

GREENWOOD CITY COUNCIL

November 16, 2009 - 5:35 p.m.

MINUTES

PRESENT Council Members: Mayor D. Welborn Adams, Linda Edwards, Betty Boles, Johnny Williams and Barbara Turnburke. City Manager; City Clerk; Chris Trainor of the Index Journal and Marjorie Blalock of Greenwood Today.

Niki Hutto came into the meeting at 5:36 p.m.

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

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."

The City Manager, Charles Barrineau, gave the invocation.

Mayor Adams recognized the new Assistant to the City Manager, Julia Wilkie.

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 Mayor said, "All in favor signify by a show of hands. The motion carries."

The motion passed unanimously.

CONSIDER Under Public Hearings, Mayor Adams recognized the City Manager.

Ordinance No.
09-026
Authorizing
road closure
Approval of a
412 Foot
section of
Graydon Avenue
Adjacent to the
Parcel Located
at 411 Graydon
Avenue.

(1st reading)

CHARLES BARRINEAU "Mr. Mayor, your Planning Director is here but I think I can explain this. Lander University is asking you to consider deeding them a portion of Graydon Avenue. They have purchased the property surrounding Graydon and this portion of the road will become a part of their future Recreational and Wellness Sports Complex."

MAYOR ADAMS "It's at the end of Graydon?"

BETTY BOLES "So it wouldn't affect anyone?"

CHARLES BARRINEAU "That's right."

MAYOR ADAMS "Is there anyone from the public that would like to speak in favor of Ordinance 09-026? Is there anyone who would like to speak in opposition?"

Seeing and hearing none, is there any discussion among Council? Do I have a motion for approval?"

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

"All in favor signify by a show of hands. The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams recognized the City Manager.

Ordinance No.
09-027 Amending
Ordinance 03-
010, Zoning
Ordinance,
Chapter 3,
Section
3.3.1.2.,
Conditional Uses
Allowed in All
Commercial
Districts;
Chapter 4,
Section 4.4.2.,
Corridor Area
Designation; and
Chapter 6,
Section 6.3.6.,
Signs for Which
a Permit is not
Required.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, again Phil is here but I think I can explain this. There are three parts to this ordinance. The Zoning Ordinance, as it was written, did not allow garage/yard sales in commercial districts. We've had many nonprofits that have said they would like to conduct yard sales in their area. This ordinance, as written, allows them to have yard sales up to four times a year but no more than two consecutive days. It's similar to our residential regulation.

The second part is to correct a typographical error. We do not allow campaign signage in the main corridor of U.S. 25/Main Street going through the City. We had 2,500 feet when it really should be 250 feet.

Thirdly, if you remember well over a year ago, your attorney, Steve Welch, researched political campaign signs and did not feel we had the standing to dictate when the signs can actually go up based on Freedom of Speech. This would strike the language that we've had previously saying that campaign signs could not go up two months prior to that election.

All of this was recommended by the Planning Commission for your approval."

MAYOR ADAMS

"Is there anyone who would like to speak in favor of Ordinance 09-027? Is there anyone from the public that would like to speak against it?

Seeing and hearing none, is there any discussion among Council?"

BETTY BOLES

"As far as garage sales, what changed?"

CHARLES
BARRINEAU

"Previously in a commercial designated zone you couldn't have yard sales. We've had Sexual Trauma, The Red Cross, and other nonprofits say that this is a source of revenue. Again, this still limits them to no more than four a year."

MAYOR ADAMS

"Do I have a motion to approve Ordinance 09-027?"

Motion to approve was made by Johnny Williams, seconded by Betty Boles.

"All in favor signify by a show of hands. The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Under New Business, Mayor Adams asked the City Manager, "We have a vacancy on the Board of Architectural Review?"

Appointing
Carmen Kinney to
the Board of
Architectural
Review.

CHARLES
BARRINEAU

"Yes, sir. We've let you know at the work session that Glenda Edwards had resigned from her position. As you recall, Glenda is the wife of Matt Edwards who has relocated to North Carolina. Tonight, we have Carmen Kinney here. Carmen lives in the Old Greenwood Village on Lites Street and also works in the Uptown Area so she's familiar with the historic overlays. Right now, we don't have any member on the Board of Architectural Review that's an actual resident of the Old Greenwood Village Historical Overlay District. We felt, as staff, it would be a good idea to have somebody from that area and Carmen is willing to serve."

MAYOR ADAMS

Does anyone have any questions for Ms. Kinney? I can speak to her aesthetic tastes. She's very, very thorough and does a wonderful job. Would you like to say anything Ms. Kinney?"

CARMEN KINNEY

"No."

MAYOR ADAMS

"Thank you for your willingness to serve!" (laughter)

MAYOR ADAMS

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

A motion was made by Niki Hutto, seconded by Betty Boles.

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams read the Proclamation.

Proclamation of
World Diabetes
Day.

- attach -

CONSIDER

Mayor Adams recognized the Assistant City Manager.

Ordinance No.
09-033 Amending
Ordinance No.
08-047, the City
of Greenwood
2009 General
Budget.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, this is the first reading of an ordinance to amend your 2009 budget. Let me go over a number of items to give you an idea of where we are. You budgeted to use your reserve fund at an estimated \$600,000 this year. We project, at fiscal year end of December 31st, that we will go somewhere to \$250,000 to \$300,000 into the reserve fund this year.

In the first part of this amendment, Greenwood County Council has asked if you would consider sharing the costs to repair the roof of the Law Enforcement Center. As you recall this summer, the roof of the jail was repaired at a cost of \$145,295. The County Council has asked that you pay half at a cost of \$72,647.50.

The second part of the proposed amendment is we have identified a number of items that are included in the budget that we believe can be transferred out of the Capital Improvements Account instead of being taken out of the reserve fund. Those items are different types of equipment and improvements that we've made to the building. If you remember in the summer, the HVAC unit on top of this building went out and it cost the City \$25,000 to replace. So including the jail roof, the improvements made to this building and the capital type of equipment to be purchased, staff recommend that you can transfer from your capital fund \$312,270.

The last number on the screen is the transfer that the staff has recommended from the Hospitality Fund. The Hospitality Tax Law does allow for communities that collect less than \$900,000 of Accommodations Tax to expend up to 20% of the Hospitality Tax collected on operational costs to support visitor tourism and development.

We haven't in the past transferred funds from the Hospitality Account to cover operational expenses particularly for staff overtime, whether it's police officers and public works, to support events such as the Black Cat Rally, the festivals, and Live After 5. We believe that it would be a better use of these monies to transfer them into the General Fund instead of using the General Fund reserve. I'll be glad to answer any questions."

MAYOR ADAMS

"Hearing none, I'll ask for a motion."

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

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams the recognized City Manager.

Resolution No.
09-013 to
Reaffirm the
City and County
of Greenwood
Effort to Work
Jointly
Together for
the Betterment
of All
Greenwood's
Citizens.

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, we ask Council to consider this resolution in conjunction with Ordinance No. 09-033 which approves the expenditure of City Funds to support the roof improvements of the Law Enforcement Center.

Again, this resolution is, for a lack of better terms, a warm fuzzy document which says the City and County will continue to work together at any time either agency proposes something that may impact the other. We will communicate together and come up with the best result for both parties.

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

MAYOR ADAMS

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams recognized the City Manager.

Ordinance No.
09-028
Authorizing the
Issuance and
Delivery from
Time to Time of
One or More
City of
Greenwood,
South Carolina,
Revenue Bond
Anticipation
Notes, in an
Aggregate
Principal
Amount Not to
Exceed
\$10,000,000 in
Anticipation of
the Receipt of
the Proceeds of
the Sale of
Junior Lien
Combined Public
Utility System
Revenue Bonds
of the City of
Greenwood.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, I believe that it has been three years ago since the CPW Bond Council told you that at times they may not have the cash flow to purchase natural gas. They then asked you to pass a bond anticipation note ordinance that will allow them to float revenue anticipations in the market to purchase natural gas. So, annually, we have adopted this ordinance on the Commissioners' behalf allowing them to do it."

NIKI HUTTO

"We do this every year like a yearly renewal?"

CHARLES
BARRINEAU

"That's right."

MAYOR ADAMS

"Do I have a motion to approve?"

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

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams recognized the City Manager.

Ordinance No.
09-029 to Adopt
the Budget for
2010.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Council. First, I want to thank you for the confidence that you have placed in me as your City Manager. The budget is a very important tool that shapes the services that we provide to the citizens of the City of Greenwood. Staff devoted a lot of time to prepare the 2010 budget. I want to thank our Finance Director Steffanie Dorn for all of the hard work she and her staff spent drafting the budget. I also want to thank City department heads for their commitment to developing the 2010 budget.

If you recall back to the 2009 State of the City of Greenwood address, former City Manager Steve Brown described City government as 'sound.' Because of the dedication of Steve Brown and this current Council and members past, City government continues to operate in a 'sound' financial condition. Over the past decade, the City has built its fund balance to optimum levels by always operating under conservative budgeting principals while at the same time working to move Greenwood forward. This practice is allowing your City government to weather the current economic crisis and prepare ourselves to move strongly into the future.

Before you tonight, we present a General Fund budget with total expenses of \$12,798,266. That is down from the

2009 budget of \$12,902,283 just under 1%. For 2010, we anticipate revenue sources to be either flat or declining significantly. As you are aware, the State of South Carolina has struggled financially and consequently reduced state aide-to-subdivisions.

We anticipate a minimum 20% reduction in shared revenues in 2010 or a \$150,000 reduction in funds. As business license revenues for 2010 are based upon gross sales in 2009, we anticipate 2010 collections will be lower. We anticipate real estate and personal property tax growth to remain mostly stagnant. Finally, interest revenue derived from the City's cash reserves is significantly lower compared to prior years as investment rates remain low.

These are some highlights of the 2010 budget:

- The general fund budget includes a \$403,360 5 year lease purchase of equipment. It is critical that we continue to replace equipment on our regular life expectancy rotation or the City will face a significant maintenance cost increase in the future. As shown on the screen, some of the items included for the lease purchase include a new leaf machine, scowbody truck, residential garbage truck, tractor and slope mower, 2 utility vehicles for the police department, and an ATV vehicle for the Fire Department to use during hazmat incidents.
- We request to use \$190,160 from the capital improvement fund to pay for equipment related purchases. The largest single budgeted item is to improve the driveway and parking area at Fire Station No. 1 shown here.
- We propose continuing to freeze 2 police officer positions. We also propose freezing a clerical position in the Police Department. There is also a building inspector position that will continue to remain frozen.
- The budget does not include a cost of living increase for employees.
- We have also reduced expenses well over \$300,000 as compared to the 2009 budget in an effort to utilize the reserve fund as little as possible. The proposed budget tonight is balanced by using slightly over \$100,000 from the reserve fund. We will be monitoring expenses throughout the year in an effort not to use the reserve fund.
- I recommend a mileage increase of 4.1 mils as allowed under the current South Carolina Property Tax Millage Cap. The proposed millage would increase from 97.5 mils to 101.6 mils.

As we have explained during previous budget sessions, Act 388 passed by the legislature in 2006 limits millage increases due to the inflation or the Consumer Price Index plus the growth in population of a City. The 2007/2008 CPI is 3.8% and the population growth for 2008 is .4% for a total eligible millage increase of 4.2%; therefore, we can increase the millage by up to 4.1 mills. Unfortunately, millage caps do not take into account the possibility of a declining revenue environment that we find ourselves in today. Millage caps make it difficult to catch up in future years if additional revenue is needed. A mill brings an estimated \$41,042 of revenue. This increase ensures that we do not go into the reserve an additional \$160,000.

- The average assessed value of a single family residential property in the City is slightly over \$80,000. The millage increase therefore represents an annual increase of \$13.68 on an \$80,000 home.
- The budget document before you includes the General Fund, Victim Services Fund, Visitors and Tourism Office and Hospitality Fund.

Overall, it is important to keep in mind that the City must not sacrifice the future to ease the pain of the present. The budget before you tonight is bare bones; however, it allows us to continue providing the same level of services that our community has come to expect.

I will be happy to answer any questions."

MAYOR ADAMS

"Are there questions? Do I have a motion to approve?"

Motion to approve was made by Johnny Williams, seconded by Niki Hutto.

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

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

The motion passed.

- attach -

CONSIDER Mayor Adams recognized the City Manager.

Ordinance No.
09-030 to Levy
Tax for the
City of
Greenwood for
2010.

(1st reading)

CHARLES BARRINEAU "Mr. Mayor and Members of Council, this is the ordinance to levy taxes that increases the millage for property tax from 97.5 to 101.6. The vehicle taxes in 2010 will remain at 97.5."

MAYOR ADAMS "Are there any questions?"

LINDA EDWARDS "Well, what's going up, property taxes?"

CHARLES BARRINEAU "That's right."

MAYOR ADAMS "Do I have a motion to approve Ordinance 09-030?"

Motion to approve was made by Johnny Williams, seconded by Niki Hutto.

BETTY BOLES "What amount of increase would this be as compared to last year on a percentage basis?"

CHARLIES BARRINEAU "About one half percent. Last year it was a little over three percent. Dollar wise, I would say probably \$11."

NIKI HUTTO "That's about \$13."

CHARLES BARRINEAU "For an \$80,000 home."

MAYOR ADAMS "All in favor signify by a show of hands. Is there anyone opposed? The motion carries."

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

The motion passed.

- attach -

LINDA EDWARDS

"Let me state for the record, I can't in good conscience vote for the raising of property taxes when I do look at the economy. I know we must do what we got to do but people still don't understand that you're raising their taxes when they have no job. It's nothing personal. I've studied it but can't get around the fact that people are losing their homes because they don't have jobs. In the morning, when the Index-Journal and Greenwood Today get through reporting this, we'll hear it. So that's my reason for voting 'No' is this tax. I know we must do what we have to do. I just don't agree with it."

CONSIDER

Mayor Adams recognized the City Manager.

Ordinance No.
09-031 to
Authorize the
City Manager to
Issue Tax
Anticipation
Notes in 2010.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, this is an annual ordinance. We don't anticipate having to use it in 2010, but we always ask Council to approve this in case we do. I'll be happy to answer any questions."

LINDA EDWARDS

"What would be the reason if we ever got into a position of borrowing?"

CHARLES
BARRINEAU

"Ms. Edwards, if we continue to allow the reserve funds to go down, we would not have the cash flow on hand to pay our bills and therefore we would have to borrow anticipation tax monies."

LINDA EDWARDS

"But we never had to use it?"

CHARLES BARRINEAU "I recall from Mr. Brown that the City last issued tax anticipation notes in the early 1990's."

JOHNNY WILLIAMS "We used to use it all the time because we didn't have a fund balance. We started a fund balance in 1986. Then, we had to borrow for a few years until we had the fund balance built and interest rates back then were high. Woo!"

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

Motion to approve was made by Johnny Williams, seconded by Niki Hutto.

"All in favor of Ordinance 09-031 signify by a show of hands. The motion carries."

The motion passed unanimously.

- attach -

CONSIDER Mayor Adams recognized the City Manager.

Ordinance No.
09-032 Adopting
the Business
License
Ordinance for
2010.

(1st reading)

CHARLES BARRINEAU "Mr. Mayor and Members of Council, annually we ask that you adopt the City of Greenwood Business License Ordinance. There are no changes from the 2008 ordinance."

MAYOR ADAMS "Is there any discussion? Do I have a motion?"

Motion to approve was made by Betty Boles, seconded by Barbara Turnburke.

"All in favor signify by a show of hands. The motion carries."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Adams recognized the City Manager.

Resolution No.
09-014
Authorizing
Christmas Gifts
for City
Employees.

(1st reading)

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, by Ordinance Number 90-015, you have annually approved Christmas gift certificates for employees but Council must approve the resolution. This was budgeted for 2009 so the funds are there. I'll be happy to answer any questions."

MAYOR ADAMS

"Is there any discussion? Do I have a motion to approve Resolution 09-014?"

Motion to approve was made by Johnny Williams, seconded by Barbara Turnburke.

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

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

The motion passed.

- attach -

CONSIDER

Mayor Adams recognized the City Manager.

Request from
Healthy
Greenwood
Neighborhoods to
Allocate \$1000
to the HGN
Awards Banquet.

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, Toni Able is here tonight to speak with you for a request from Healthy Greenwood Neighborhoods to approve \$1,000 to support their annual community banquet. Last year, City Council did award that as a response. I can tell you it's my understanding that the Self Family Foundation and Greenwood County also intend to give \$1,000 towards this event.

They do a lot of things to motivate our neighborhoods to strive further. If you are so minded to award this, I would ask that you make a motion to take it out of the community account. I'll be glad to answer any questions."

LINDA EDWARDS

"You said we did this last year?"

CHARLES
BARRINEAU

"Yes, ma'am."

MAYOR ADAMS

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

Motion to approve \$1,000 out of the community account was made by Betty Boles, seconded by Johnny Williams.

"All in favor signify by a show of hands. Is there anyone opposed?"

Those who voted in favor were Mayor Adams, Niki Hutto, Linda Edwards, Betty Boles, and Johnny Williams. Barbara Turnburke abstained due to conflict of interest.

The motion passed.

CONSIDER

Mayor Adams recognized the City Manager.

Reappointing
Robert Redding,
Cecil Hill, and
Myrtle F. Rush
to the
City/County
Planning
Commission.

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, Phil tells me that Mr. Hill and Mrs. Rush are both outstanding members of the Planning Commission and they would like to continue serving. Mr. Redding, if you remember, was just appointed a month ago to fill a vacant position which is now up. We ask that you vote to reappoint all three as soon as possible. I'll be glad to answer any questions."

MAYOR ADAMS

"Do I have a motion for reappointment?"

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

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

The motion passed unanimously.

CONSIDER

Mayor Adams recognized the City Manager.

Appointment to
Vacant Position
on the Greenwood
Regional Tourism
and Visitors
Bureau Advisory
Board.

CHARLES
BARRINEAU

"Mr. Mayor and Members of Council, we discussed this at your work session. Megan Price with Lander University works in their marketing and public relations department."

She introduced herself at the work session and we recommended making her a member to replace Susan Scoggins who was the former manager of the Inn on the Square. Since then it has been changed to Lander on the Square."

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

MAYOR ADAMS

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

The motion passed unanimously.

CITY MANAGER
COMMENTS

The Mayor asked Council if there were any comments.

CHARLES
BARRINEAU

"I wanted to make you aware of the Cambridge Avenue bridge closure. Because of it, we will be changing the Greenwood Christmas Parade this year. The parade will be slightly shorter because the staging area will be Seaboard instead of Cambridge. We will close Seaboard from traffic and the entrance into the parade will be further down Cambridge at the Ole' Workman's location. We will continue to allow traffic on the Phoenix-Pressley Connector until the parade ends but we will be making sure the public is well aware. It'll be December 6 at 2:30 p.m., and we're looking forward to it.

The work session is December 7th and the public hearing for the agenda items and the budget will be December 21st."

LINDA EDWARDS

"Now which way is the parade going?"

CHARLES
BARRINEAU

"The parade will begin at the intersection of Seaboard and Main. The entrance will take a left at the Theatre and Museum and down Main. So instead of beginning on Cambridge, the parade will actually begin on Seaboard and Main."

NIKI HUTTO

"And still go down to South Main?"

CHARLES
BARRINEAU

"It'll still end at South Main Baptist."

BETTY BOLES

"That's going to make it very short."

CHARLES BARRINEAU "It cuts off about a half of a mile. We really spent a lot of time on this and the decision was based on safety. We had to consider the major arteries. If we were to close Main Street, we would have to direct traffic to East Cambridge so that wasn't an option. We looked at staging it in the parking lot but it's almost impossible to line up to 100 entries."

LINDA EDWARDS "So it's going down Seaboard and come up Pressley?"

CHARLES BARRINEAU "They'll start at the hill of Seaboard and take a left onto Main. We'll ask them to line up on Cambridge at Ole' Workman's."

JOHNNY WILLIAMS "Why couldn't they line up beside the barbershop on Calhoun?"

CHARLES BARRINEAU "We looked at that, Mr. Williams. To get floats on some of those narrow streets side by side would have been impossible. As it is now, I do not know how somebody has not been injured all these years when we used Cambridge. Seaboard allows us to have a designated area where we can close off traffic and not really impact the traveling public that's not going to the parade. We can reroute them.

I agree that change is not for everybody but it's what we have to do. There is no way to get that many floats in one small area. There were 92 entries last year that lined up almost all the way to the Greenwood Country Club."

CITY COUNCIL COMMENTS Mayor Adams said, "Saturday's kick-off for Uptown was phenomenal. Angie did a great job."

CHARLES BARRINEAU "All the feedback I received was that sales were way up. The walking traffic was amazing. I guess we have to thank the Lord because we can never predict the weather. He has been good to us with the Boo Bash and the last Live After Five. We've been blessed."

MAYOR ADAMS "Are there any other comments? Do I have a motion to adjourn?"

Motion to adjourn was made by Barbara Turnburke.

The meeting adjourned at 6:13 p.m.

D. Welborn Adams, Mayor

ATTEST:

City Clerk and Treasurer