

GREENWOOD CITY COUNCIL

July 21, 2008 - 5:35 p.m.

MINUTES

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

ABSENT Betty Boles

CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Nicholson at 5:35 p.m. and he welcomed everyone to the meeting.

The Mayor also gave the invocation.

STATEMENT AND QUORUM Mayor Nicholson 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."

APPROVAL OF CONSENT AGENDA Mayor Nicholson asked for a motion to approve the consent agenda.

Motion to approve the consent agenda was made by Johnny Williams, seconded by Linda Edwards.

The Mayor asked, "Are there any questions or discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

CONSIDER

Ordinance No. 08-
025 Annexing
Property Owned by
Margaret H.
Corley Life
Estate Located at
481 By-Pass 72
North West.

Under Public Hearings, Mayor Nicholson read the item and said, "The format that we employ in the public hearings is that we ask individuals come to the podium, state your name and address for the record and try to limit your comments to no more than three or four minutes."

The Mayor then read the first item and asked, "Is there anyone to speak in favor of this annexation? Is there anyone opposed? Seeing and hearing none, I will close the public hearing.

(2nd reading)

Do I have a motion from Council?"

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

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the second item and recognized Phil Lindler.

Ordinance No.
08-026 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property (2.04
Acres) Located
at 929 Phoenix
Street from OPI
(Office
Professional
Institutional)
to IP
(Institutional
Professional).

(1st reading)

PHIL LINDLER

"Thank you, Mr. Mayor and Members of Council. This is your first request tonight on modifications to the existing zoning map on the Office Professional Institutional zoning district. This is a request to rezone the United Way Center property, or the Old Burton Center, that's currently zoned Office Professional and Institutional. The request is to modify that zoning to Institutional Professional, IP."

NIKI HUTTO

"Why?"

PHIL LINDLER

"Because of the institutional nature of the business and it is the recommendation from the Planning Commission."

NIKI HUTTO

"Institutional nature in what way?"

PHIL LINDLER

"The United Way agency plus other agencies that are to be incorporated into the structure."

NIKI HUTTO

"Wouldn't they be accommodated by staying Office Professional?"

PHIL LINDLER

"They could, but it would not include some of the institutional uses in it."

NIKI HUTTO

"As what? Such as?"

PHIL LINDLER "Such as the Red Cross, health or mental health type offices and any of the institutional agencies that you'll find around Self Regional Healthcare."

STEVEN BROWN "Aren't you really differentiating between office type services and overnight stay uses such as a homeless shelter?"

PHIL LINDLER "In some cases, yes, but then institutional does include some of the educational uses as well. There has been some talk about having other overnight stays in that structure by adding some kind of minor assisted living which will allow flexibility with that."

STEVEN BROWN "Would City Council have more control over future use there if it is assigned Office Professional until the United Way Board determines the scope of services?"

PHIL LINDLER "If you do zone it Office Professional, they will need to rezone to Institutional Professional at a later time if we found the uses too restrictive."

NIKI HUTTO "I would rather do that, actually."

LINDA EDWARDS "Do they have any idea of what's going in there already? I remember she gave us a partial listing of what she was doing."

STEVEN BROWN "They've talked with the Red Cross and the Food Bank."

BARBARA TURNBURKE "The Rotary Clubs have a couple of rooms in there."

JOHNNY WILLIAMS "Well, that would go into OP won't it?"

MAYOR NICHOLSON "I think the United Way and the Food Bank are working on an agreement. They have contacted other agencies about locating satellite programs in the facility. I know they mentioned a homeless shelter but that is long range."

PHIL LINDLER "One thing that has been mentioned to us is a soup kitchen and, if that were the case, it would not be allowed under Office Professional."

MAYOR NICHOLSON "Right. Now, I don't know if they're going to do that because Emmanuel Lutheran is doing that."

NIKI HUTTO "Well, they're doing that now."

STEVEN BROWN "Why wouldn't the soup kitchen be allowed?"

PHIL LINDLER "It's not an allowed use under that zoning district."

STEVEN BROWN "It's an allowed use where?"

PHIL LINDLER "Under General Commercial, Institutional Professional, and probably in some of the industrial districts."

NIKI HUTTO "Well, they're doing it in residential right now. Even if it's on Sunday, they're actually performing that use one day a week in residential. So, I'd rather modify that to OP for the soup kitchen than to give them IP right now."

BARBARA TURNBURKE "I will have to abstain from voting because I'm on the Board. Office Professional would put them at a disadvantage if they follow through with plans to provide services for the homeless."

NIKI HUTTO "Yeah, but at this point and time, they haven't even talked to the local residents and that's basically residential."

BARBARA TURNBURKE "Tuesday is when they're doing that."

MAYOR NICHOLSON "They're having their Open House on Tuesday. Could we postpone this until they have their board meeting and open house for the community to explain exactly what they're doing? Is there a push for this right now?"

PHIL LINDLER "I haven't had any communication with them."

STEVEN BROWN "This is not a result of a request by the agency. This is a result of OPI being changed."

MAYOR NICHOLSON "Would it be okay to postpone?"

STEVEN BROWN "I don't think its going to hurt anything."

MAYOR NICHOLSON "Okay. Do I have a motion that we postpone?"

LINDA EDWARDS "I agree with you to postpone this until we know exactly what they're doing and how the people in the area are going to feel about it. Do they have any thoughts about what they want?"

NIKI HUTTO "Well, they have to be rezoned to either OP or IP with the OP being more restrictive. If we go ahead and zone them OP, they can always request IP."

MAYOR NICHOLSON "Will that suffice for the time being?"

STEVEN BROWN "Yes, sir."

MAYOR NICHOLSON "So can we just wait until after the people have met and bring it back next Monday?"

STEVEN BROWN "Can I make a recommendation? If the Rotary Club is proposing to offer homeless shelter services, should they not also come before City Council?"

BARBARA TURNBURKE "It's not the Rotary Club that's thinking of doing the homeless shelter. They're just talking about having meeting space available for various uses."

MAYOR NICHOLSON "I think the homeless shelter is long range."

JOHNNY WILLIAMS "Well, if the homeless shelter is long range, the OP would still be good zoning. They can come back at that time to discuss it."

BARBARA TURNBURKE "Well, what if the Red Cross moves in there?"

JOHNNY WILLIAMS "The Red Cross can go in OP."

NIKI HUTTO "No it won't because she would have overnight accommodations."

STEVEN BROWN "She doesn't bring them in at her place now. You don't have overnight stay at your place now?"

JOHNNY WILLIAMS "She doesn't have overnight stay. She puts them in hotel rooms so she would fit."

NIKI HUTTO "So then why wouldn't you fit?"

JOHNNY WILLIAMS "Why wouldn't she fit Phil?"

PHIL LINDLER "It's a community service that is allowed in Institutional versus Office Professional."

LINDA EDWARDS "That's what you got going in there, community services such as the United Way, Food Bank, and Soup Kitchen."

MAYOR NICHOLSON "All of them are really community service as opposed to being Offices."

LINDA EDWARDS "If I'm in order, I'll make a motion that we postpone it and possibly get these people in to discuss this after their meeting with the area residents. We might be a little surprised by how they feel about what's going on rather than us making a decision."

MAYOR NICHOLSON "Do I have a second?"

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

"Is there any further discussion?"

BARBARA
TURNBURKE

"I just want to make a comment that the meeting is tomorrow at 6 p.m. and you're all welcome to be there."

MAYOR NICHOLSON

"All in favor to postpone raise your right hand. 5-0, so moved."

Those who voted in favor were Mayor Nicholson, Niki Hutto, Linda Edwards, Herbert Vaughn and Johnny Williams. Barbara Turnburke abstained because she is on the Board of Directors and the Red Cross interest in the building.

The motion passed.

CONSIDER

Mayor Nicholson read the third item and recognized Phil Lindler.

Ordinance No.
08-027 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
Located at 207,
211, 215 & 217
Stanley Avenue,
130 & 136
Lander Street,
and 210, 222 &
224 West
Cambridge
Avenue from OPI
(Office
Professional
Institutional)
to OP (Office
Professional);
401, 403 & 405
West Durst
Avenue, 111,
Unaddressed
parcel adjacent
to 111, & 115
Blake Street,
and Grace
Street Walking
Trail from OPI
to R7
(Residential -
High Density);
and 409, 410 &
411 West Durst
Avenue, 150,
154 & 202 West
Cambridge
Avenue, and 232
Calhoun Avenue
from OPI to GC
(General
Commercial)

(1st reading)

- PHIL LINDLER "Thank you, Mr. Mayor, this is the request on the southeastern corner of Lander University by Stanley and West Durst Avenues, Blake Street, the walking trail that's parallel to Grace Street, West Cambridge and Calhoun Avenues and Lander Street. The properties are all currently zoned Office Professional and Institutional. There is an odd mixture of uses in that area from Commercial to Institutional to Residential. The Planning Commission looked at the request, held a public hearing, and made a recommendation of General Commercial, Office Professional and R7, Medium Density Residential."
- MAYOR NICHOLSON "Okay. Is there anyone to speak in favor of the zoning change?"
- BOB BROCK "I'm Bob Brock, the owner of the building located at 410 West Durst. In looking over this presentation by Phil and attending the Planning Commission meeting last month, it appears that the General Commercial zoning does fit with the businesses that are actually located in those areas. If a number of the businesses that are located in those areas were zoned anything but General Commercial they would not comply with the code. In talking to the neighbors in that area, they wanted to comply with the ordinances as they are passed. So, I just wanted to give my opinion in favor of this zoning."
- MAYOR NICHOLSON "Okay. Is there anyone else to speak in favor of the zoning change? Is there anyone opposing? Alright seeing and hearing none, we will close the public hearing. This is the first reading. Do I have a motion from Council?"
- Motion was made by Johnny Williams seconded by Herbert Vaughn.
- "Is there any discussion?"
- STEVEN BROWN "Mr. Mayor, may I ask a question? Just for Council's information, Phil, is there any General Commercial use proposed that could not also be done in Neighborhood Commercial?"
- PHIL LINDLER "There are many General Commercial uses that would not be allowed in Neighborhood Commercial."
- STEVEN BROWN "Well, I'm just asking if there are any present commercial type uses, such as Mr. Brock's and Mr. Culbertson's businesses, that would be allowed in

Neighborhood Commercial?"

PHIL LINDLER "The pruning business, Advertising Specialties, and Baptist Student Union would not."

STEVEN BROWN "Would Mr. Bell's business be allowed under OP and General Commercial? Will Mr. Bell's property allow any residential use under General Commercial?"

PHIL LINDLER "No."

STEVEN BROWN "None at all?"

PHIL LINDLER "No."

STEVEN BROWN "So, if he wanted to convert it back to a residential use at sometime in the future, he must have it rezoned? Doesn't his property touch residential property?"

PHIL LINDLER "Correct."

NIKI HUTTO "Are the apartments there now R7?"

PHIL LINDLER "It's a vacant property."

NIKI HUTTO "So why R7 because they abut R4?"

PHIL LINDLER "No, they abut OPI from the backside of the walking trail. Residential medium density is on the other side of Lake Street and further up West Durst Avenue. High Density Residential includes the areas and densities that are included everywhere else on that block."

NIKI HUTTO "I'm losing you between the two maps."

PHIL LINDLER "Okay. The uses that are in the purple shaded properties have multiple units on them (pointing)."

NIKI HUTTO "Correct. That's why I was asking if the multiple units make that a conforming use?"

PHIL LINDLER "Right. You'll see that when we get to our next section across the walking trail where you'll see more R7 into that request as well."

MAYOR NICHOLSON "Are there any other questions? All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER

Mayor Nicholson read the fourth item and recognized Phil Lindler.

Ordinance No. 08-028 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties (10.2 Acres) Located at 127, 128, 130, 133, 134, 135, 141, 152, 203, 209, 212, 215, 218, 223, 224, 225, 228 & 229 Grace, 136 West Cambridge Avenue, and 142 Blake Street from OPI-GV (Office Professional Institutional-Greenwood Village Overlay) to R7-GV (High Density Residential-Greenwood Village Overlay); and 124 Grace Street, 132 West Cambridge Avenue and Unaddressed Parking Area adjacent to 132 West Cambridge Avenue from OPI-GV to NC-GV (Neighborhood Commercial-Greenwood Village Overlay).

(1st reading)

PHIL LINDLER

"Thank you again, Mr. Mayor. This is the property

immediately adjacent to the property we just looked at. All of these properties are within the Greenwood Village Overlay District that will not change with any modifications that you do to this request. All the properties within this area are zoned Office Professional and Institutional by West Cambridge Avenue, Grace Street and the walking trail. The Planning Commission has looked at this area as well and there is a mixture of uses. They are recommending Neighborhood Commercial in the areas that are shown in blue (pointing). It includes the Town & Country parking lot that's across from the Main Street United Methodist Church and also Sprott's Tax Service Office. They're recommending all the other properties to R7, High Density Residential, in the Greenwood Village Overlay District."

- NIKI HUTTO "So the real estate office and the tax service aren't considered Office Professional?"
- PHIL LINDLER "Those types of uses will be allowed in Office Professional."
- NIKI HUTTO "So why aren't they OP?"
- PHIL LINDLER "Because we have Neighborhood Commercial in that corner. The area that has SCIT and the bed & breakfast are currently Neighborhood Commercial. The old Sprott's building is Neighborhood Commercial and they decided to extend those zoning districts."
- NIKI HUTTO "I may be misreading something but, originally, those two areas were OPI?"
- PHIL LINDLER "All the areas were OPI."
- NIKI HUTTO "Basically, the whole purpose was taking OPI and making it OP and IP because we were trying to protect neighborhood areas and have a slow movement from residential to commercial. I'm just asking a question of why Neighborhood Commercial and not OP?"
- PHIL LINDLER "It is just to be consistent with what already exists there. We've done that with all the rezoning requests throughout the beginning. There are some that are R7, Neighborhood Commercial, and General Commercial. We have probably half of them that are being recommended as Office Professional and Institutional Professional."
- MAYOR NICHOLSON "Thank you, Phil."
- STEVEN BROWN "Mr. Mayor my question would be, why not make the dentist and Mr. Compton's offices OP?"

PHIL LINDLER They felt that those areas were staggered and did not fit into any kind of pattern within the Grace Street zoned area so they decided to zone them R7. There would be spots basically if you were to zone those individual ones as Office Professional or any other zoning district. They would be nonconforming under this proposal."

STEVEN BROWN "Mr. Mayor, I don't want to delay the issue but we made spots further down on Cambridge when we rezoned property to IP."

NIKI HUTTO "Exactly."

STEVEN BROWN "It seems to me the dentist office is going to be some type of Office Professional. As a constructed building, I would assume Mr. Compton's office would continue to be used as an office. You have the school across the street which at one time was a daycare center. Then, there is the insurance office owned by Mr. Hurt's. What is it zoned?"

PHIL LINDLER "I believe it is Neighborhood Commercial."

STEVEN BROWN "And you have Beckham's Floor Covering?"

MAYOR NICHOLSON "It's included in that right?"

PHIL LINDLER "It's R7."

JOHNNY WILLIAMS "Residential High Density?"

PHIL LINDLER "I'm sorry. That would not be R7. It stops at Hopewood Academy."

NIKI HUTTO "In this entire block of R7, how many actual properties are multifamily right now?"

PHIL LINDLER "Multifamily and residential or just multifamily?"

NIKI HUTTO "Just multifamily because R7 is high density, right?"

PHIL LINDLER "Right. However, you have different levels and some of them are duplexes and multiplexes which would not be allowed under the Greenwood Village Overlay or R7 at all. The multiplex two doors down from Ms. Sprott's office, the building beside Mr. Compton's office, the multiplexes across the street and one more towards Hopewood Academy would not be conforming."

NIKI HUTTO "So will it be conforming or nonconforming if it were R7?"

- PHIL LINDLER "It would still be nonconforming because R7 is not allowed for multi-family uses. It allows for attached units such as townhouses but we still call that single family attached versus apartments."
- MAYOR NICHOLSON "But the houses there are sort of like boarding houses. Would those be nonconforming?"
- PHIL LINDLER "Yes, sir."
- NIKI HUTTO "So because the Greenwood Village Overlay is over these, those structures such as a law office would not be torn down because of the procedures in place to protect the architectural integrity of the actual neighborhood itself?"
- PHIL LINDLER "And prevent it from ever happening. If you zone the entire area Office Professional, you would minimize the number of nonconforming uses overall. It would still allow for the single family residential and single family attached. Some of the multifamily units will be a little bit less nonconforming."
- NIKI HUTTO "I would just zone it all OP and be done with it. I just don't like it."
- JOHNNY WILLIAMS "I think it would be OP."
- LINDA EDWARDS "When you were doing this, there was a hearing right?"
- PHIL LINDLER "Before the Planning Commission."
- LINDA EDWARDS "Did you have any residents or anybody to come forth? Do they understand what's going on?"
- PHIL LINDLER "I believe we had two or three individuals. One person spoke in opposition but no one spoke in favor. It was Mrs. Sorrow's son who was speaking for her on the Neighborhood Commercial Parcel on the right side of Grace Street. He wanted to look at the parcel just above that as becoming Neighborhood Commercial but, after we discussed his options with him, he decided that R7 was better suited for what they had on the property."
- JOHNNY WILLIAMS "Wouldn't it be better to go OP than R7? You got lots of dentists and lawyers offices on that street that'll be nonconforming and that's what we want to get away from. We want to make it as conforming as possible, so wouldn't it be better to go OP than R7?"
- PHIL LINDLER "That was our original request to the Planning

Commission."

JOHNNY WILLIAMS "Well, why don't we do it?"

NIKI HUTTO "I would like to make a motion that the entire section be zoned OP."

MAYOR NICHOLSON "Would you like to make a motion or discuss it further at a work session?"

NIKI HUTTO "This is basically why the committee went through the whole process of going from OPI to the two zonings of OP and IP, and there were certain areas that didn't fit."

JOHNNY WILLIAMS "We should zone it OP and, if there are any problems, they come to the public hearing."

LINDA EDWARDS "No, I guess you missed what I said. I can understand what you all are saying. That's why I asked Phil where the residents that this will be affecting are? How did they feel about it? Were they for, against, or even understand what's being done? We don't need to keep having people coming back saying they didn't know or understand what was happening. I asked you how many was at this hearing, and I don't see anybody here today. I understand that you all want to move forward, but I still think I'd like to hear from some of the people in the neighborhood. If they're satisfied and understand fully what we're doing, then that is fine with me. Right now, I feel uneasy because we're asking to make decisions when nobody is here opposing or speaking in favor of it. I have to wonder if they really understand what we're doing to their neighborhood."

JOHNNY WILLIAMS "They had the Planning Board meeting with all the advertisement, so what makes you think they're going to come here?"

LINDA EDWARDS "Well, if they're satisfied with it, then what's our problem?"

NIKI HUTTO "Well, when you originally notified the property owners of the proposed zoning change from OPI to OP, they were under the impression that this would be OP. Then the Planning Board decided they didn't like OP and now they got Neighborhood Commercial and R7. So the motion is on the table to go to OP."

STEVEN BROWN "Ms. Edwards, each of these property owners notified by certified mail with a description of what was being proposed, so they have all been notified."

This was done prior to the Planning Commission hearing and they spoke of the recommendation. Plus, Phil and the City placed ads in the Index-Journal."

LINDA EDWARDS "I understand that, but they were told OP and nobody has informed them that the Planning Board changed the whole thing. That's what I'm talking about. They were under the impression of OP. Now everything has changed."

NIKI HUTTO "That's why we're going back to OP."

LINDA EDWARDS "But Phil said he had one person that had no problem with the way it's going to be."

JOHNNY WILLIAMS "No he had an objection."

PHIL LINDLER "He had an objection to OP but, after we talked with him about what he exactly wanted on the property, he felt R7 would meet his needs better. Office Professional would also meet his needs because they're allowed in the same district and standards."

MAYOR NICHOLSON "Okay."

Motion to change the entire corridor to OP was made by Niki Hutto, seconded by Johnny Williams.

"Is there any further discussion? All in favor raise your right hand. 5-0 So moved."

Those who voted in favor of rezoning the entire request to Office Professional were Mayor Nicholson, Niki Hutto, Herbert Vaughn, Johnny Williams, and Barbara Turnburke. Linda Edwards abstained from voting.

The motion passed.

CONSIDER

Mayor Nicholson read the fifth item and recognized Phil Lindler.

Ordinance No.
08-029 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
Located at 916
& 918 Lowell
Avenue, 810 &
1029 Maxwell
Avenue, 102 &
112 Cooper
Road, Spring
Street and
McCormick
Highway from
OPI (Office
Professional
Institutional)
to IP
(Institutional
Professional).

(1st reading)

PHIL LINDLER

"Mr. Mayor, this is a request to rezone all properties owned by Connie Maxwell Children's Home on the southwest corner of the City Limits from Office Professional Institutional to Institutional Professional."

MAYOR NICHOLSON

"Okay. Is there anyone here to speak in favor of the zoning change? Is there anyone opposing? Seeing and hearing none, I will close the public hearing.

Do I have a motion from Council?"

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

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.
- attach -

CONSIDER

Under Unfinished Business, Mayor Nicholson read the first item and asked for a motion.

Ordinance No. 08-018 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties Located at 312 Lawson Street, 608 Brice Street, 215 West Sproles Avenue, 115 Sanders Street, 411 & 320 Stanley Avenue and 403, 417, 450 and 511 Wilson Street from OPI (Office Professional Institutional) to IP (Institutional Professional); 503 Wilson Street, 408 Daniel Court & 309, 411, 415, 417, 419, 425, 447, 449, 451, & 453 Stanley Avenue from OPI to R7 (High Density Residential); and 137 Lander Street from OPI to R4 (Residential Medium Density).

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

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

(2nd reading)

CONSIDER

Mayor Nicholson read the second item and asked for a motion.

Ordinance No. 08-019 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties (2.45 Acre Parcel) Located at 306 Grove Street and an Unaddressed Adjacent Property on Lee Street from OPI (Office Professional Institutional) to IP (Institutional Professional).

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

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

(2nd reading)

CONSIDER

Ordinance No. 08-020 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Properties (2.7 Acres) Located at 109 & 111 Merriman Avenue from OPI (Office Professional Institutional) to OP (Office Professional); 213, 219, 221, 223, 225, 227 & 231 Hampton Avenue and 231 Merriman Avenue from OPI to NC (Neighborhood Commercial).

(2nd reading)

Mayor Nicholson read the third item and asked for a motion.

Motion was made by Johnny Williams, seconded by Linda Edwards.

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
08-021 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
(0.77 Acres)
Located at 218
& 220 Mill
Avenue and a
Portion of the
Abandoned
Railroad Right-
of-Way from OPI
(Office
Professional
Institutional)
to OP (Office
Professional).

(2nd reading)

Mayor Nicholson read the fourth item and asked for a motion.

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

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the fifth item and said, "I think this is around GLEAMNS. Isn't that right, Mr. Brown?"

Ordinance No.
08-023 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
(28.69 Acres)
Located at 1206
Central Avenue,
927 East
Cambridge
Avenue, and
229, 237 & 301
North Hospital
Street from OPI
(Office
Professional
Institutional)
to IP
(Institutional
Professional);
1203 Central
Avenue from OPI
to OP (Office
Professional);
and 1207, 1211,
& 1213 Central
Avenue from OPI
to R7
(Residential-
High Density).

(2nd reading)

STEVEN BROWN "Yes, sir."

NIKI HUTTO "Didn't we make an adjustment to this last month?"

STEVEN BROWN "To the houses."

MAYOR NICHOLSON "Do I have a motion?"

STEVEN BROWN "I don't think this reflects the changes that Council made last month. Those four properties are supposed to be R7, Mr. Mayor. If you would, restate 1203, 1207, 1211 and 1213 from OP to R7. It'll leave Mr. Hill's property as OP and the rest as R7 because they're residential structures."

MAYOR NICHOLSON "Okay. Address 1203 will be rezoned as OP and 1207, 1211 & 1213 to R7. Do I have a motion on that correction?"

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

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

-attach -

CONSIDER

Mayor Nicholson read the sixth item and asked for a motion.

Ordinance No.
08-024 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
(11.31 Acres)
Located at 111,
113, 119 & 123
High Street and
356 & 402 West
Cambridge
Avenue from OPI
(Office
Professional
Institutional)
to GC (General
Commercial) and
317, 320, 324,
325, 328, 331,
332, 333, 336,
337, 339, 340,
342, 343, 347,
348, 351, 352 &
355 West
Cambridge
Avenue from OPI
to OP (Office
Professional).

Motion was made by Johnny Williams, seconded by Linda Edwards.

"Is there any discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

(2nd reading)

CONSIDER

Mayor Nicholson read the seventh item and recognized the City Manager.

Ordinance No.
08-022 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Properties
(3.06 Acres)
Located at 117
& 133 West
Cambridge
Avenue, 126
East Cambridge
Avenue, 121 &
123 Bailey
Circle, and
201, 205 & 211
North Main
Street from OPI
(Office
Professional
Institutional)
to R7
(Residential -
High Density).

(1st reading)

STEVEN BROWN

"Mr. Mayor, you postponed this last month because of the two large houses owned by Mr. Adams."

MAYOR NICHOLSON

"Oh yeah, Welborn Adams' houses next to the church."

NIKI HUTTO

"We wanted R4."

JOHNNY WILLIAMS "And it's not recommended R4. Did they want it?"

PHIL LINDLER "You asked us to get in touch with Mr. Adams and he's okay with R4."

NIKI HUTTO "He was okay with R4? The church can be in any residential zone, correct?"

PHIL LINDLER "That's correct."

NIKI HUTTO "So I would rather see it R4."

PHIL LINDLER "We don't change it on here until you actually make a motion."

JOHNNY WILLIAMS "Well, how would we know if we don't see what we're voting on?"

NIKI HUTTO "Because we just said it."

MAYOR NICHOLSON "Johnny, they didn't make the recommendation, we made the recommendation."

JOHNNY WILLIAMS "I know, but how do we know?"

MAYOR NICHOLSON "We just postponed the request and put it back on the agenda."

STEVEN BROWN "The only thing we were asked to do is contact Mr. Adams to tell him what City Council was considering instead of R7, as recommended by the Planning Commission, and his response was positive."

MAYOR NICHOLSON "So the original request was back on the agenda and we're just changing it now."

JOHNNY WILLIAMS "It's a good thing you brought that up because I was going to ask where it was."

MAYOR NICHOLSON "This is it."

NIKI HUTTO "I'd like to make a motion that we rezone to R4."

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

MAYOR NICHOLSON "Okay. Is there any discussion?"

JOHNNY WILLIAMS "That's only a part of it right?"

NIKI HUTTO "The whole thing because the church can be in any residential zoning district. So, if R4 is across the street, it'll make more sense for it to be zoned R4."

MAYOR NICHOLSON "What about the properties on Bailey Circle?"

NIKI HUTTO "Well, I wouldn't change them all to R4 but it's not the issue right now because that was already done and finished. We're only dealing with the ones that were changed from OPI."

JOHNNY WILLIAMS "But aren't there properties on Bailey Circle included in this request to be changed?"

MAYOR NICHOLSON "Yes, they are included to be changed. So, if we change it all to R4, do you want to leave the rest on Bailey Circle as OPI?"

NIKI HUTTO "No, because they're owned by the church and the church can do whatever they want anyway."

JOHNNY WILLIAMS "But it'll be R4?"

STEVEN BROWN "There was an earlier discussion in this meeting, Mr. Mayor, about the soup kitchen on Creswell. This soup kitchen is located on Bailey Circle."

CHARLES BARRINEAU "You cannot regulate a church."

NIKI HUTTO "You can't regulate a church regardless of what they do, correct?"

MAYOR NICHOLSON "The church does not run that soup kitchen."

STEVEN BROWN "The church leases that building to the soup kitchen."

JOHNNY WILLIAMS "Well, the soup kitchen is still operating under R4 but won't it be grandfathered as a nonconformance?"

MAYOR NICHOLSON "Now, if they're zoned OP they can, right?"

JOHNNY WILLIAMS "No, it would be IP."

LINDA EDWARDS "Who owns the building that they operate out of?"

PHIL LINDLER "They're currently operating at that location. We will not shut them down and they can continue the use in perpetuity unless they move from the site and then want to move back into that location."

JOHNNY WILLIAMS "So we can zone it R4 and they'll still operate as usual without any problems?"

NIKI HUTTO "Absolutely."

STEVEN BROWN "If the soup kitchen moves to Phoenix and the church were to choose another use for that building for something other than religious activities, R4 would prevent it. Council needs to be aware of that."

MAYOR NICHOLSON "The only issue is we contacted Welborn Adams about going from R7 to R4 but not the people on Bailey Circle. They must have thought they were going to R7, am I correct?"

PHIL LINDLER "Yes sir, but the people on Bailey Circle is First Presbyterian."

MAYOR NICHOLSON "But still you're talking about contacting individuals regarding changes."

NIKI HUTTO "Well, how about we zone R4 for the residential properties and IP for the church? Would we have everything covered? That makes perfect sense to me."

LINDA EDWARDS "What's at 117 West Cambridge?"

MAYOR NICHOLSON "That's the church property."

STEVEN BROWN "It's the parking area that comes to the other side of the Adams' property."

NIKI HUTTO "The soup kitchen can operate in IP."

JOHNNY WILLIAMS "Or they can operate in R4 as long as they don't close down and try to reopen. They would be grandfathered in."

NIKI HUTTO "Under IP, they'll have multifunctional uses for those two properties if they wanted it to be used for something else."

MAYOR NICHOLSON "Okay."

Motion to rezone 117 & 133 West Cambridge Avenue from OPI to R4 and 126 East Cambridge, 121 & 123 Bailey Circle, and 201, 205 & 211 North Main Street from OPI to IP was made by Niki Hutto, seconded by Johnny Williams.

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Under New Business, Mayor Nicholson read the first item and recognized the City Manager.

Ordinance No.
08-030 Amending
the Code of
Ordinances of
the City of
Greenwood,
Chapter 26,
Vehicles for
Hire, Division
6, Fares,
Section 26-129
(C) (1).

(1st reading)

STEVEN BROWN

"Mr. Mayor, Mr. Duncan is here to make a request to City Council."

JIMMY DUNCAN

"My name is Jimmy Duncan of Southside Cab Company. I've come for an increase of fares on the account of gas."

STEVEN BROWN

"Mr. Mayor, staff research showed that the last time Mr. Duncan asked for an increase to \$8, there has been a 55% increase in the cost of gas. This is the first time he's asked for any type of increase."

MAYOR NICHOLSON

"All right. You all have heard the request. Do I have a motion?"

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

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

STEVEN BROWN "Mr. Mayor, you have one more reading before he can actually make that charge."

MAYOR NICHOLSON "Yes, we must have two readings, Mr. Duncan. We will have a public hearing and take second reading at our work session on the first Monday in August."

CONSIDER Mayor Nicholson read the second item and recognized the City Manager.

Resolution No.
08-007
Authorizing the
City Manager to
Enter an
Agreement for
Actuarial
Services with
Milliman and
Company through
the Municipal
Association of
South Carolina.

STEVEN BROWN "Mr. Mayor and City Council, you've heard in depth the explanation of GASB 45 and what its impact will be on the City. The Finance Director is asking for permission to contract for services to perform the actuarial study to determine what our financial obligations will be to comply with GASB 45. We think the cost of this will be around \$3,000, right Steffanie?"

STEFFANIE DORN "Yes, sir."

STEVEN BROWN "Is there anything else you would like to add to what I've said?"

STEFFANIE DORN "Not at this time."

MAYOR NICHOLSON "Okay. This is something we've been discussing and there are guidelines that we must abide by. Do I have a motion

from Council?"

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

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the third item and recognized the Assistant City Manager.

The Acceptance of Bids and Allocation of Funding for the Maxwell Avenue Streetscape Project.

CHARLES
BARRINEAU

"Mr. Mayor and Council, I hope that this is the final request for the Grand Emerald Triangle project. This is to complete the streetscape work along Maxwell Avenue. As you've recall, we talked about this probably two months ago. Our original projection on this project was in the neighborhood of \$500,000. When we got into the project, we found that the base of the road was in very poor condition (that same as Oregon was), which would require probably \$200,000 to \$300,000 worth of stone and asphalt to solidify the base. Also, we found that the storm drainage on Maxwell was about 100 years old and needed to be replaced.

So we went ahead and put the project out for bid and received three proposals back; all of which are from out of town contractors. I can tell you we had all the major Greenwood contractors at the pre-bid. They were all aware of the project so I have no assumptions as to why they did not bid on it. I want the record to show they were fully aware and had the opportunity to bid on the project.

The low bid was submitted by AOS Specialties of Columbia. To give you a reference, AOS just completed the Lander

entrance and wall so they have done a good bit of work in the Greenwood Area. They've done work for the Cities of Clinton and Newberry so they're very reputable. Their base bid for the Maxwell Avenue Project was \$995,935. That is in range with what Davis and Floyd told us to expect. Actually they said anything from \$1 million to \$1.3 million.

We've included a few additives but you will make the decisions on any of the decorative pieces of this project. One of them is three crosswalks.

One crosswalk would go onto Oregon Avenue at Maxwell and connect in front of Greenwood Glass up to Embarq. The second will connect to Monument in front of Embarq and Jon Holloway. The third decorative crosswalk will be at Thayer's where there is a little cut from the Greenwood Building to Thayer's. If Council choose to do those three decorative crosswalks, that's an additional \$27,000. It's totally up to you.

So, if you do the whole bid, you're looking at \$1,030,000. In my memo, the engineering for the project was based on a \$400,000 to \$500,000 project. Their fee is based 10% to 15% on a \$400,000 to \$500,000 project. Now that we're a \$1 million project, obviously they're looking for a 10% to 15% fee, but that's standard across the board. So the bottom line is it's up to you whether or not to do the decorative crosswalks. We're looking at \$600,000 to \$700,000 of additional funding to do this project.

Again, this is the final phase. You're seeing what's going on Maxwell with Jon Holloway's Studio and Meridian Art Gallery that is now open. The façade project is coming along. I can tell you that, if Council were to approve this, we have available Hospitality Tax Funds to spread out through the Spring of next year. It will tap out all the remaining Hospitality Funding through the Spring to complete this. I'll be glad to answer any questions."

STEVEN BROWN

"Mr. Mayor, I only have one thing to add. Maxwell Avenue merchants and/or property owners have always felt they do not get the same level of services that the Uptown Square receives. If we put decorative crosswalks in the Uptown area, I would ask that you consider putting them on Maxwell for \$27,000. Those folks have invested a lot of money on the upper half of Maxwell. I think, if the crosswalks project is over \$1 million, we should go ahead and spend \$27,000 to do it right. If we're not going to do it, that's one thing. But, if you're going to do it,

it needs to be carried out in full."

MAYOR NICHOLSON

"Yes, they've always said they were the stepchildren that don't get the same treatment. I think we should make a motion to accept the low bid for the decorative crosswalks."

CHARLIE
BARRINEAU

"I would ask that you give staff the authority to not exceed an additional \$700,000. We don't think it's going to cost that much, but I really don't want to come back and nickel and dime you like I normally do.

I will keep you very informed of the project but that's what we're looking at."

MAYOR NICHOLSON

"Do I have a motion?"

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

"Is there any discussion?"

STEVEN BROWN

"Also direct the City Manager and Finance Director not to expend monies unless they are forthwith with their funds."

MAYOR NICHOLSON

"Okay. Is there any further discussion? All in favor raise your right hand. So moved."

- attach -

CHARLIE
BARRINEAU

"Thank you. As a point of information for Council and the press, we're going to be meeting with the contractor in the next two weeks. This is what we think is the best way to do this project as mentioned. We're very concerned because this is a six-month project. We don't want the construction to impact the holiday shopping for some of these merchants so we intend to begin on the lower blocks from Monument to Edgefield. It will take approximately three months and get us close to the end of the year. At the first of the year, we intend to do the upper block. The reason we want to delay the upper block is we have to close them all along Long Alley and we won't be able to get service trucks in to deliver goods. Thayer's asked if we can wait until the first of the year to get them out of the shopping season."

MAYOR NICHOLSON

"Okay. Thank you, Charlie."

CHARLES
BARRINAU

"Yes, sir."

CONSIDER

Mayor Nicholson read the fourth item asked the Assistant
"What happened to that other dollar?"

Authorizing the
City Manager to
Accept a
\$499,999
Community
Development
Block Grant
(CDBG) for
Water
Infrastructure
Improvements.

CHARLES
BARRINEAU

"If I had talked to our Finance Director before we submitted another application, she would've corrected that. The reason we didn't have that one dollar is many smaller communities unlike Greenwood typically don't get this kind of Federal money we've been getting lately. If you get \$500,000 or more annually, you'll have to do a single audit. We have over \$500,000 every year so Ruth, in good faith from the Upper Savannah COG, unknowingly put in less money so that we wouldn't have to do the single audit. So it was just a technicality but we're doing it anyway.

If you recall, Mr. Mayor, these are the following streets that were proposed: Bowie, Byrd, Chappel, Dallas, Dargan, Deans Alley, Evans, Gage, Gray, Hall, James, Meadow, Milwee, Montgomery, Percival, Russell, Singleton, Sunnyside, Tanyard, Towne and Weldon. We're very excited because we thought we submitted a good application. There were a lot of applications across the State, and our partnership with the CPW appears to again have paid off."

MAYOR NICHOLSON

"Good".

NIKI HUTTO "So this is going to be for sewer or water lines?"

CHARLES BARRINAU "Water lines. I don't want to steal the thunder from the County but, if you recall, the County also submitted an application with Greenwood Metro for sewer services off of Byrd at the same time we put our application. That project was also awarded so the County of Greenwood is getting ready to get \$1 million in funding."

NIKI HUTTO "Are there any hydrants included?"

CHARLES BARRINEAU "This includes all the fire hydrants we talked about."

MAYOR NICHOLSON "Do I have a motion?"

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

"Is there any further discussion? All in favor raise your right hand. So moved."

The motion passed unanimously.

CONSIDER Mayor Nicholson read the fifth item and recognized the City Manager.

Request for
Financial Support of
National Night Out Program.

STEVEN BROWN "Mr. Mayor, you have received a request from the Greenwood Healthy Communities Office requesting support for the National Night Out. In year's past, you've given \$1,000. Last year, you increased that to \$1,500. We don't have budgets or anything to show you for a donation to this program."

LINDA EDWARDS "Is it because we've never asked for their budget?"

STEVEN BROWN "I know that the funds are spent totally for National Night Out. I'm presently Chairman of that Board and have looked over the budget today. It sets aside monies that they use to work with a lot of neighborhoods inside of

the City. I don't know what the County gives but they're going to give something. I don't know if it's as much as we have."

NIKI HUTTO "Where does that come out of our budget? How do we fund it in the past?"

STEFFANIE DORN "We've been taking it out of our Community Development payback money."

MAYOR NICHOLSON "I think we should give them \$1,500 again. Do I have a motion?"

Motion to allocate \$1,500 out of Community Development Payback Funds was made by Linda Edwards, seconded by Johnny Williams.

"Is there any discussion? All in favor raise your right hand. 4-1 So moved."

Those who voted in favor were Mayor Nicholson, Linda Edwards, Herbert Vaughn, and Johnny Williams. Niki Hutto voted against and Barbara Turnburke abstained because of her involvement on the National Night Out committee.

The motion passed.

CITY COUNCIL Mayor Nicholson asked if there were any comments from
COMMENTS City Council Members.

CHARLES "The burned house on 845 Edgefield is down."
BARRINEAU

MAYOR NICHOLSON "Yes, I saw that it is down and they're getting ready to haul it off. Is there anybody else?"

HERBERT VAUGHN "It was a wonderful job on the Festival. I've never heard so many good comments about any one event."

NIKI HUTTO "Do you have any sort of economic analysis yet?"

CHARLES "It'll be another two weeks. The preliminary hotel
BARRINAU numbers are up significantly about 30%."

HERBERT VAUGHN "It's good to have Steve back in one piece."

NIKI HUTTO "How was your trip?"

STEVEN BROWN "Great."

MAYOR NICHOLSON "Is the first Monday on the third or fourth?"

CHARLES "It's the fourth."
BARRINAU

MAYOR NICHOLSON "Okay. Don't forget the work session on the fourth and the fifth will be National Night Out."

CITY MANAGER There were no comments at this time.
COMMENTS

The meeting adjourned at 6:46 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer