GREENWOOD CITY COUNCIL  
February 26, 2007 - 5:35 p.m.  
MINUTES

PRESENT  
Council Members: Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, and Johnny Williams; City Manager; Assistant City Manager; City Clerk; City Attorney; Phil Lindler; and Chris Trainor of the Index Journal.

Barbara Turnburke entered the meeting at 6:30 p.m.

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 then 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 Linda Edwards, seconded by Betty Boles.

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

Motion passed unanimously.
RECOGNIZE

Under Public Appearance, Mayor Nicholson recognized Mr. Wayne Lecompte.

Mr. Wayne Lecompte of 1301 Montague Avenue.

WAYNE LECOMPTÉ

"Mr. Mayor and Council Members, I have a concern. I'm from Canada so I see things that you people who have lived here all your life don’t see and there is something that extremely upsets me.

Everybody’s equal -- Mr. Mayor, you’re equal with Herbert (Vaughn). But when I look at your War Memorial Museum, which is in front of 322 Main Street, I see ‘Colored’ and ‘White’. That bothers me. We’ve integrated our schools and yet we’re advertising colored and whites. If I was Black walking by that, I would feel hateful. People are going to say that it’s a part of history, and I agree 100%, but put it in a museum somewhere. I would donate $100 towards the removal of the two words, ‘colored’ and ‘white’.

Something needs to be done about that. We started a tourism bureau in Greenwood County in the City of Greenwood and this is on Main Street. I feel offended as an outsider and I’m sure other outsiders that come here would feel the same way.

I’ve got pictures and made copies of them. The first says ‘Rural War Memorial’. The next one shows it at 1941-45. You can’t make out the words too close at this point, but the very next one says, ‘Whites’ at the top of the column. If you look at the bottom of the next photo it says ‘Colored’. It’s very easy to see ‘White’ and then ‘Colored’ underneath in that WWII, WWI picture. When you go through the Korean and the Vietnam Conflicts, there are no ‘Whites’ and ‘Colored’ but just names and that’s the way it should be. This is the next one that’s erected November 11, 1929 at the Greenwood Post 20 of the American Legion.

They all died for liberty and justice and I’d like to see it removed. We have the nerve to post the American flag above it and that’s not right. We’re all human beings. I’m not American, but you all are Americans. I don’t look at African American.
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I phoned the NAACP and said 'Martin Luther King died to stop segregation so, why do you call yourselves African Americans instead of just Americans?' They hung up on me. I asked Gonza Bryant, one of my customers, the same question and he told me that I should call the NAACP because he didn't know the answer. In Sunday's paper, (The State of) Virginia was the first State to apologize to the African Americans for slavery. Maybe Greenwood can make a step toward apologizing and get rid of it. That's all I have to say."

MAYOR NICHOLSON "Mr. Lecompte, that monument is owned by the American Legion."

WAYNE LECOMPTE "It's sitting on City property."

MAYOR NICHOLSON "I know that we gave them the authority. We will contact them and see if there is a possibility of having a new plaque made because there was an individual who also brought that to my attention last year."

WAYNE LECOMPTE "I'd talked to several Black churches and ministers that come to my business and they're willing to bring their congregations here."

MAYOR NICHOLSON "Have you talked to anyone at the American Legion?"

WAYNE LECOMPTE "No, because they didn't want to see any discrimination saying that it's a part of their history. History belongs in a museum. We've integrated the schools, we need to integrate sign. I'll come with an electric grinder and grind the words off myself for free."

MAYOR NICHOLSON "We'll contact you and see what we can do. It was mentioned one other time by someone from Post 20."

WAYNE LECOMPTE "Would you let me know their answer?"

MAYOR NICHOLSON "Yes."

WAYNE LECOMPTE "If they refuse to do it, I will hire an attorney to go after it, as you're well aware of, because this thing needs to be over with."

MAYOR NICHOLSON "Okay. We'll contact them and keep you informed."

WAYNE LECOMPTE "I'd appreciate it."

MAYOR NICHOLSON "Thank you, very much."
CONSIDER

Ordinance No. 07-004
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.

(2nd reading)

Under public hearings, Mayor Nicholson said, "The format that we employ at the public hearings is, if there are individuals that would like to speak, we ask that you 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, "Mr. Brown, before we get started, do you have any comments?"

"No, sir."

"Okay. This is the second reading of what we do each year for the benefit of the Commissioners of Public Works. Am I correct?"

"Yes, sir."

"Okay. Is there anyone here to speak in reference to this ordinance? Is there anyone in opposition? Alright. Seeing and hearing none, we will close the public hearing.

Now, do I have a motion from Council?"
Motion was made by Johnny Williams, seconded by Linda Edwards.

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

Motion passed unanimously.

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**CONSIDER**

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

Ordinance No. 07-005 Amending Ordinance 01-007, Article III, 2059, (g) Mileage Reimbursements for the Use of Personal Vehicle.

(2nd reading)

STEVEN BROWN

"It just changes our reimbursement per mile from $.31 to $.40. It's well below what the IRS recommends but is between where we are now and what's allowable under the IRS rules."

MAYOR NICHOLSON

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

Do I have a motion from Council?"

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

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

Motion passed unanimously.
CONSIDER

Ordinance 07-006 Annexing Properties in Karlie Hill Development, Phase V & VI.

(2nd reading)

STEVEN BROWN

"Mr. Mayor, I certainly would recommend that City Council take second reading which resolves the issue of the property being inside of the City and allows us to fully serve this property by all of our emergency services. The only concern I have is a 10x50 strip at the end of Alpine Way that I had asked Mr. Boggus to deed to the City. There is an emergency entrance off of Alpine into the back phases of Karlie Hill. There’s been concern expressed by the residents on Alpine Way about large trucks using the emergency entrance and damaging the road. They noted that there are a large number of children playing in their yards near this entrance. Our agreement was that he deeds the 10x50 strip, and the city will install a gate. Keys will be given to our emergency personnel in case they ever needed to access that emergency entrance. I would ask you to take second reading with the stipulation that the City pay no portion of sewer reimbursements until the 10X50 strip of property is deeded to the City."

NIKI HUTTO

"It’s more than just annexing but deeding also?"

STEVEN BROWN

"Yes."

MAYOR NICHOLSON

"Okay. You’ve heard the recommendation coming from Mr. Brown. Do I have a motion to annex the property of Karlie Hill Development, Phase V and VI?"

Motion was made by Niki Hutto under the condition that Boggus annexes and deeds the 10x50 strip to the City of Greenwood or we don’t participate in the sewer reimbursement, seconded by Betty Boles.
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“Are there any further discussion or questions? All in favor raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

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

Ordinance 07-008 Amending Ordinance 03-010, Zoning Ordinance, Chapter 2, Article 3, Definitions, and Chapter 3, Zoning District Regulations, Section 3.1.3., Zoning District Use Matrix, and Section 3.3.4.2., Additional Conditional Uses Permitted in GC (General Commercial).

(1st reading)

STEVEN BROWN

“Mr. Mayor and City Council, as time progresses we have different businesses which provide a sundry of services. Often, these new businesses take upon themselves names that make it difficult to classify them according to our ordinance. A similar situation has occurred. All of us know that you see a lot of businesses which are called ‘Check Cashing Services’ and ‘Title Loan’ operations. There was some concern by members of the Planning Commission and planning staff that there needed to be definitions defining ‘check cashing service’ and ‘title loan operation’ are. Also, there was a desire to set a distance between these types of businesses.
Before Phil reports from the Planning Commission perspective, I gave these two definitions to the City Attorney earlier in this process and he has some concerns with the original definitions. I submitted the concerns back to Phil for the Planning Commission and I see that they have changed them somewhat. I would recommend that if you take first reading on this ordinance and ask Mr. Welch to revisit his notes and see if the changes that they made satisfied his legal concerns with the definitions. We want to make sure that we don’t regulate normal banking businesses. That was your concern earlier (talking to Steve Welch, City Attorney)?

STEVE WELCH

“We don’t regulate somebody who normally loans money for cars.”

STEVEN BROWN

“We’ll let Phil speak and, unless he wants to add something to the ordinance before second reading, we’ll ask Mr. Welch to revisit this and give you his opinions before you take final reading.”

PHIL LINDLER

“Thank you, Mr. Mayor and Members of Council. Mr. Brown summarized the request to identify the differentiation between check cashing services and title loan operations from financial institutions fairly accurately. That’s really the only category right now that we have to deal with from these types of businesses.

Financial institutions are what you would consider banks, drive-in tellers, ATMs and those kinds of uses. Now, there are these new businesses that have become very popular such as check cashing services and title loan operations. We would like to consider them as a separate use from the financial institutions and allow them as conditional uses within the General Commercial Zoning District which is along the major corridors, highways and traffic routes within the City. Basically the condition being that the uses are not located within 2,500 feet of a similar use to space them out where they’re not beside each other. That wouldn’t be for financial institutions but between check cashing services and title loan operations. You can have a bank right beside a Title Loan.

Lastly, we took the definition from the law, basically Section 34-41-10 that deals with Banks, Savings Institutions, Credit Unions, and other forms of credit systems and basically taking them out of the mix of what the State Law says. It’ll certainly give the Attorney a reason to add some wording to include the definitions so that there is a differentiation.
We certainly don’t want to take those businesses that do check cashing services or title loan operations as a side business from their main service they’re providing.”

LINDA EDWARDS “Where it says, ‘...provide the use is not located within 2,500 feet of a similar use...’ are you saying that both of these businesses cannot operate out of the same building?”

PHIL LINDLER “If they are separate businesses, they would not be able to operate in the same building.”

LINDA EDWARDS “Well, would this apply to future businesses because they do have a Title Max and check cashing service together on Montague?”

PHIL LINDLER “That’s right. Any new business would have to adhere to these regulations or standards but any existing business would not come under that situation unless they close for a period of time and want to reopen.”

NIKI HUTTO “So they would be grandfathered as long as they have continuous use in a period of six months to a year?”

PHIL LINDLER “It’s usually a two year period.”

NIKI HUTTO “Okay.”

MAYOR NICHOLSON “I think they did something like this in Greenville, didn’t they?”

PHIL LINDLER “Yes. A lot of communities are doing that, especially in Richland County and the City of Columbia. That’s been a big issue because of operations like this and other types of businesses similar to this just outside of major Army or Air Force bases where all these businesses are congregating. There’s nothing wrong with their businesses, it’s just that when you congregate them all in one specific area it changes the context of the community.”

MAYOR NICHOLSON “The only thing wrong is the interest rates they charge.”

PHIL LINDLER “Well, that’s true.”

MAYOR NICHOLSON “Steve?”

STEVEN BROWN “Mr. Mayor, I don’t know if this is a legitimate concern, Phil made a statement in response to Ms. Edwards question about if they are not operating under the same roof. Could he explain that a little more?”

PHIL LINDLER “If they are operating two separate businesses?”
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STEVEN BROWN: "What constitutes two separate businesses for the enforcement of this ordinance?"

PHIL LINDLER: "If they have two separate names and apply for two separate business licenses."

STEVEN BROWN: "But we often have people who have two businesses that will be operated under the same set of books and get one business license. Steffanie, am I correct?"

STEFFANIE DORN: "I see what you're saying in the situation where specifically the businesses where the Schlotsky's was, they have identified two separate business names. Our ordinance would require them to obtain two separate business licenses. I think (I could be wrong but going back to my days in school which has been a while now) that there are regulations through the State that they have those separate business names to offer those two types of businesses. That's why you see a lot of them clustered like that. By regulation, they must have the two separate names and two separate entrances but then put themselves together because they're operated by the same owner."

STEVEN BROWN: "Okay, with that said, then the answer to Ms. Edwards' question is, if the businesses that Steffanie just referenced applied for a permit or a certificate of occupancy today, they can only put either a check cashing service or a title loan operation but not both if City Council adopts this ordinance?"

PHIL LINDLER: "Not both. If you want them to be able to do a check cashing service on one side of the building and a title loan to operate on the other, we would just need to reword that section of the ordinance."

STEVEN BROWN: "I just wanted to make sure City Council understand the ordinance."

LINDA EDWARDS: "In reference to the businesses on Montague, I was thinking that it is one building but they have two sides."

NIKI HUTTO: "But that place has two separate entrances, too."

PHIL LINDLER: "I'm not familiar with the building so I can't tell you anything about it."

MAYOR NICHOLSON: "From now on, they wouldn't be able to be in the same building because they have to be 2,500 feet apart."
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LINDA EDWARDS

“Right now, they don’t have two separate doors. It’s just one door.”

NIKI HUTO

“So a business owner with two services would have his store in one place and the other store in another place.”

MAYOR NICHOLSON

“Okay. Thank you, Phil. This is a public hearing. Mr. Lecompte, do you have a statement?”

WAYNE LECOMPTE

“I just have one statement. Under big businesses, when you have more exposure you tend to get more competition. I worked in Canada and we had six muffler & brake shops within three blocks. The prices were lower and the public benefited from it. If you spread these over a larger area it may benefit the County or the City but it’s going to hurt the actual consumer because there’s going to be less competition. So are we going to be thinking about the public or just thinking about the businesses? We should be concerned about our citizens as well. If they are 2,500 feet down the road, then I’m not going that far. I’ll just take his high interest rate and that’s the end of it. I think we need to work on that, too.”

BETTY BOLES

“But it only refers to these particular types of businesses, am I right?”

MAYOR NICHOLSON

“Yeah. Just check cashing and title loans.”

LINDA EDWARDS

“I know we need to consider all that but I’m thinking they are two separate businesses because check cashing does not do what title loan does. I could see if they were both offering identical services. I know that loaning money is loaning money, but check cashing is with a checking account that has no money in it but you write a check and get money until payday. A title loan company wants the title to your car. I don’t see those as being the same business, but that’s me. Of course they’ll come up with a reason why they are two separate businesses to prove me wrong.”

MAYOR NICHOLSON

“Okay. Is there anyone else to speak in reference to the change? Alright. Seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?”

A motion to accept the Ordinance on first reading depending upon report from the City Attorney was made by Linda Edwards, seconded by Betty Boles.
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"Is there any further discussion or questions? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

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

Ordinance 07-007 Setting a Franchise Fee Rate for Cable Service Providers upon Expiration or Termination of an Existing Franchise for Cable Service.

(1st reading)

STEVEN BROWN

"Mr. Mayor and Council, the current City of Greenwood franchise ordinance establishes the franchise fee rate Northland Cable TV pays. Even though the new SC Cable act requires you to charge the same franchise fee rate to new companies as the incumbent on the date of the application, it has been recommended by the Municipal Association Attorney that municipalities establish by ordinance a franchise fee for any future Certificate of Franchise Authority (COFA) holder. The current or incumbent, as referred in the SC Cable Act, may terminate its existing franchise and apply for Certificate of Franchise Authority (COFA) from the Secretary of State. While our present franchise fee rate is set at the state mandated maximum, it is recommended that we establish or set ours at 5% for any cable company who may obtain a Certificate of Franchise Authority (COFA) from the Secretary of State. In the future, you may have multiple companies seeking a COFA. This ordinance does nothing more than set the franchise fee for all companies at 5%. I recommend that you adopt this ordinance."

MAYOR NICHOLSON

"What was the basis for the State passing that law?"

STEVEN BROWN

"A lobby by the cable providers."
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MAYOR NICHOLSON  

“So if the State collects the five percent, would they send it to us?”

STEVEN BROWN  

“Yes, sir, they would still pay it to the City. The ordinance will protect the five percent fee that you set in your last franchise ordinance.”

MAYOR NICHOLSON  

“Okay. So we’ll still get it?”

STEVEN BROWN  

“You’re stating that if you come to Greenwood to operate cable TV, or apply to the State, the fee is going to be nothing less than five percent.”

MAYOR NICHOLSON  

“Okay.”

BETTY BOLES  

“But this wouldn’t apply to the Northland Cable that’s already here, am I correct?”

STEVEN BROWN  

“Northland Cable is already five percent, but if they would, through the new law, terminate their franchise and apply for a new one, then the franchise fee would remain five percent. It doesn’t increase anything you’re getting now; it just preserves your five percent fee.”

MAYOR NICHOLSON  

“Okay. Do I have a motion?”

A motion was made by Johnny Williams, seconded by Herbert Vaughn.

“Are there any questions or discussion? All in favor raise your right hand. So moved.”

Motion passed unanimously.

- attach -
CONSIDER

Resolution No. 07-001 to Approve Financing Terms for a 100' Mid-Mount Platform Sutphen Fire Truck.

STEVEN BROWN

"Mr. Mayor and City Council, in your 2007 budget you authorized us to begin the process of purchasing what we have all referred to in the past as a ladder truck. This will not be a ladder truck but the proper name is a '100' Mid-Mount Platform' fire truck. It's actually a fire truck because it has an internal pump that can be used just like a regular fire truck. The present ladder truck does not have a pump on it.

I would like the Fire Chief to come forward and give you a very brief explanation of the process to identify which truck we would like to purchase, meaning the Sutphen truck, as opposed to some other form of truck. Assistant Fire Chief Hal Stockman is also here with Chief Strange. He will tell you the difference between a mid-mount truck and a rear-mount truck and why we would like to go with the mid-mount. When he is completed, I would like for the Finance Director, Steffanie Dorn, to give you a report on our solicitation for bids on the lease-purchase for this truck. She can tell you the process and give a recommendation on the financial institution with whom we should sign a lease-purchase agreement."

CHIEF STRANGE

"Thank you, City Council. First of all, I would like to thank each and every one of you in giving us the opportunity to purchase this truck. In our process, the first thing we had to do is decide whether we were going with a mid-mount or a rear-mount.

This is a picture of a mid-mount truck that we want to buy (pointing at screen). You'll notice that the bucket for the truck is at the rear. Coming up through the ranks and having driven fire trucks myself, I prefer having the bucket behind me because I can have control when making my turns and see what the bucket is going to do."
This is a rear mount (pointing to the screen). I'm very concerned about the bucket on the front because I can foresee turning a corner and catching a telephone poll. Plus, when you stop to the red light, you'll have to lean down and look underneath the bucket to see when the lights change. I considered that to be a little more dangerous, so we elected to go with the mid-mount truck.

They all basically do the same thing. It's 100 feet and they all have the platform and pumps on them. This is a little different from some of the other models because the wheel base, measured from the front of the wheel to the rear wheels, is shorter. It's about the size of a pumper so it will turn and maneuver as easily as a pumper, compared to some of the other ladder trucks. We also considered some of the smaller streets we have in our community so that brought us back to the mid-mount.

We started to look at three top manufacturers in the area that we were familiar with, Sutphen being one of them. One of the manufacturers discontinued making the 100' for the 95' mid-mount, but the ISO requires us to have 100 feet. The other manufacturer had a 100' mid-mount but I had no history with them, as far as parts and equipment. I started checking with some other Fire Chiefs around the State that had used that particular manufacturer; one being in Myrtle Beach and the other in Florence. The history that they've had with this particular manufacturer is not good on maintenance. They've had some maintenance issues that were three years old and never been resolved. So, with this type of money that we're talking about, I felt we needed somebody reputable that would stand behind their truck. At that time, we tried to find another manufacturer and asked them for a price on their truck but they never responded, so that brought us back to the Sutphen.

We have two Sutphen pumpers now and had nothing but excellent service out of them. In fact, when we had a problem with our first pumper, they flew somebody here. They didn't just send them here by car but flew them immediately and got our truck back in service order. So that excellent service is why we want to purchase a Sutphen mid-mount truck."

"What's the total cost?"

"It is $917,000 with the equipment. It costs around $50,000 to equip one of those trucks, so they're not cheap."
"Is there a difference in the cost for the rear-mounts versus the mid-mounts?"

"No, ma'am, their comparable. There are some trucks that will be a little cheaper but the mid-mounts run about the same price. You are probably not aware of it but this particular company is manufacturing a new 2007 engine this year that the EPA has gotten involved with that has a lot of filters and stuff on it. The cost is nearly $20,000 more for a 2007 engine which the other manufacturers said they had to provide. Sutphen is holding a 2006 engine for us so that we would not have that increased cost for the truck."

"What is the delivery date?"

"Ten months. They're completely custom made trucks. The pumps are about the only thing on the engine that comes with it. Everything else is made from scratch, ladders and all. Deputy Chief Stockman, Len Bryan, and I had an opportunity to visit the factory, talked to the engineer and saw how they manufactured these trucks. It was a wonderful experience. They have a fantastic piece of equipment."

"What type of warranty does it have?"

"It depends upon the different parts of the truck. There are different warranties overall; a 10 year warranty on the truck and the tank that's in it, plus a five year warranty on the paint."

"It is my understanding from the Chief that we will purchase most of the equipment from a separate vendor but it will go to the factory where they're making our truck. When we get the truck, it'll be fully equipped because it's all a part of the same package."

"We'll only pay one sales tax when we get the equipment through the truck manufacturer."

"Hyundai got a 100,000 mile or 10 year warranty but they don't make fire trucks."

"I thought it would at least come with a five year warranty for that kind of money."

"You could probably get one but it will cost some money."

"Are there any other questions?"
I’ll start by answering one question that some of you will probably have: ‘Why am I before you recommending a vendor for the capital lease-purchase if it’s going to be 10 months before we get this truck?’ The main reason is it’s recommended that we have our financing in place so that we don’t have any problems ten months from now. We don’t ever know what might happen. The other reason is they do offer some discounts if we make certain payments up front. I haven’t looked at all the figures to determine what I’ll recommend, but it requires us to retain a performance bond. We haven’t really gotten that far to decide if that’s our best option.

The first thing we’ve got to do is get the financing approved. We sent a request for proposals about 45 days ago not just to local banks but to a lot of our outside banks. You can get competitive pricing through some places that specialize in municipal finance. We received a total of seven bids by First Citizens Bank, BB&T, SunTrust, Wachovia, Municipal Services Group, Koch Financial Corporation and Baystone Financial Group. The overall lowest interest rate was offered by BB&T of 4.02%. The next rate, which was really close together, was 4.041%. The next vendor, SunTrust, had some fees associated with their transaction because we are financing early, meaning we will be closing on this package within 30 days to guarantee our interest rate. Clearly the money is available but we don’t need it.

BB&T will set up an escrow account so that, when the equipment is ordered, we can pay for it. We’ll just draw down the funds to do that but, in the meantime, it will earn interest. Right now, the earning rate on that is the Fed Funds, less 50%, which would be 4.75%. So we’ll actually be earning a little bit more than what we’re paying until we actually use all of the funds. Now, if you recall in the budget, what we have for the total price is $917,000. We’re only financing $780,000 because we’re using one of our lease payments that we don’t have this year to make the down payment. We’re just financing the difference."

"The down payment is how much?"

"It’s $137,000."

"We’ll finance it for how many years?"

"This will be a term of seven years and the annual payments will be about $130,000. We were trying to basically replace one lease payment with another, so this is going to be a little bit less."
The bank offers our last year’s payment to be a little bit less if we want to pay $137,000. Quite honestly, I’ve never been a big fan of capital leases just because that’s my way but, in this particular situation, our capital fund account is earning about 5.25% interest. So to take that money and use it to buy this truck would be kind of foolish when we can borrow it for much less. So I stand before you, as a fan this time of the capital lease, to strongly recommend that we continue with what we originally budgeted. Like I said, next year our payments that we budgeted will be less than what we have anticipated because of the interest rates. The amount we’re saving is a little bit from what we originally estimated of $950,000, so we are saving more than what we originally planned.”

NIKI HUTTO

“Basically, you’re locking in at this rate?”

STEFFANIE DORN

“We’re locking in at this rate and will sign all the documents. I’ll notify BB&T in the morning if you all approve this resolution. Once I send it to them they will hand the documents to us probably within 14 days and our money will be available.”

MAYOR NICHOLSON

“Okay. Are there any more questions for Steffanie? Thank you, Steffanie. Mr. Brown, do you have any other comments?”

STEVEN BROWN

“It’s not an easy decision. Often we’re accused of spending money foolishly but, for the last 10 years, the Fire Chief, his management staff and I have looked for a way to replace that inadequate ladder truck. Our ISO rating recommended that we have a new front-line truck and a backup, so we do not intend to get rid of the old truck. If we use this new truck just one time and save lives, it’ll be worth every dime we’ve spent, but it should serve this community for a long period of time. So, while it bothers all of us to spend this kind of money, we recommended the easiest way to finance it over a seven year period. We’re maintaining our lease purchase numbers at the dollar level they were in the past. I certainly recommend that you adopt this resolution and allow us to proceed. If we have 10 months delivery, it should be ordered in the next week.”

LINDA EDWARDS

“So, after this, you’ll give them the authority to start?”

STEVEN BROWN

“Yes, ma’am.”

LINDA EDWARDS

“Okay. Ten months from when they get started, right?”
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“Okay. Do I have a motion?”

A motion was made by Herbert Vaughn, seconded by Niki Hutto.

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

Motion passed unanimously.

CONSIDER

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

Allocating $15,000 of Hospitality Tax to Develop the Emerald Triangle Website.

STEVEN BROWN

“Mr. Mayor, in the past City Council has expressed a lot of concern about some of the cultural agencies working together. We have taken a lot of actions and implemented a lot of programs to try to improve their ability to serve the community. We’ve now, as Mr. Lecompte spoke of a little while ago, implemented the tourism office. There also have been concerns expressed by you about the number of brochures, printed materials and the cost.

In the last week, we have been able to negotiate with three of those main agencies, the Arts Center at the Federal Building, the Theatre, and the Museum to produce a joint website and cut costs. Charlie will tell you what the new name is but it will not be known as the Greenwood Community Theatre or the Arts Center website. We felt that it was worthy of asking you for $15,000 to assist in the development of this. Only time will tell if my recommendation is a valid one.

Charlie monitors the numbers of people are visiting the websites that we have. It’s amazing how people are now going to the website for information.
We think, if we can assist them in developing this website, their request for printed materials will reduce. Charlie can talk to you this time tomorrow about how strongly he feels that the wave of the future is not printed materials but using the web. Charlie, do you have anything to add?"

CHARLES BARRINEAU

“For an example, we posted the new visitors guide that was printed last year in an inconspicuous place on the web without any bells or whistles. It was downloaded 100 times in the first month, so people are finding it. We recommend that you proceed with the website named, www.emeraldtriangle.sc. We would again market it throughout any other material to push individuals to this website. We just think it is the way to go. Each of those entities though this web could have access to update their own portion of the website easily and be monitored by an administrator of the City’s choice. It’s just a great opportunity for us to proceed for this project.”

STEVEN BROWN

“This will be paid with Hospitality Funds.”

MAYOR NICHOLSON

“Okay. Do I have a motion?”

A motion was made by Niki Hutto, seconded by Linda Edwards.

“Are there any questions or further discussion?”

LINDA EDWARDS

“This is the Art Center, Museum and Theatre?”

MAYOR NICHOLSON

“Yes. Is there any further discussion?”

BETTY BOLES

“Is the $15,000 just for the actual layout?”

CHARLES BARRINEAU

“We signed a contract for the new visitor website at $12,000 so I’m just giving you a ballpark figure. We shouldn’t want to spend any more than $15,000 for a new website turn-key that includes the entire framework, software to run it and the set up.”

MAYOR NICHOLSON

“Is there any other discussion? All in favor raise your right hand? So moved.”

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

"Mr. Mayor and Council, each year the City is allowed to apply for an allocation of C-funds from the Greenwood County Transportation Committee. We use these C-funds to resurface streets which are maintained by the City. There have been occasions where I have asked you to cooperate with the State to resurface a State street inside of the City that was in a condition less than desirable.

In the last month, the SCDOT has approached the County Transportation Committee with a match program which means, for every dollar that the County Transportation Committee is willing to commit, the SCDOT will match it. These matching funds must be used on State roads, not City, or County streets. It just happens to coincide with Mrs. Edwards' comment last month at the work session that some of the State streets inside of the City are in a state of disrepair. Charlie had subsequently e-mailed SCDOT and mentioned Phoenix Street. I didn’t participate in the development of this list, but DOT came to the Transportation Committee and recommended using the match program to resurface Cothran Street (which is near Blyth Avenue), 1.03 miles of Phoenix Street, Carroll Street (which is located behind the hospital and near the Highway Department office), one half mile of Spring Street and .85 miles on Sproles Avenue. The total cost is $325,000.

When the County Transportation Committee was considering this request, they were short of funds and were trying to decide how they could designate $162,500 to match these monies. I asked them to allow me to ask if you would forgo requesting any monies for City streets this year and take our normal allocation to match these SCDOT funds to get these streets paved. I’ve had Billy Allen to look at our streets. While we have some that will soon need to be resurfaced, we’re in good shape. It would sad if the CTC was unable to locate funding for this opportunity. My request is for you to allow me to notify them that the City will not be requesting any regular C-funds for the year 2007 and use whatever monies that would have been allocated to us to match the SCDOT funds.
We’ll have five streets paved inside the City for $325,000 and I think it’s a good deal for the City.”

Barbara Turnburke entered into the meeting at 6:30 p.m.

“Can you add any streets to their recommendation?”

“They have a priority listing and a formula by which they identify streets. We could not add any streets to this.”

“For this year?”

“For this year, yes.”

“Okay. Do I have a motion?”

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

“Are there any questions or further discussion? All in favor raise your right hand. So moved.”

Motion passed unanimously.

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

“Mr. Mayor and City Council, we have informed you in the past that the Inn on the Square is undergoing a significant renovation. In fact, they have now signed an agreement with Clarion. The parking lot behind it is owned by the City of Greenwood, and we would like to make some landscaping and irrigation improvements. Actually, we’ve spent no money on that parking lot since it was built in the mid 80’s.
We’re not asking you to give us any new money but to allow us to use existing budgeted money to do what we are recommending to be done.”

CHARLES BARRINEAU

“Mayor and Council, we also asked the CPW Commissioners to participate in this project. They have agreed to participate with the lighting installation to match the lights that we’re installing in the new Phoenix-Pressley parking lot. All the landscaping is similar and the look will be very similar. The budget that I’ve provided you from tree shrubs, sod, mulch, irrigation and striping of the parking lot is all very similar to what we did to Phoenix-Pressley. The low maintenance type material that we propose may be as low as $18,000 or as high as $25,000 in case we do some additional landscape screening or a fence that we may look at. As Mr. Brown pointed out, these monies are already budgeted and will be utilized out of our Public Works budget.”

MAYOR NICHOLSON

“Okay. Do I have a motion?”

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

“Are there any questions or further discussion?”

NIKI HUTTO

“I think we need to notify the public that these are municipal lots to give them an idea of what we’re doing to beautify these areas. I think the people should know why it’s pretty!”

LINDA EDWARDS

“You don’t have to tell them. The Inn on the Square got a new coat of paint that’s making it stand out, so somebody knows that somebody else is doing something with the Inn on the Square. Now, it won’t take them long to figure out what’s going on in the parking lot.”

NIKI HUTTO

“Yeah, but they should know that it’s the citizens of the City of Greenwood and Commissioners of Public Works that have beautified their City. The Inn on the Square is not paying for that parking lot.”

MAYOR NICHOLSON

“Chris (Trainor of the Index Journal) said that he’ll take care of it.”

CHRIS TRAINOR

“We’ll do a separate story.”

NIKI HUTTO

“I just think that a ‘City of Greenwood Municipal Parking Lot’ sign will be helpful.”
"Okay. Is there any other discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

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

Motion to go into Executive Session was made by Linda Edwards, seconded by Niki Hutto.

The Mayor asked, "All in favor raise your right hand. So moved. I thank you all for coming and have a great evening."

The motion passed unanimously.

The meeting adjourned into Executive Session at 6:36 p.m.

The meeting reconvened at 7 p.m.

Mayor Nicholson said, "Okay, we're back at open session. Do I have a motion that we sign this agreement of representation by the Municipal Association for the class action law suit?"

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

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

The motion passed unanimously.
Meeting adjourned at 7:05 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer
GREENWOOD CITY COUNCIL
February 26, 2007 - 6:36 p.m.

EXECUTIVE SESSION

PRESENT
Council Members: Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk, and City Attorney.

MOTION TO ENTER
A motion to enter into Executive Session was made by Linda Edwards, seconded by Niki Hutto.

Motion was carried unanimously.

Mayor Nicholson called the Executive Session to order at 6:36 p.m.

RECEIVE
City Council received from the City Attorney Regarding the South Carolina Self Storage/South Carolina Association of personnel and Staffing Court Action.

MOTION TO ADJOURN
The Executive Session was adjourned at 7 p.m.

Mayor Floyd Nicholson

Attest:
City Clerk and Treasurer