

GREENWOOD CITY COUNCIL

March 16, 2009 - 5:32 p.m.

**MINUTES**

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PRESENT

Council Members: Mayor D. Welborn Adams, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, and Johnny Williams; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; Police Chief Brooks; Chris Trainor of the Index Journal and Lesley Lane of Greenwood Today.

Barbara Turnburke entered into the meeting at 5:34 p.m.

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CALL TO ORDER

The meeting in Council Chambers was called to order by Mayor Adams at 5:32 p.m. and he welcomed everyone to the meeting. The Mayor also gave special greetings to the GLEAMNS Student Leadership Council and asked Mr. Henry Watts to introduce them.

City Manager, Steven Brown, 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 Mayor then asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mr. Mayor, we have 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 Herbert Vaughn.

The Mayor asked, "All in favor please signify by raising your hand. Is there anyone opposed?"

The motion carries."

Motion passed unanimously.

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CONSIDER

Under Public Hearings, Mayor Adams read the first item and recognized the Planning Director.

Ordinance No.  
09-009 Amending  
the City of  
Greenwood's  
Official Zoning  
Map (Ordinance  
No. 04-020) by  
Rezoning  
Properties  
(114.95 Acres)  
Located at 920,  
1002, 1102 &  
1110 Marshall  
Road and an  
Unaddressed  
Parcel Located  
on Carmel Circle  
from OPI (Office  
Professional  
Institutional)  
to IP  
(Institutional  
Professional).

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

PHIL LINDLER

"Thank you, Mr. Mayor and Members of Council. This is a request to rezone a number of properties out on Marshall Road, the largest being Wesley Commons, and some adjacent properties that are single family residential from Office Professional Institutional to Institutional Professional that best fits for assisted living communities. The Planning Commission reported this to you as a recommendation for approval."

MAYOR ADAMS

"Is there anyone in the audience who would like to speak in favor of this ordinance tonight? Is there anyone who would like to speak in opposition to the ordinance? Is there any discussion among Council?"

LINDA EDWARDS

"Where's the unaddressed parcel?"

PHIL LINDLER "It's the one owned by Wesley Commons."

NIKI HUTTO "So all this property is owned by Wesley Commons?"

PHIL LINDLER "No."

NIKI HUTTO "So what is not owned by Wesley Commons?"

PHIL LINDLER "The property at 920 Marshall Road is owned by Irving and Jean Gilchrist, 1002 Marshall Road is owned by Sara Virginia Turner, and 1102 Marshall Road is owned by Nell W. Poore."

LINDA EDWARDS "They're all vacant lots?"

PHIL LINDLER "One is vacant and two have houses on them."

NIKI HUTTO "Why were they zoned OPI to begin with?"

PHIL LINDLER "For the expansion of Wesley Commons and additional uses around that."

MAYOR ADAMS "Is there any further discussion?"

Motion to rezone the properties was made by Johnny Williams, seconded by Betty Boles.

"All in favor signify by hand. Is there anyone opposed? The motion carries."

The motion passed unanimously.

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CONSIDER

Mayor Adams read the second item and recognized the Planning Director.

Ordinance No.  
09-010 Amending  
the City of  
Greenwood's  
Official Zoning  
Map (Ordinance  
No. 04-020) by  
Rezoning  
Properties (1.52  
Acres) Located  
at an  
Unaddressed  
Parcel on East  
Laurel Avenue  
from R10 (High  
Density  
Residential) to  
GC (General  
Commercial).

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

PHIL LINDLER

"Thank you, again. This is a request for an individual property on East Laurel Avenue currently zoned for residential. The request is to rezone the property at the end of Leyland Court that backs up to properties off of the By-Pass, McCravy Law Firm, and Zaxby's to General Commercial. The vacant property was originally zoned C-2, General Commercial, a number of years ago because of the adjacent properties. The City rezoned the property to R10 so that a developer could go through the process to be considered for a possible change.

At the time, the owner was not aware of the change and has made a request to rezone the property back to the original General Commercial category. The Planning Commission reviewed this request last month and recommends denial."

MAYOR ADAMS

"Thank you Mr. Lindler. Is there anyone in the public that would like to speak in favor of this ordinance? Is there anyone who would like to speak in opposition to this ordinance?"

CULLEN BOURNE

"My name is Cullen Bourne and I live at 122 Pin Oak Drive in the Hampton Trace Subdivision which is adjacent to this property. We very much oppose this rezoning for several reasons.

There are six of us owners who have our property lines adjacent to this property that comes within three feet of our fence. We feel, if someone builds a commercial building there, we will have privacy issues. We found out they could build at least a three story building on this property in which we wouldn't have any privacy in our backyards. We're concerned with the commercial noise, trash trucks in particular. We now hear trash trucks even though the woods now create sort of a buffer between our property and Applebees, McCravy Law Firm and Ryan's. We believe that if this land is rezoned there will be much more noise and an increase of traffic, a possibility of crime, and maybe drugs if this would be a motel or something like that. There would be additional lighting that I'm sure would be detrimental to our homes, probably litter, and car noise so we very much oppose the rezoning of this property. We feel that it could actually decrease our home's value. Thank you."

MAYOR ADAMS

"Thank you, Mr. Bourne. Is there anyone else who would like to speak in opposition of this ordinance?"

BENZIE WHITT

"My name is Benzie Whitt and I live at 108 Scenic Court in which the end of this property would be right at my backdoor. I live in the unit on the edge of Ryan's parking lot. We currently have quite a bit of foot traffic through our common area as it is.

This is a predominately a senior neighborhood. We have a lot of widows that walk but do not feel comfortable with strangers walking across our private area. I agree with Mr. Bourne about the trash trucks. You can get up by them every morning.

We feel that, with a hotel, there would not be any privacy at all for the patio homes because they can look directly into my courtyard. So for safety reasons and congestion, I would appreciate it if you would consider not rezoning this property."

MAYOR ADAMS

"Thank you. Is there anyone else who would like to speak in opposition of this ordinance?"

CHARLES MURPHY

"I'm Charles Murphy and I live at 121 Pin Oak Drive in Hampton Trace. I've talked to most of all the neighbors in the three sections surrounding that property and have not spoken to one person who wants this to be changed. They have asked me to request that it remain zoned as it is rather than zoning it commercial. I think we have 24 homes in Hampton Trace and probably about double that on Scenic, Wisteria and Leyland Courts. There are quite a few, as you can see, and no one wants this to be changed.

Thank you."

MAYOR ADAMS "Thank you, Mr. Murphy. Is there anyone else who would like to speak in opposition to this ordinance?"

RICHARD DRUMMOND "My name is Richard Drummond and I live adjacent to the property on Pin Oak Drive. I'm opposed to this because I feel that it would depreciate my property value if it is rezoned to General Commercial. I believe that any business can be located there and I don't know what the restrictions are. The owner of that property could decide to put in a business that would be detrimental to my property value, possibly increase the crime rate, or have late hours of operation. I'm opposed to rezoning that when I believe they could put in some nice town homes such as ours on Leyland Court, as a continuation of that property. So I just wanted to state my opposition."

MAYOR ADAMS "Thank you. Is there anyone else in opposition to this ordinance?"

STEVEN BROWN "I am sure City Council aware of this, but many of these property owners have sold their single family homes in subdivisions and downsized to move in this area. This is, so to speak, their retirement home. When they purchased their homes, they did so with the knowledge the property in question was zoned R-10.

I would just ask City Council to consider the objections to this rezoning. I think it is bad zoning if we change it to General Commercial. We don't know for sure but, if it is going to be a motel, most of them have some type of lounge. There will be music and a lot of traffic, not just from people who are just staying at the motel/hotel but from people who are going to the lounge.

I would ask you to listen very closely to our folks who have opposed this rezoning."

MAYOR ADAMS "Thank you sir."

LINDA EDWARDS "Is it the piece of property at the end of Leyland Court that stretches along all those other businesses?"

STEVEN BROWN "Yes, ma'am. They will probably access it through the Coleman Center parking lot near Applebee's to get to this parcel."

BETTY BOLES "Currently, it's just a vacant lot?"

STEVEN BROWN "Yes, ma'am. It's undeveloped."

MAYOR ADAMS "Is there any further discussion among Council? Is there

a motion?"

Motion to deny the rezoning request was made by Johnny Williams, seconded by Niki Hutto.

"All in favor of denying signify by hand. Is there anyone opposed? The motion carries."

The motion passed unanimously.

- attach -  
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CONSIDER

Mayor Adams read the third item and recognized the Planning Director.

Ordinance No. 09-011 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property (53+ Acre Portion of 149.57 Acres) Located at 212 East Kirksey Drive front on By-Pass 25 Southeast and New Market Street from R2 (Single Family Residential) to GC (General Commercial).

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

PHIL LINDLER

"Thank you, Mr. Mayor. This is a request by Greenwood Timber to rezone a portion of a 53 acre piece of property off of East Kirksey Drive that runs down New Market Street where the two ponds are. The property in question, between By-Pass 25, Sweetwater Road and New Market Street, is requested to be rezoned from Single Family Residential to General Commercial. The Planning Commission reviewed the request and recommends approval."

MAYOR ADAMS "Is there anyone from the public who would like to speak in favor of this request?"

BOB HAYNIE "Mr. Mayor and Council, I'm Bob Haynie of 304 Lodge Drive. I submitted this rezoning and just wanted to say that we don't have any plans ourselves to develop this property. We simply think it makes this property more marketable and in compliance with the comprehensive land use that's underlying there. So, if you have any questions, I'm certainly available."

JOHNNY WILLAIMS "Is that property below the housing y'all built?"

BOB HAYNIE "It's off of Sweetwater Road and By-Pass 25."

NIKI HUTTO "It's below Kirksey Forest."

BOB HAYNIE "Well, off of New Market, Sweetwater, and the By-Pass."

NIKI HUTTO "So, if I'm going south on New Market, would it be on my left hand side?"

BOB HAYNIE "From your house it would be on the left side as you come onto New Market."

NIKI HUTTO "Is that PDD next to the mobile home park?"

JOHNNY WILLIAMS "It's across the road from it."

LINDA EDWARDS "But that's not Mill Pond?"

BOB HAYNIE "The County has that all in one tract for tax purposes but we're only requesting this portion."

NIKI HUTTO "That's located against the GC on the other side. So, that R2 is a vacant piece on the other side of New Market?"

BOB HAYNIE "That R2 is mostly undeveloped until you get up to Marshall Road."

NIKI HUTTO "Yeah, that's not being touched."

BOB HAYNIE "Well, that's not ours. Only the brown section (pointing) is ours on that side of New Market and that's all we're asking to change."

JOHNNY WILLAIMS "You do have General Commercial across the road."

BOB HAYNIE "As it parallels the By-Pass. It then becomes R2."

LINDA EDWARDS "Did you say that this piece of property is located at

Sweetwater and New Market?"

BOB HAYNIE "Sweetwater and New Market is the back of the property. The front would be the eastern By-Pass."

LINDA EDWARDS "So we're dealing with the front part, right?"

BOB HAYNIE "Well, it would be this entire piece from New Market to the front of the By-Pass as it follows the creek."

MAYOR ADAMS "There's no house on this tract, correct?"

NIKI HUTTO "That's across the street."

LINDA EDWARDS "On the By-pass side, right? I was looking at the picture of the house."

MAYOR ADAMS "Thank you, Mr. Haynie. Is there anyone from the public that would like to speak in opposition to this ordinance? Is there any further discussion?"

BETTY BOLES "What is the intent for the property?"

MAYOR ADAMS "Mr. Haynie, currently you have no intent and there's no buyer right now?"

BOB HAYNIE "No, sir. We have no prospects. We're simply thinking that this property should be rezoned, again, to make it more marketable. We are not in the type of development that this would call for and we have no prospective buyers. I wish we did!"

JOHNNY WILLIAMS "Did the Planning Board recommend it?"

BOB HAYNIE "Yes."

NIKI HUTTO "So who is Greenwood Timber, Inc.?"

BOB HAYNIE "Greenwood Timber is basically a timber producing company where we have about 4,000 acres. We're a wholly owned subsidiary of Greenwood Community and Resorts."

NIKI HUTTO "Okay. So Greenwood Timber Inc. and Greenwood Development Corp are basically one in the same with the applicant and property owner are under the same general umbrella?"

BOB HAYNIE "Yes, ma'am. We're all owned by Greenwood Holding."

NIKI HUTTO "If this is rezoned, could the property be cleared for timber if it was commercial property as compared to residential?"

BOB HAYNIE "We have actively practiced silviculture on that site for years. We did a second thin on it some years ago and it would be appropriate for a clear cut within the next seven or ten years, depending on how the trees are growing, if that answers your question."

NIKI HUTTO "Yes and no. So, if it stays residential would there be an opportunity to have it clear cut or will it be just thin cut? I'm asking if there is a difference."

BOB HAYNIE "No. Regardless if the zoning changes or not, until someone buys it for a development tract, we will continue to manage it as timberland."

NIKI HUTTO "Timberland, as it's zoned residential or as it would be zoned commercial?"

BOB HAYNIE "Well, you might do a development cut at some time."

NIKI HUTTO "Does it make a difference? Are there ramifications for how it's cleared or managed?"

BOB HAYNIE "No."

JOHNNY WILLIAMS "In other words, it could be clear cut now."

NIKI HUTTO "It can be clear cut as a residential property, the way things are done in Greenwood."

MAYOR ADAMS "Thank you again, Mr. Haynie. Is there any more discussion among Council? Hearing none, do I have a motion?"

Motion to approve was made by Johnny Williams, seconded by Herbert Vaughn.

"All in favor of the motion as proposed signify by raising your hand. Is there anyone opposed? The motion carries with one opposition."

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

The motion passed.

CONSIDER

Under Unfinished Business, Mayor Adams read the first item and recognized the City Manager.

Ordinance No. 09-005 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties located at an Unaddressed Parcel on Epting Avenue and 510 West Alexander Avenue from OPI (Office Professional Institutional) to OP (Office Professional); and an Unaddressed Parcel on Spring Street from OPI to R4 (Single Family Residential).

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

STEVEN BROWN

"Mr. Mayor, my comments will really apply to Ordinances 09-005, 006, 007 and 008. At the last month's meeting, you voted to change some of these properties to Neighborhood Commercial. We then discovered that some medical offices are not allowed in Neighborhood Commercial and you have directed Phil to recommend revisions allowing medical offices in NC. Later in the agenda, Phil will address those recommendations.

If you look at Ordinance 09-005, I have removed the medical office on 501 Epting. I would recommend postponing second reading on rezoning this property. If you look at the bottom of the third page on the attachment, I have listed those properties which I am recommending to postponed action. If you follow my recommendation, you would postpone action on those until

the proposed revisions are adopted.

I just this would be a way to get the majority of the properties rezoned and postpone action on those that you would prefer Neighborhood Commercial after some changes in the language have been made.

I hope that's clear. So, if you vote on this in a positive manner on second reading, only three of those four properties will be rezoned and action will be postponed on the one that I have highlighted in yellow."

JOHNNY WILLIAMS "But OP ought to automatically go into Neighborhood Commercial."

STEVEN BROWN "That's going to be discussed later in the meeting. This has nothing to do with that. Phil is going to make a recommendation on that, Mr. Williams. If we start discussing that now, it kind of clouds the issue of the other properties."

JOHNNY WILLIAMS "In other words, we're going to split it up. Is that what you're saying?"

MAYOR ADAMS "I think we're not going to vote on certain properties."

STEVEN BROWN "That's right. We're postponing everything that's highlighted in yellow."

NIKI HUTTO "Because they're the ones we have issue with. You have a summary of all the properties, correct?"

STEVEN BROWN "That's right. So you would rezone the Department of Motor Vehicles, 510 W. Alexander, from OPI to NC. The vacant lot on Epting would be rezoned from OPI to NC and the abandoned railroad right-of-way off of Spring from OPI to R4. That's what you'll be voting on under this ordinance but delay any action on the other property."

MAYOR ADAMS "Okay."

Motion to accept the ordinance with the recommended changes was made by Niki Hutto, seconded by Betty Boles.

"All in favor signify by raising your hand. Opposed? The motion carries."

The motion passed unanimously.

- attach -

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CONSIDER

Mayor Adams read the second item and recognized the City Manager.

Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 102 Katie Court & an Unaddressed Parcel on Parkway from OPI (Office Professional Institutional) to OP (Office Professional); 1408 & 1415 West Alexander Avenue from OPI to IP (Institutional Professional); and 420, 516 & 520 Epting Avenue, 1405 Parkway and 311 & 315 West Alexander Avenue from OPI to NC (Neighborhood Commercial).

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

STEVEN BROWN

"There are no changes in this ordinance."

MAYOR ADAMS

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

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

"All in favor signify by raising your hand. Any opposed?"

The motion carries."

Those who voted in favor were: Mayor Adams, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, and Johnny Williams. Barbara Turnburke didn't vote due to a conflict of interest.

The motion passed.

- attach -

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CONSIDER

Mayor Adams read the third item and recognized the City Manager.

Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 1602 Spring Street and 101 & 109 Overland Drive from OPI (Office Professional Institutional) to OP (Office Professional); 1530 & 1547 Parkway from OPI to IP (Institutional Professional); 1505, 1509, 1510, 1515 & 1601 Spring Street, and Unaddressed Parcel on Overland Drive, an Unaddressed Parcel on Epting Avenue, and an Unaddressed Parcel on Parkway from OPI to NC (Neighborhood Commercial); and an Unaddressed Parcel on Spring Street from OPI to GC (General Commercial).

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

STEVEN BROWN

"Mr. Mayor, we are asking you to take action on everything but the medical office and Piedmont Cardiology on 421 Epting; the Galloway Clinic, Dr. Hatfield's office, the medical office on 212 and clinic on Overland; and Family Physicians on 1506 Spring. Those are being postponed."

MAYOR ADAMS

"Is there any further discussion from Council? Do I have a motion?"

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

"All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.

- attach -

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CONSIDER

Mayor Adams read the fourth item and recognized the City Manager.

Ordinance No. 09-008 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 117 & an Unaddressed Parcel on Genesis Circle, 1524 & an Unaddressed Parcel on Parkway, and an Unaddressed Parcel on Edgefield Street from OPI (Office Professional Institutional) to R10 (High Density Residential).

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

STEVEN BROWN

"There are no recommended changes from first reading."

MAYOR ADAMS

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

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

"All in favor signify by a show of hands. Are there any opposed? The motion carries."

The motion passed unanimously.



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RECEIVE

Under New Business, Mayor Adams recognized Mr. Mike Downing.

Audit Report  
from Greene,  
Finney &  
Horton.

MIKE DOWNING

"I'm Mike Downing with Greene, Finney & Horton and I appreciate the opportunity to present the results of our audit for the year ending December 31, 2008. As Steffanie is passing out our management letter, I'm not going to read this because we'll be here for a long time and you'll fall asleep. So I'll just present the highlights and summaries for you in the form of a PowerPoint presentation as we did last year.

In the highlights, we are able to present an unqualified opinion to you this year. There was a planned decrease in the Fund Balance from the General Fund for 2008. The important thing is you do have a very strong financial condition at year end. So the financial statements are your responsibility, not ours. You have engaged us as your independent external auditors to express an opinion on the financial statements. We provide reasonable assurance that the financial statements are materially correct.

We have issued an unqualified opinion this year again. You may think that 'unqualified' is bad but, in the auditor's language, 'unqualified' is the best you can get. We have no qualifications or exceptions to the balances in the basic financial statements."

Mr. Downing presented a report summary to City Council.

"The management letter includes our required communications to management and those charged with governance, which is you (City Council). It basically tells you what our responsibilities as your auditors are. If we had some disagreements with management or issues on items like that, we'd be reporting it in that letter and we had no disagreements or difficulties encountered.

In summary, you have an unqualified opinion from us for this year and the City has a healthy financial condition as of 12/31/08. I would like to say thank you to

Steffanie, her people, and Mr. Brown for the opportunity to present this audit to you. I will entertain any questions that you guys will have at this point."

MAYOR ADAMS "It sounds good. Are there any questions? Thank you, sir. That's good news!"

MIKE DOWNING "Thank you."

STEVEN BROWN "Mr. Mayor, since this is my last audit, let me brag a little. While Steffanie and I take pride in this audit, I think you need to commend yourselves because you have spent the City's money wisely. This is a reflection on your job, as well as our job, in managing the funds.

I'm proud of this audit and the financial condition the City is in. I think it speaks well of you, the administration, the Department Heads, and the employees who work for us. You have one of the best Finance Directors in the State of South Carolina. Please understand the good job that Steffanie Dorn and her people do in the Finance Office. Do not take that for granted and do not take them lightly. They are superior and I'll put them up against anyone. I'm proud of them and I hope you are too."

JOHNNY WILLIAMS "I'd like to thank each and every one of y'all for the job you've done. We might have managed how the money was spent but y'all were the ones who spent it. We had good management telling us how to spend it and we got to recognize that. The people who spent it have done a good job watching how they spent it. So I'd like to personally say thank you to all of the employees."

MAYOR ADAMS "Thank you all. That's very good news!"

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RECEIVE Mayor Adams read the second item and recognized Police Chief Gerald Brooks.

2008 City of  
Greenwood  
Police  
Department  
Annual Report.

CHIEF BROOKS "Good evening. We in law enforcement don't often get to deliver good news so I'm particularly pleased to be here

this evening. We got even more good news for you.

My good news is the City of Greenwood continues to become an even safer community. As you can see from the graph (pointing at screen), violent crimes have decreased by more than 64% since 1997. Our property crimes have also decreased more than 20% for that same period. I'd like to point out that this is not just a crime rate adjusted for population growth which makes a per capita adjustment. These are actual raw numbers of crimes."

Chief Brooks presented a report to City Council.

"In spite of what may be going on elsewhere, the City of Greenwood is getting safer and safer. Before I return to my seat, I'd like to point out that the Police Department can't take all the credit for this good news. We don't operate in a vacuum. We're a part of a larger team known as the City of Greenwood. Our City Council and Mayor, working with our City Manager and Assistant City Manager, have provided us with funds in the budget that we needed to pay competitive salaries and provide our officers with the training and equipment that we need. Not a day goes by that we don't get help in some other fashion or form from every department in the City. We're helped by Administration, Finance, Victim Services, Municipal Court, the City Attorney and Prosecutor, the City Maintenance Shop, Fire Department, Dept of Public Works, Building and Planning Departments, and even the Visitor's and Tourism Bureau. I can't thank them enough.

But I'd also like to thank the men and women of the Police Department. They've answered over 32,500 calls for service last year. That's about 90 calls a day, almost one call every 15 minutes. They have investigated more than 1,100 traffic accidents, made more than 3,900 arrests, and didn't generate a single complaint alleging excessive use of force. Our police officers are hard working, motivated, professional, and care about this community. They put themselves in harm's way every shift that they work and represent us exceptionally well.

I'm grateful to each and every one of them. I'm grateful to you and the City Manager for allowing me to be their Chief. Thank you."

LINDA EDWARDS

"That is an exceptional report but I just wanted to ask one question. I've noticed; in looking at this report, the highest thing you seem to have each year is miscellaneous. What's included in that, just local petty

stuff?"

CHIEF BROOKS

"Well, those are just anything you don't see in the other listings. I guess I'll have to look at your listings and search to see what that is. What you do see is non-crimes that call for service. For instance, it may be something like a funeral escort, a disabled motorist, a cat in the tree, and a person who has fallen but no crime involved.

We get lots of calls for service and we didn't use to get those. It used to be, if someone were to call the police department, nobody would remember the phone number and, by the time they have made it to a phone and looked it up in the book, they'd figure out some kind of way to solve their problem. However, with the advent of the 911 system and everybody carrying a cell phone, they'll call us before there is another thought.

Once we get the call, we'll respond no matter what the nature of the call is. So, we do have an awful a lot of miscellaneous calls but it gives us a chance to render service. I don't think you'll hear us complaining about it because we'd rather you call us and not need us than need us and not call us."

STEVEN BROWN

"I just think it speaks for itself the kind of people that you have working for you. It also speaks well of the people who live inside of the City. I think our Police Department does a good job but these numbers speak well for the City of Greenwood.

Sometimes there is some misinformation on the internet regarding high crime rate in Greenwood. Therefore, these are real, factual numbers and you can spread them anywhere you want. I think, if you compare Greenwood to other smaller or larger cities, I think we have done well. I just think that all of us who have touched this in any manner, from City Council, Administration, the Police Department, and the citizens, we can all feel good about this. I'm proud of the City of Greenwood. I think it speaks well."

MAYOR ADAMS

"I think we all are very proud of the work Chief Brooks' department is doing, especially in this economy. To have those types of numbers is phenomenal. I think it is front page news!"

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CONSIDER Mayor Adams read the third item and recognized the Planning Director.

Proposed  
Amendment to  
Neighborhood  
Zoning  
Classification.

PHIL LINDLER "Thank you, Mr. Mayor. At your work session, you asked us to address the issues within the Zoning Ordinance between the Office Professional, Institutional Professional, and Neighborhood Commercial zoning districts. I've put together an amendment for your consideration that's summed up in the matrix on the front page. The information on the back is basically supplemental information that goes with the format of our Zoning Ordinance. However, you had asked me to take the Office Professional uses and allow them in Neighborhood Commercial so that areas where you see the italicized P's, Permitted Uses, or C's, Conditional Uses, have just been moved over into the Neighborhood Commercial Zoning District. Specifically, that includes the architect and engineer office, financial stock broker, interior design studio, law office, medical dentist and doctor office, office building, and professional office.

Are there any other questions or comments? I wanted to bring this for your review before we send it to the Planning Commission for their recommendation."

STEVEN BROWN "Mr. Mayor, as Phil said, we're trying to make sure that these are the changes you desire. If this satisfies you and your concerns, we will forward it to the Planning Commission."

NIKI HUTTO "I think this will relate to the ones that we left out in the ordinances."

STEVEN BROWN "That's exactly right. This language has been adopted by City Council. If that happens, we would bring those eight or nine properties back to you for second reading."

MAYOR ADAMS "I hate to stir things up but let me see if I got this straight. After this is done, everything that's in Office Professional will be in General Commercial. Is that right?"

- PHIL LINDLER "All your professional uses in Office Professional will be in Neighborhood Commercial."
- JOHNNY WILLIAMS "Why not all because anything in OP is supposed to be neighborhood friendly. If you didn't want OP beside your house, it shouldn't be in there. So, why not all OP go into Neighborhood Commercial? We said that, if you didn't want it beside you, it shouldn't go into OP."
- NIKI HUTTO "Yeah, but that's pretty much what he did."
- JOHNNY WILLIAMS "But why not all OP go into Neighborhood Commercial? If they don't want it, they don't have to use it. Neighborhood Commercial would allow it. Everything under General Commercial goes in but OP should fit in Neighborhood Commercial with no problem. I say why not all of it?"
- PHIL LINDLER "If you do that Mr. Williams, Neighborhood Commercial and Office Professional Zoning Districts will be so similar that..."
- JOHNNY WILLIAMS "But you couldn't get OP in a neighborhood like you could Neighborhood Commercial. You couldn't get OP in the Greenwood Mill Village like when we first started. When we first started OPI, it was strictly neighborhood. But OP, if you don't want it in your neighborhood, shouldn't be. I would never allow anything that would even allow a commercial property in my neighborhood. If it was OP then I shouldn't mind it beside my house. That's my opinion. When we were on that committee, I thought that's what we all agreed on."
- NIKI HUTTO "I think what we're trying to accomplish is to zone certain areas Neighborhood Commercial that are around institutions and medical offices allowing them to function the way they were designed to function."
- JOHNNY WILLIAMS "But OP is Neighborhood (Commercial), strictly. It's for people wanting to go in neighborhoods like a village or somewhere."
- NIKI HUTTO "There could be OP zoning in your neighborhood. OP is just a more transitional friendly zone between Residential. If you had Residential, it would be more palatable for an OP zoning than possibly Neighborhood Commercial. Neighborhood Commercial offers traditional uses but OP can also be used somewhere completely different than a transitional zone or between

residential."

- JOHNNY WILLIAMS "Do you remember in our session when we were drawing all these maps and discussed that Neighborhood Commercial would be Neighborhood Commercial and OP would be strictly for neighborhood-like villages?"
- NIKI HUTTO "Because OP was a transitional zone, you didn't want anything in OP. The problem was that we had OPI which puts the catchall of uses in there. That's why we eliminated the zoning because OPI was basically Neighborhood Commercial, correct?"
- JOHNNY WILLIAMS "No. OPI was made General Commercial, anything you wanted."
- NIKI HUTTO "So OPI was basically a commercial zone."
- JOHNNY WILLIAMS "General Commercial; anything."
- NIKI HUTTO "No, it wasn't quite General Commercial but it had so many elements. So that's how the whole ball of wax started. We still want to have three distinctive zones, correct?"
- JOHNNY WILLIAMS "I was so against OPI because we have put some OPI in the neighborhoods."
- NIKI HUTTO "I understand that. I know exactly why we divided OPI into two zonings because it was the catchall and we eliminated those uses out of OP and IP."
- LINDA EDWARDS "Y'all were in the committee but it seems like you all are confused about what they were doing. Do we need to go back?"
- JOHNNY WILLIAMS "I wasn't confused because that's what we said!"
- LINDA EDWARDS "You keep saying that this is not what y'all did. They're saying that it is what y'all did."
- JOHNNY WILLIAMS "Well, anything that is in Neighborhood Commercial ought to go into OP. That's what I'm saying."
- NIKI HUTTO "Yeah, but that's not anything discussed in the meeting. We discussed that there were certain usages that did not fit the IP or OP in the areas designed for Neighborhood Commercial. The problem now is that we have nonconforming OP in NC so we're trying to eliminate that use. By simply adding those professional offices to NC, we have eliminated that nonconforming use. Is that sort

of it?"

- PHIL LINDLER "It sounds convoluted but that's 100% what has happened."
- MAYOR ADAMS "Are we comfortable with them taking this to zoning?"
- NIKI HUTTO "I am. I don't know about anybody else."
- JOHNNY WILLAAMS "I would like to see OP go in Neighborhood Commercial. It's left up to us to keep it out of neighborhoods. If we don't keep it out of neighborhoods then it's our faults. Neighborhood Commercial has always backed up to neighborhoods."
- NIKI HUTTO "But we're not changing the scope of Neighborhood Commercial. Neighborhood Commercial still has the same uses it always has. We're just adding one more use in Neighborhood Commercial which is Office Professional. We're not changing the other uses of Neighborhood Commercial."
- JOHNNY WILLIAMS "I'm not saying that we're changing it."
- NIKI HUTTO "In essence, Neighborhood Commercial and its uses are remaining the same. We're adding one additional permitted use in Neighborhood Commercial which is offices and professional buildings."
- PHIL LINDLER "Yes, all professional uses that you allow in Office Professional will be moved in Neighborhood Commercial."
- NIKI HUTTO "This is exactly what you said you wanted, Johnny!"
- JOHNNY WILLIAMS "No, I wanted all OP."
- NIKI HUTTO "That is all of OP."
- JOHNNY WILLIAMS "No it is not."
- NIKI HUTTO "Yes it is!"
- JOHNNY WILLIAMS "Is it Phil? He said 'no' a minute ago and he'd better say 'no' now!"
- PHIL LINDLER "You have very few uses in Office Professional that are not professional offices."
- JOHNNY WILLIAMS "So why not all OP go into Neighborhood (Commercial)? Give me a reason!"

- PHIL LINDLER "If you do that, then you are making Neighborhood Commercial almost the same as Office Professional, therefore there is really no use in having two different zones."
- JOHNNY WILLIAMS "Office Professional will come in neighborhoods like Greenwood Mills' personnel office or plating company on Mill Street next to houses. That's allowable in OP but you would never put a Neighborhood Commercial zoning in there. That's what I thought OP was going to be, something I would put beside my house."
- NIKI HUTTO "It is."
- PHIL LINDLER "But, from what you're saying, that can now go into a Neighborhood Commercial zone."
- JOHNNY WILLIAMS "Right. Why not? What would it hurt?"
- BETTY BOLES "If you put them both together then we don't need any distinguished zoning to show a difference."
- PHIL LINDLER "All you're doing is placing one name over here and the other over there but it's the same thing."
- JOHNNY WILLIAMS "If they hadn't messed up OPI, we wouldn't be sitting here today."
- NIKI HUTTO "But they did."
- JOHNNY WILLIAMS "I know they did. So the only thing I'm saying is I wouldn't want Neighborhood Commercial on Mill street where the personnel office is today. OP is perfect for it."
- BETTY BOLES "May I make a suggestion? Let's just postpone this until we can work it out in work session. That way, you can get all of your questions answered and there wouldn't be all this confusion. Apparently all we're doing is passing this on to Planning for approval, right? Could we work on this for everybody to better understand it and pass it on another date?"
- MAYOR ADAMS "It sounds like a good suggestion to me. Let's take it up in work session."

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CONSIDER

Mayor Adams read the fourth item and recognized the Assistant City Manager.

Ordinance No.  
09-012 to  
Authorize an  
Annexation and  
Incentive  
Agreement for  
Project CB2  
(Title Only).

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

CHARLES  
BARRINEAU

"Mr. Mayor and Members of Council, this is an incentive that's exactly the same Council has made in 2006 for a banking institution in the community to encourage annexation. You're allowing staff to enter into an annexation incentive. We would then ask Greenwood County to add this property into the multi-county park and enter into a 15 year special resource tax credit for this banking institution with a tax rebate of 50%.

Again, the terms that we gave this branch for a similar incentive wise annexation project is a requirement to be serviced by the Greenwood CPW and their utilities. We think it is a win/win for us and the CPW. This is first reading. You will take second on the incentive and we'll have to adopt an intergovernmental agreement with Greenwood County to put the property in the multi-county park.

I'll be glad to answer any questions."

MAYOR ADAMS

"Is there any discussion?"

Motion was approved by Niki Hutto, seconded by Johnny Williams.

"All in favor signify by a show of hands. Any opposed? The ordinance passed."

The motion passed unanimously.

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CONSIDER                      Mayor Adams read the fifth item and asked for a motion.  
  
Fair        Housing  
Resolution No.              Motion was approved by Niki Hutto, seconded by Betty  
09-002.                      Boles.

"All in favor signify by a show of hands.    Alright."

The motion passed unanimously.

- attach -

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CONSIDER                      Mayor Adams read the sixth item and asked the City  
   Manager, "I believe we have a list?"  
  
Making  
Recommendations  
to    SCDOT    for  
Use of Federal  
Stimulus  
Funding        for  
Sidewalk  
Enhancements.

STEVEN BROWN              "Yes sir, Mr. Mayor.    We are required to submit a list,  
as per a letter dated March 3<sup>rd</sup>.    We have to submit our  
list to the State by March 31<sup>st</sup>, so we'll have to make a  
decision tonight.

From the meeting with Mr. Brooks, these funds cannot be used to repair broken sidewalks.    It can be used to install new sidewalks and extend others.    The staff is looking into some areas that may need some work.    Included in this list are sidewalk areas around Florida Avenue at Westview Middle School.    We also looked at some handicap problems with sidewalks on Edgefield Street that we know would qualify.    We also looked at the possibility of sidewalks on the right side of Reynolds Avenue towards Cokesbury where people have been walking in that area.    There is the left side of Laurel Avenue from Orchard Park to the Coleman Center.

These folks that were here tonight said that there are no sidewalks because they terminate up the street towards the old Catholic church.

Then I imagine we may want to look at requests that you've had numerous times before from Dr. Walters, the President of Piedmont Tech. He and his family own the apartments across from the Salvation Army store. They have requested sidewalks be placed on that side of the By-Pass so their residents can walk to those businesses. We thought it would be better for us to see if you have, some areas that you would like to add to the list.

It's all going to be competitive because we don't have a certain amount of dollars to spend. We will submit our list and there will be some evaluations of the streets suggested. They will then determine which will be funded. One of the key components of this is it must have available right-of-way. They're not going to buy additional right-of-way nor get into long negotiations. So, if there is existing right-of-way with the road, the street could possibly go higher in the evaluation."

- MAYOR ADAMS "It sounds like a good list. Are there any other ideas from Council?"
- JOHNNY WILLIAMS "You would need some more for that park."
- CHARLES BARRINEAU "We listed it. The only issue is City Streets. They qualify but we'll have to give them a letter."
- STEVEN BROWN "You're talking about Saco and Hunter (Streets). We have them listed."
- JOHNNY WILLIAMS "Saco, Hunter, and what about Lee Street? Lee Street is missing sidewalks and we got right-of-way on all of that property."
- STEVEN BROWN "We'll be glad to add the City owned streets."
- BETTY BOLES "When is the deadline?"
- STEVEN BROWN "March 31<sup>st</sup>."
- BETTY BOLDES "I know that's the deadline for submission but how much time we have before we send recommendations to you? As soon as possible?"
- STEVEN BROWN "If we submit a lot of them, they're all going to be evaluated. The very one you add to the list may just be

the one that they will consider."

NIKI HUTTO "So they haven't put a limit as to how many?"

CHARLES BARRINEAU "They've given some priorities such as proximity to schools and neighborhoods."

LINDA EDWARDS "But it has to be a new construction, not sidewalks already in existence, right?"

STEVEN BROWN "That's what Mr. Brooks said at the meeting I as in last week. They would not consider a repair on existing sidewalks."

JOHNNY WILLIAMS "But they would for handicap ramps?"

STEVEN BROWN "The ADA requirements of handicap ramps do qualify."

JOHNNY WILLIAMS "I've been trying to get Pinson Street handicap ramps fixed for 10 years."

MAYOR ADAMS "Alright. Well, I guess we all will be in touch with you this month."

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CONSIDER Mayor Adams read the last item and asked for a motion.

Executive Session to Discuss a Personnel Matter (City Manager Retirement). Motion was made by Johnny Williams, seconded by Betty Boles.

"All in favor by a show of hands."

The motion carried.

The meeting adjourned at 6:49 p.m.

The meeting reconvened at 7:05 p.m.

CONSIDER                      Mayor Adams read the last item and asked for a motion.

To Extend    an  
Employment    Motion was made by Johnny Williams, seconded by Niki  
Agreement    to                      Hutto.  
Charles  
Barrineau    for  
the Position of                      "All in favor by a show of hands."  
Greenwood City  
Manager  
Effective                      The motion carried.  
October                      1,  
2009.

- attach -

CITY            COUNCIL                      There were no comments at this time.  
COMMENTS

CITY            MANAGER                      There were no comments at this time.  
COMMENTS

The meeting adjourned at 7:06 p.m.

\_\_\_\_\_  
D. Welborn Adams, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk and Treasurer