, Section 3.3.4.2. Additional Conditional Uses Permitted in GC (General Commercial).

Motion was made by Niki Hutto, seconded by Barbara Turnburke.

The Mayor Pro Tempore asked, "Is there any discussion?"

(2nd reading)

STEVEN BROWN "Since the last reading, we received a letter on January 12th from Benny Timmerman who operates Benny's Fireworks. He has owned and operated fireworks stands for 37 years in both the City and County but presently sells only inside the City. He has requested that additional days be provided in the ordinance from July 5th to the 8th and the 20th to the 15th of December. After discussing this with Phil, he feels that it is an appropriate request and I didn't see a problem with it. We ask that you adopt the ordinance on second reading with these amendments."

MAYOR PRO TEMPORE WILLIAMS "Do you move to add that, Ms. Hutto?"

BETTY BOLES "It's already been added."

STEVEN BROWN "It's already in the ordinance."

MAYOR PRO TEMPORE WILLIAMS "Okay. Is there any discussion?"

BETTY BOLES "Will this be public information after we approve this ordinance?"

STEVEN BROWN "It was publicized in the paper for the Planning Commission meeting and our Public Hearing."

MAYOR PRO TEMPORE WILLIAMS "Are there any other questions? All in favor raise your right hand. So ordered."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Pro Tempore Williams read the second item and asked, "This ordinance is to stop what's happening on Montague now?"

Ordinance No.
09-002 Amending
Ordinance 03-
010, Zoning
Ordinance,
Chapter 2,
Article 3,
Definitions, to
Amend the
Definition of
Check Cashing
Services.

(2nd reading)

STEVEN BROWN

"Yes, sir. Recently, the City Attorney worked with our staff to ensure that all definitions defined in State law are included in our Zoning Ordinance. Recently, we had a "check cashing business" to apply for a permit in Greenwood. We could enforce our Zoning Ordinance as because we lacked the other definition. This amendment includes the additional definition. If you pass this ordinance, the checking cashing businesses as defined can not be located within a 1,000 of another like business.

STEVEN BROWN

"So we're asking you to put both definitions in the ordinance to prohibit any one of these types from being within 1,000 feet of each other."

MAYOR PRO
TEMPORE WILLAIMS

"Is there any other discussion? Do I have a motion?"

Motion was made by Niki Hutto, seconded by Barbara Turnburke.

"All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Pro Tempore Williams read the third item and asked "Is there any discussion?"

Ordinance No. 09-003 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property (0.24 Acres) Located at 658 Gage Street from RM7 (Residential High Density Manufactured Housing) to NC (Neighborhood Commercial).

(2nd reading)

BETTY BOLES "Weren't there supposed to be some amendments to be corrected or revised by the property owner?"

NIKI HUTTO "You're talking about deed restrictions, Betty."

BETTY BOLES "I just thought that there were some changes that we asked to be in writing from the property owner prior to the approval of the ordinance. Was that correct?"

STEVEN BROWN "Mr. Richardson is here. You may want to post that to him, Mrs. Boles."

LARRY RICHARDSON "We gave you a signed contract with a list of the hours, so on and so forth. Do you have any questions about that?"

STEVEN BROWN "He presented the signed lease agreement at the last meeting that listed the hours of operation and no consumption of beer on the premises."

LARRY RICHARDSON "...No payphones, no congregating or loitering, and the store will be under the Police Department surveillance."

MAYOR PRO TEMPORE WILLIAMS "Is there any other discussion? Do I have a motion?"

Motion was made by Linda Edwards, seconded by Betty Boles.

"All in favor raise your right hand. All opposed? 4-2, the motion passed."

Those who voted in favor were Mayor Pro Tempore Williams, Linda Edwards, Betty Boles and Herbert Vaughn. Niki Hutto and Barbara Turnburke voted against.

The motion passed.

- attach -

CONSIDER

Executive
Session:

Under New Business, Mayor Pro Tempore Williams read the first item and ask for a motion to enter into Executive Session.

a. Receive a
Legal Briefing -
City Attorney

Motion was made by Niki Hutto, seconded by Betty Boles.

b. Discuss
Contractual
Matters - City
Manager and
Assistant City
Manager

Mayor Pro Tempore Williams asked, "All in favor raise your right hand. So ordered."

The motion passed unanimously.

The Business meeting adjourned at 5:40 p.m.

The Business meeting reconvened at 6:29 p.m.

CONSIDER Mayor Pro Tempore Williams read the last item and asked for a motion.

A \$100,000 Construction Loan to Greenwood Communities and Resorts located at 120 Maxwell Avenue for 10 years at 3% Interest.

Motion was made by Niki Hutto, seconded by Linda Edwards.

The Mayor Pro Tempore asked, "All in favor raise your right hand. So moved."

The motion passed unanimously.

CITY COUNCIL COMMENTS There were no comments at this time.

CITY MANAGER COMMENTS There were no comments at this time.

The meeting adjourned at 6:30 p.m.

Johnny F. Williams, Mayor Pro Tempore

ATTEST:

City Clerk and Treasurer