

GREENWOOD CITY COUNCIL

December 17, 2007 - 5:28 p.m.

MINUTES

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

ABSENT Mayor Nicholson and City Attorney

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

City Manager, Steven Brown, gave the invocation.

STATEMENT AND QUORUM Mayor Pro Tempore Boles read the following statement, "In accordance with the Freedom of Information Act, Chapter 4, Title 30, Code of Laws of South Carolina, 1976, an agenda has been posted on the front door of City Hall and notification of this meeting has been given to the news media."

The Mayor Pro Tempore then asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mrs. Boles, we have a quorum present."

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

Motion to approve the consent agenda was made by Linda Edwards, seconded by Niki Hutto.

The Mayor Pro Tempore asked, "Are there any questions? So moved."

Motion passed unanimously.

CONSIDER

Ordinance No. 07-040
 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.

Under public hearings, Mayor Pro Tempore Boles 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 Pro Tempore then read the first item and asked, "Do I have a motion from Council?"

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

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

Motion passed unanimously.

- attach -

(2nd reading)

CONSIDER

Ordinance No. 07-041 to Adopt the Budget for 2008.

Mayor Pro Tempore Boles read the second item and asked, "Would anyone like to speak on this motion, in favor of or against? Hearing none, may we have a motion from Council?"

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

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

Motion passed unanimously.

(2nd reading)

- attach -

CONSIDER

Ordinance No.
07-042 to Levy
Tax for the
City of
Greenwood for
2008.

Mayor Pro Tempore Boles read the third item and asked,
"Is there anyone to speak on this ordinance, in favor of
or against? In hearing none, may I get a motion from
Council?"

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

(2nd reading)

"Are there any questions? Can I have a vote by raising
your right hand? So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
07-043 to
Authorize the
City Manager to
Issue Tax
Anticipation
Notes in 2008.

Mayor Pro Tempore Boles read the fourth item and asked,
"Is there anyone here to speak on this ordinance?
Hearing none, can I take a motion from Council?"

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

(2nd reading)

"All approved, raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
07-044 Adopting
the Business
License
ordinance for
2008.

Mayor Pro Tempore read the fifth item and asked, "Would anyone like to speak on this ordinance? Hearing none, can I have a motion from Council?"

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

(2nd reading)

"Let's have a vote by the raising of your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
07-045 Annexing
Property Owned
by the
Greenwood
Genetic Center.

Mayor Pro Tempore Boles read the sixth item and asked, "Would anyone like to speak on this ordinance? Hearing none, can I have a motion from Council?"

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

(2nd reading)

"I would like to take a vote by the raising of your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER Mayor Pro Tempore Bole read the seventh item and asked
"Would anyone like to speak on this ordinance? Can I
get a motion from Council?"
Ordinance No. 07-046
Approving the
Comprehensive
Plan. Motion to approve was made by Niki Hutto, seconded by
Linda Edwards.

(2nd reading)

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

The motion passed unanimously.

- attach -

CONSIDER Under Unfinished Business, Mayor Pro Tempore read the
first item and asked for a motion.
Ordinance No. 07-037 Amending
Ordinance 03-
010, Zoning
Ordinance,
Chapter 4,
Article 7,
Establishing
the Old
greenwood
village Overlay
District (O-
GV). Motion was made by Linda Edwards, seconded by Barbara
Turnburke.
"All in favor raise your right hand. So moved."
The motion passed unanimously.

(2nd reading)

- attach -

CONSIDER

Mayor Pro Tempore read the second item and recognized the City Manager.

Ordinance No.
07-039 Amending
City Land
Development
Regulations
Article 8,
Design
Standards,
Section 1, (3),
(a), Cul-de-
sac.

(2nd reading)

STEVEN BROWN

"Mrs. Boles and Members of City Council, at the meeting last month when this ordinance under Council's consideration, I expressed some concerns that we did not have adequate definitions in the ordinance. So, with the help of Phil, I have included some definitions. We defined cul-de-sac as a street with a single means of ingress and egress with the other end designed for the reversal of traffic movement. That's a change to the existing definition of a cul-de-sac.

Phil had also recommended that we have intermediate cul-de-sacs. I had some concern about using the word 'cul-de-sac' so we inserted 'intermediate turn-around'. We defined it as a turn around along a cul-de-sac having one half the radius of the cul-de-sac termination. Phil has further recommended that we insert after the words, having 'at least one half the radius of the cul-de-sac termination.' So, I would recommend that we adopt the ordinance with the changes and insert the terminology, 'at least one half the radius of the cul-de-sac termination'."

MAYOR PRO
TEMPORE BOLES

"Okay. Do I have a motion from Council with the changes that has been made?"

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

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the third item and recognized Mr. Phillip Jones.

Ordinance No.
07-038 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property
(Approximately
0.86 Acres),
Located at 303
Hampton Avenue,
from OPI
(Office/Professi
onal/Instituti
onal) to CC
(Core
Commercial).

(1st reading)

PHILLIP JONES

"I spoke at the last meeting when the first reading was postponed for lack of information. Ms. Lin, the lady who is in the process of trying to obtain ownership of the property, was not at the last meeting but is here tonight to speak on her own behalf along with a real estate agent that she's been consulting with. I'll let them speak as soon as I quickly sum up what I presented last time.

I think we're all familiar with the property known as Coleman Hall. Ms. Lin's wishes are to buy this property and develop it into a mixed use property. It's currently zoned Office Professional. It's our understanding that once it was closed down and no longer used as a dormitory, residential or institutional use, you could not go back into residential occupancy because of the zoning. Ms. Lin feels that there's not a sufficient need for Commercial or Office Professional space in Greenwood at the present time to make it a feasible project to buy, develop and spend the amount of money it would take to bring the building up to code. We don't even know the details of that yet.

We felt the mixed use would give her more flexibility to possibly have commercial, office professional and residential uses that'll give her a better chance to

develop and utilize the building.

At this time, we do not have a preliminary design. We just have the thoughts and ideas that I've just relayed to you in mind. We don't know what the cost or even the requirements would be to bring it up to code until we see the outcome of the zoning issue. So there are a lot of unknowns in the project, especially in terms of costs, to Ms. Lin. I think that was one of her main thrust in trying to get the building rezoned so that it can be more flexible where she would have more opportunity to develop it in different ways rather than just go in one direction.

I'll be glad to answer any questions that you have of me directly, or I can let Ms. Lin speak, whatever your preference is at this time but that's all I have prepared to say."

NIKI HUTTO "I have a question of Phil. Does Core Commercial on this property fall under the downtown overlay?"

PHIL LINDLER "If you were to rezone this property to Core Commercial, it will not be contiguous to the existing Core Commercial area of the Uptown."

NIKI HUTTO "So it would not fall under that overlay that we did for the Emerald Triangle?"

PHIL LINDLER "No, it would not."

NIKI HUTTO "So, from Core Commercial to here, we have some Neighborhood Commercial between them?"

PHIL LINDLER "I believe there is General Commercial between the Uptown area and this property."

STEVEN BROWN "I think Ms. Edwards wanted to hear from Ms. Lin."

LINDA EDWARDS "If I understood Mr. Jones right, you're not sure what you're going to put in this building unless the zoning changes. My stance on that is there are a couple of things that could go under Core Commercial. If you rezone this piece of property to Core Commercial sight unseen without knowing what you're going to put there, then we might have something on that corner that's undesirable. I would like to know a little bit more of what she plans to put there, not if or after we rezone it, but before we were to rezone it. Maybe a mental or physical picture, or whatever, but I just need to see something else. I know how that corner already is with Rite Aid on the corner and all the other

traffic coming from the north and south. That's my feelings."

HAIYAN LIN

"I'd like to put a commercial business on the first floor like retail, fast food, coffee shop or something like that. I'd also like office space for a real estate office. The top two floors may be professional office spaces for engineering, architect, real estate or mortgage broker, research and development, or whatever that may be market desirable. It's in the location of the university and downtown development and would be open for a small business or individual professional office. The first floor would be retail and that's why I needed Core Commercial to operate this into sections. It's a good location for commercial and convenience stores in the building for the school and business community in the downtown area."

LINDA EDWARDS

"Okay. So you're looking at using the first two floors for your commercial use and renting out the top floors?"

HAIYAN LIN

"Right. The top floor as much as we can accommodate for the City's demand for the office space. After that, we can use for residential. Just a few."

NIKI HUTTO

"So what type of residential you're going to sell, condominiums or apartments to rent? Would they be one or two bedrooms or you don't have an idea yet?"

HAIYAN LIN

"The condominium would depend on the market demand. Unless there is a demand for it, they would be one or two bedroom apartments."

NIKI HUTTO

"So right now, they're basically a dormitory style, one bedroom apartments with no kitchens. Are there efficiency style dormitory rooms in them now?"

HAIYAN LIN

"Efficiency with little kitchens in them."

NIKI HUTTO

"So in order for them to be marketable as condos, you're really going to do major renovations."

PHILLIP JONES

"The top two floors would lend themselves more to condos because there are three and four bedroom units, if I'm not mistaken. The middle floors have eight, two bedroom efficiency apartments. The top two floors will readily become condos. The other floors will be a lot harder because you'd have to take out a lot more walls and jump through a lot more hoops to get a condo."

JOHNNY WILLIAMS

"I can remember when it used to be apartments at the top, the bottom was a radio station and commercial property or

some other stuff was in there."

STEVEN BROWN "You didn't recommend anything at the present time."

JOHNNY WILLIAMS "We didn't change that but it's somewhere."

STEVEN BROWN "It was being considered for Core Commercial so you left that open."

JOHNNY WILLIAMS "We left it open because it was being considered. We didn't make most of the property on Montague Commercial, correct?"

NIKI HUTTO "We made some of it Neighborhood Commercial, OP and I. I would feel more comfortable if this Core Commercial was under that overlay with some design ordinances that are above and beyond what is allowable in Core Commercial to give it the right look. In essence, we have a gap between Core Commercial and here."

HAIYAN LIN "This will really blend in with Core and Neighborhood Commercial with the drug store, a bank and a convenience store across the street without conflict."

NIKI HUTTO "Yeah, but there is also R4 Residential and soon to be Office Professional. It would be standing out as Core Commercial by itself. You have General Commercial further up, but you're going to have a mixed bag."

HAIYAN LIN "Next door is General Commercial?"

NIKI HUTTO "Yes, to the left, but I'm also looking beside it."

HAIYAN LIN "Across the street is also General Commercial and the angle is also commercial."

NIKI HUTTO "Right, but you also have R4 next door."

HAIYAN LIN "Across the street from Hampton is OPI. The first floor will blend in with General Commercial. The second and third floors can be OPI that can blend in with this neighborhood."

STEVEN BROWN "Ms. Lin, I have some questions that may help City Council. Is this the first development of this type that you have anticipated or do you have any other developments similar to this that you have done in the past?"

HAIYAN LIN "Yeah. I own property in Columbia that's not as big as this one but has three different floors like Core Commercial and an apartment on the top floor."

STEVEN BROWN "Is it in the downtown area?"

HAIYAN LIN "Right, in the downtown commercial zone."

STEVEN BROWN "Where about in Columbia?"

HAIYAN LIN "It's Rosewood Drive."

STEVEN BROWN "What type of commercial use is on the ground floor?"

HAIYAN LIN "It is a retail store that sells antique furniture and above it are apartments."

STEVEN BROWN "Can you give City Council some idea of what type of apartments they are?"

HAIYAN LIN "There are two to three apartment units and a basement-like shop."

STEVEN BROWN "How long have you owned this piece of property?"

HAIYAN LIN "Seventeen to 20 years."

STEVEN BROWN "When did you develop it? Was it 17 years ago?"

HAIYAN LIN "It was 15 years ago."

STEVEN BROWN "Has it been a viable business?"

HAIYAN LIN "Yes. I've just sold it last year in 2006."

STEVEN BROWN "Do you have any other developments of a similar nature?"

HAIYAN LIN "I have a commercial development."

STEVEN BROWN "Is it in Columbia also?"

HAIYAN LIN "Yes."

STEVEN BROWN "Where about?"

HAIYAN LIN "Two Notch Road and Beltline Boulevard. That's a busy intersection."

STEVEN BROWN "But you don't have any other development where there is a mixture of commercial and residential other than the one you did downtown?"

HAIYAN LIN "Yes. The property is one story but this building already exists. All we need to do is renovations to fit in the use for market demand."

STEVEN BROWN "Ms. Newton, is this sale contingent upon the rezoning? Is this a done deal except for the rezoning?"

DIANE NEWTON "No. The zoning has no effect on the sale at all. There was not a contingency in the bid as far as I know."

HAIYAN LIN "The zoning would approve what we intend to do. If the zoning does not allow it, we would not have it."

STEVEN BROWN "Who is actually requesting the rezoning?"

DIANE NEWTON "Ms. Lin is."

STEVEN BROWN "But she's not the owner and may not be the owner."

DIANE NEWTON "Right now she is moving toward the ownership of that building. The actual sale is being handled through the General Services Division of the State, not Lander. That's why there's a disconnection where we don't know a lot of what's going on. We do know that there are hoops she's jumping through for financing but the zoning is not one of those determining factors."

HAIYAN LIN "Actually it is."

STEVEN BROWN "Do you intend to purchase it, if it isn't rezoned?"

HAIYAN LIN "Yes. It is a hoop that we need to jump through. If it's not rezoned and we cannot do what we want then we will not proceed."

STEVEN BROWN "Phil, last month Mr. Jones made a statement that the property could not be used for apartments. For some reason someone has made a decision that the zoning wasn't grandfathered. I was wondering if you can give Council some information on why that is so. I would think you have to discontinue the use by way of electrical power and things of that nature. Was the Planning Department's decision based on it being discontinued for a certain number of months? What was the reasoning behind that decision?"

PHIL LINDLER "The Planning Commission recommendation was based on what we felt was the best use of the property in this area. Really the nonconforming status of the whole structure being an apartment complex really hasn't been determined yet.

We don't have any information as to when the power was turned off or when the last date of habitability in the structure was."

STEVEN BROWN "If City Council were to vote against Core Commercial, could Ms. Lin use it as an apartment?"

DIANE NEWTON "To my knowledge, the power has not been turned off from that building."

STEVEN BROWN "It's been used for years and years and the property owner still owns it. There has not been anything else put in it so someone could purchase it and continue to use it as an apartment building?"

PHIL LINDLER "Yes sir, unless we can determine if there is some other reason why but we don't have any information."

STEVEN BROWN "Mr. Jones, was that what you were saying to City Council when you thought the grandfather use was not in effect?"

PHILLIP JONES "It was my understanding that it was not."

STEVEN BROWN "I wanted to clarify that for City Council."

PHILLIP JONES "I appreciate you bringing that up because I've had projects in the past where the change of ownership would require a new certificate of occupancy. I've been told that, whenever a new CO is issued, the building has to conform to zoning and the new building code. If it's not the case then I've misinterpreted that or didn't remember it. That's my experience to the best of my recollection."

STEVEN BROWN "But as far as zoning, Phil, you're saying that after it meets some codes it can continue to be used as apartments? The real issue before City Council is to leave it as it is or rezone to Core Commercial for commercial use on one of the ground floors? Isn't that what we're saying? Phillip, do you understand it that way?"

PHILLIP JONES "That sounds exactly right. I was unaware that it could continually be used without it being rezoned or maybe I just misunderstood. If it's the way you just summarized it, it seems to me to be actually right."

STEVEN BROWN "Ms. Lin, you're saying to Council that you want commercial use on the ground and second floors to provide the funds to do what you want to do with the building because it's going to be an expensive proposition?"

HAIYAN LIN "Right. Building Inspection said I can do that without any problems because it would be grandfathered where I wouldn't have to change anything if we keep the top floor

for residential apartments and the bottom floor commercial. The Zoning Department required that I get a permit approved first and no commercial or residential uses were zoned for OPI. We would have to change the zone before we could get a permit and that's why we're here."

STEVEN BROWN "I would assume now that financial institutions are very reluctant to make loans on property that's nonconforming. I've seen it more and more. Have you seen it, Phillip?"

PHILLIP JONES "Well, thankfully, I don't have to deal with financing very much so I can plead ignorance on that. I don't doubt it."

STEVEN BROWN "Phil, we've seen that haven't we? So it may be a problem if she tries to secure financing. How quickly does this have to be done, Diane? When you say the process is moving, is it a week to three weeks away?"

DIANE NEWTON "No it's actually waiting on Ms. Lin. It's actually been in the process for a year. She's been awarded the bid in December of 2006 and has been dragging along ever since."

HAIYAN LIN "Yes, we wanted to proceed in April but then we're on this OPI zoning code. We've been holding out for City Council to change the whole zoning code but that hasn't happened yet."

NIKI HUTTO "Okay. So in essence you were waiting to see what would happen to OPI before you proceeded because we were changing it. Since it didn't happen quick enough you had to anticipate the outcome. The new OP would not allow her to do commercial. Now, she can rent the bottom floors to offices like accountants or whatever, but the new OP only has single family residential not multi-family. There's no other way to look at it."

HAIYAN LIN "You would have to change the zoning before we can do anything."

LINDA EDWARDS "Well, excuse me, but I thought I heard Phil say that it could stay as it was and she can do what she wanted to do, is that right?"

PHIL LINDLER "Based on the information that I have, it would be a use that can continue as far as having it for multi-family use.

In order to have a mixture of uses, whether they be office, commercial or residential, then the Core Commercial zoning district would handle all of that. The

new Office Professional or new Institutional Districts would not handle that unless there was an amendment."

JOHNNY WILLIAMS "Well, what all would go into Core Commercial?"

PHIL LINDLER "Core Commercial allows all types of retail. It allows government offices, museums and public uses like that. Parking standards would be determined upon the individual owner as to their need. It does allow for professional offices and all types of other uses."

NIKI HUTTO "So you're saying the only grandfathered use would be the multi-family? Even if it was zoned OP again, only multi-family can be grandfathered and no commercial whatsoever?"

PHIL LINDLER "Correct, unless it was determined that it wasn't conforming or a lapse of time."

NIKI HUTTO "So there could be that minute possibility that there was that lapse of time where she couldn't even do the multifamily?"

PHIL LINDLER "Could be. From what I hear tonight, it sounds as if that would be a continuance and not a gap."

JOHNNY WILLIAMS "What is the lightest commercial property you can have? Can you have condominiums in Core Commercial?"

PHIL LINDLER "Above the first floor, yes sir."

JOHNNY WILLIAMS "When I was a kid there was a radio station, coffee shop and apartments upstairs. I don't know what it was zoned."

NIKI
HUTTO/MAYOR PRO
TEMPORE BETTY
BOLES "They didn't have zoning back then, Johnny!"

JOHNNY WILLIAMS "But it's always been used for apartments. I know that to be a fact."

NIKI HUTTO "I think zoning came to be in 1976, wasn't it?"

STEVEN BROWN "It was sometime in the 1970's."

JOHNNY WILLIAMS "Would Core Commercial hurt that area in any way, shape or form? That's my area and where I live."

PHIL LINDLER "I don't think it would hurt it."

JOHNNY WILLIAMS "What would go into Core Commercial that would hurt us? They have a nice parking lot and Hampton Place is behind it. They can't put a liquor store, bar or anything like that in Core Commercial can they?"

STEVEN BROWN "They can have a club at the bottom."

NIKI HUTTO "Oh yes, they can!"

JOHNNY WILLIAMS "Oh, well, I don't want Core Commercial then!"

HAIYAN LIN "What if you put in restrictions?"

JOHNNY WILLIAMS "I don't know if we can limit anything once it's rezoned."

HAIYAN LIN "Can it be restricted to a certain business?"

BETTY BOLES "Are there any more questions?"

BARBARA TURNBURKE "Can we not do something like a Planned Development similar to how we did the hospital where they would have to draw it out ahead of time before we'd approve it?"

STEVEN BROWN "There's not enough acreage. Mrs. Boles, may I make a statement? The worse thing that can happen is for the building to stay vacant. A lot of this is going to be trust. If you're going to take action tonight then I would recommend that you consider Core Commercial. If for some reason you're still uncomfortable before denying it, maybe you can take another month to get some information on Ms. Lin's development in Columbia to see what she's done with it and base it upon that.

That property is going to be critical to what we're doing in the Uptown Greenwood area. You have someone who is a business person and has developed other properties in other cities. We can get a history of what she's done in Columbia and find out how she's operated her other businesses. That may give you some comfort that you do not have tonight.

What keeps going on in the back of my mind is there's got to be some commercial use there to provide necessary funds to make this a viable project. Mr. Jones keeps saying it is going cost a lot of money to bring it into code. None of us would know what that is but we know how the codes are now.

They are so much different than when Mr. Williams was a little boy and it's going to cost a lot of money to make that happen.

In looking at what developers have done in the Uptown area, we didn't know for sure what was going to be done at the Grier Building when it was redeveloped. It has turned into a nice property when we took a chance on some people like Mr. Jones. We have seen some of the final products of things that all of us can be proud of. I just don't think there is any way for them to answer every question that you may have tonight."

JOHNNY WILLIAMS

"Well, this is my area and I might regret it next month, but I'm going to make a recommendation to rezone it simply because it's always been apartments and commercial property there. There is commercial property on every side of it and Hampton Place behind it. I'm going to make the motion, based on the history of what I know, to rezone it to Core Commercial and hope for the best."

MAYOR PRO
TEMPORE BOLES

"Okay. Do I have a second?"

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

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

The motion passed unanimously.

- attach -

"Ms. Lin, could you possibly bring us some pictures and information about your property on Rosewood Drive in Columbia?"

HAIYAN LIN

"It's no longer mine but, yes, I can do that."

MAYOR PRO
TEMPORE BOLES

"Even though you don't own it any longer, can you get some information for the next meeting?"

HAIYAN LIN

"Okay."

MAYOR PRO
TEMPORE BOLES

"Thank you."

CONSIDER

Under New Business, Mayor Pro Tempore Boles read the first item and recognized Mike Monaghan from the

Ordinance No. Commissioners of Public Works.
08-001
Authorizing the
City Manager
and the City
Clerk to
Execute a Quit
Claim Deed
Conveying
Properties off
Reynolds (Water
Tank Site) to
the
Commissioners
of Public Works
for the City of
Greenwood.

(1st reading)

MIKE MONAGHAN

"We do not own the site where our water tank is located."

STEVEN BROWN

"Mrs. Boles and Council, they're asking that all of this property that you see (pointing at the screen) be deeded to them. The description that was given by the CPW's Attorney is two old tracts that were combined into one on this property. They own these two properties in the name of the CPW (pointing). This property (pointing) was deeded to the City of Greenwood by Seaboard Coast Railroad.

They're asking for ownership of the properties that is a part of their water tank site by authorizing us to sign a deed to this tract and a part of the old railroad (pointing). The City still maintains ownership of these parts of the old railroad (pointing). This old part almost dissects their property so you can see how it would give them control of all their property. They've maintained and everything else on it. This is just clarifying all the different owners of property there."

MIKE MONAGHAN

"Thank you, Mr. Brown."

STEVEN BROWN

"It took me a while to figure out on the deed where the three parcels were. I finally figured out the two parcels that the tax office combined into one tax map number."

MICHAEL
MONOGAHAN

"Now, we're currently mowing and keeping it up."

JOHNNY WILLIAMS "Are the two little lines I see the old railroad bed?"

STEVEN BROWN "That's the old railroad bed."

JOHNNY WILLIAMS "They're asking for the parts in red, right?"

STEVEN BROWN "No, sir. They're asking for this here (pointing)."

MAYOR PRO TEMPORE BOLES "Alright. This is the first reading. Do I have a motion?"

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

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

The motion passed unanimously.

- attach -

CONSIDER Mayor Pro Tempore Boles read the second item and recognized the City Manager.

Ordinance No. 08-002 Annexing Phase VI of Karlie Hill Townhouse Development.

(1st reading)

STEVEN BROWN "Mrs. Boles and Members of Council, there is a mistake on your agenda. This does not include Phase VII. Phase VII will be coming next, but this ordinance completes the annexation of Phase VI in Karlie Hill Subdivision."

MAYOR PRO TEMPORE BOLES "Okay. Do I have a motion?"

Motion was made by Niki Hutto, seconded by Linda Edwards. "All in favor raise your right hand. So moved."

The motion passed unanimously.

- attach -

CONSIDER

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

Resolution No.
07-015
Authorizing an
Incentive and
inducement
Agreement among
CENTDEV
GREENWOOD, LLC,
Greenwood
County, South
Carolina and
the City of
Greenwood.

STEVEN BROWN

"This agreement has put into writing what you have conceptually already agreed to. This is the commercial development that will be located in what is known as Greenwood Commons, between Lowe's and Fairfield Inn. We're working with a company from the State of Georgia and the County Attorney. Between the County and the City, this agreement authorizes the City to duplicate the incentives that have been provided to this company by the County. We're not giving any greater amount nor are we giving less but just mirroring what the County is providing to this company.

It is our understanding there will be five or six nationally known commercial companies locating on this tract of property so I would certainly recommend it. One thing I want to make you aware of is one of the stipulations in this agreement states that the City's incentives are based upon the company using the Commissioners of Public Works as their electrical supplier. I've talked with their attorney this afternoon and reemphasized that. I did not like the language that they had so I got them to agree to a little bit stronger language.

Well, first of all, I asked the attorney to include something that would provide for the tenants of those buildings to use the CPW. He added the language, '...the company and the tenants therein'.

Also, they wanted the City to agree to, '...the CPW would provide this electrical service at competitive rates.' I talked with Steve Reeves and Mr. Patrick today and gave them some language I thought would fit stating, '...the CPW would provide this service at rates consistent with the rates that they provide to other customers in similar situations'. That wouldn't allow them to say the CPW is not competitive. In laymen's terms, your ordinance states the CPW will provide for it at rates that are consistent with what they provide for other commercial entities. Mr. Patrick and Steve thought it was good language and we would recommend that you approve this resolution."

MAYOR PRO
TEMPORE BOLES

"Alright. Are there any other questions? Do I have a motion?"

Motion was made by Niki Hutto, seconded by Herbert Vaughn.

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

The motion passed unanimously.

- attach -

CONSIDER

Mayor Pro Tempore Boles read the fourth item and recognized the Assistant City Manager.

Final
Allocation of
Hospitality Tax
Funds to
Complete Uptown
Enhancement
Phase I.

CHARLES
BARRINEAU

"Mrs. Boles and Members of Council, we're working to close out the final billing on the Uptown Phase I project that's on South Main. Today, we have billings totaling \$202,007.15. Of that amount, a little over \$93,000 came from a SCDOT grant. The Uptown Greenwood Development Corporation has provided \$10,000. In April 2006, you voted to allocate a little

over \$83,000 for this project. In total, that leaves us needing an additional \$15,327.95. The bulk of that money will reimburse the Greenwood CPW for the lights that have been installed at a total of \$11,588.82. The original agreement that we had with the Commissioners was, if we would purchase all the materials including the lighting and water irrigation systems, they would install everything, and they have done that.

So again, we would ask that you allow us to expend \$15,327.95 out of the Hospitality Tax account. This will amount to a total of \$98,827.95 that would be allocated out of Hospitality Taxes for Phase I. It's almost a 50/50 percent grant. I'll be glad to answer any questions."

MAYOR PRO
TEMPORE BOLE

"Okay. Are there any questions? Do I have a motion?"

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

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

The motion passed unanimously.

CONSIDER

Development of
Uptown Business
Revolving Loan
Fund.

Mayor Pro Tempore Boles read the fifth item and recognized the Assistant City Manager.

CHARLES
BARRINEAU

"Mrs. Boles and Members of Council, as we're finalizing the arts, cultural and streetscape improvements investments in downtown, we're now looking to the next phase of the City Center Master Plan which calls for us to entice new businesses to locate in our Uptown area. We've been made aware of funding through the US Department of Agriculture Office of Rural Development that would allow the City to set up a new, small business, revolving loan fund. Through this program, we can apply for up to \$200,000 to start a revolving loan fund. As you're well aware as with any grant application, if you provide local funds as a match, your grant score increases.

You have community development dollars available that we have provided for projects similar to the Maxwell Avenue façade where low interest loans were set. We would request that you allow staff to submit an application in February 2008 and commit up to \$100,000 from our community development account as a match to go into this low interest loan fund. These would not be grant funds that you'd be committing but additional loan funds that we would put to work to bring in new small businesses into downtown.

If we're awarded this grant, we will also be seeking the cooperation of our local seven banking institutions to develop a larger, lower interest loan pool. So, in essence, we're looking to partner with anybody and everybody we can to entice these new small businesses. Again, it's a \$200,000 grant through the Office of Rural Development where we would be applying in February 2008. We are looking to provide \$100,000 out of the Community Development fund as a match. The grant will not be awarded until the Summer of 2008 but, as we begin to move with the application, we wanted to make sure that Council was on board. I'll be happy to answer any questions that you have."

NIKI HUTTO

"So, basically, you want to make sure that we would commit the \$100,000 if you get this grant?"

CHARLES
BARRINEAU

"That's correct."

NIKI HUTTO

"So, basically, the loan pool would start at \$300,000?"

CHARLES
BARRINEAU

"That is correct. We hope to leverage banks to almost create a 50/50 loan where they would provide 50% and the City would provide 50%. Our lower interest loan would bring the overall balloon of the loan lower."

STEVEN BROWN

"Ms. Boles, may I add that many years ago the City was recipients of these Community Development Grants. At that time, most of the monies used were loaned and the recipients of those monies had to pay them back. Over the years they have paid those funds back at minimum interest applied to those loans. Because of the restrictions on this money, we have had it in our financial portfolio but it could not be used for general fund operations.

You have used it in the past to match other CDBG grants and code enforcement demolition of houses. The fact of the matter is, if the City is able to do as Charlie has described, you would make better use of this money

because it will be reinvested into your community. The people will pay interest on the use of those monies for improvements to their properties which will increase the value of the property and tax revenue that you will receive. So if it happens, it's a win, win for everybody. Nobody can guarantee you that somebody will not foreclose, but the banks will be using their normal procedures to qualify people for these loans so it's not going to be high risk type ventures.

I think if it can happen, it'll be a good thing. While it will take you a number of years to see these funds coming back to you, from day one you will start receiving monies in monthly loan payments to rebuild those funds. At this point, you have not given or granted the monies away, but are using them to make loans to reputable businesses who will pay you back in the future."

MAYOR PRO
TEMPORE BOLES

"Are there any other questions or comments?"

STEVEN BROWN

"Do you need any kind of vote or you just wanted to know how Council felt?"

CHARLES
BARRINEAU

"If we're awarded these funds, we'll come back and discuss the whole program with you. Again, before we proceed, we want to make sure we have your blessings."

MAYOR PRO
TEMPORE BOLES

"Alright. Do I have a motion?"

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

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

Motion passed unanimously.

AUTHORIZE
Staff to Pursue

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

Community
Development
Block Grant
(CDBG) Funding
in 2008 for
Infrastructure
Improvements.

CHARLES
BARRINEAU

"Mrs. Boles and Council, again we're working on another project for Spring 2008. As you know, these projects take a while to develop so we're trying to start now. We would ask Council to consider partnering again with the CPW to make improvements to our water distribution system. The CPW has targeted a number of streets between Main and New Market Streets located in Wards 1 and 2 including: Bowie, Byrd, Chappel, Dallas, Dargan, Deans Ally, Evans, Gage, Gray, Hall, James, Meadow, Milwee, Montgomery, Percival, Russell, Singleton, Sunnyside, Tanyard, Towne and Weldon. All of these streets presently have two inch water lines. It's our goal to increase them to six inch lines and add fire hydrants in these areas to meet the present fire codes. This is the same type project off of East Cambridge that was very successful. We're just moving South to a very cohesive area which the Department of Commerce wants to see. At this point, we're looking for Council to give us authorization to proceed. I am not sure if we must do a door to door survey so we need a good two to three months to begin working on the application with the Upper Savannah Council of Governments.

We're aware of other projects. Commerce is looking to make many changes in their CDBG programs this year so, if we do apply for water infrastructure funds, we think we can also apply for some housing funds. In the past where we apply for 'either/or', we think that we're able to apply for both.

We think this is a great project. We've made CPW aware they will have to put up a 25% match. However, as you know, they've put up almost a 50% match for the Cambridge project. I'll be glad to answer any questions."

MAYOR PRO
TEMPORE BETTY
BOLES

"How would you determine if housing is awarded in this grant?"

CHARLES
BARRINEAU

"This would not be used for housing, but we can submit additional applications for housing. This is specifically infrastructure."

NIKI HUTTO "This area needs all the help it can get because the water systems are ancient."

JOHNNY WILLIAMS "In other words, they're basically going to do the same that they've done in Grendel? You say Cambridge, I say Grendel."

CHARLES BARRINEAU "Right. Grendel actually was funded through the CPW bond program."

MAYOR PRO TEMPORE BOLES "But it did a vast difference on East Cambridge. Alright. Do I have a motion?"

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

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

The motion passed unanimously.

CITY COUNCIL COMMENTS Mayor Pro Tempore Boles stated, "I must say I appreciate Council's and your patience. I thank you for your consideration. This is my first time as acting Mayor and I appreciate all your input and help. I can now see the job the Mayor has. After I got this first run, I feel a little better now. But thank you for your consideration."

CITY MANAGER COMMENTS The City Manager, Steven Brown, stated: "Mrs. Boles, a number of years ago the City employees were struggling with how to take care of people when they were in need so they established the Employee's Club. We started out with each employee paying \$12 a year and extended the invitation to City Council Members. I really don't know how many of you are members, but this is where the employees sends flowers or food trays when people are sick in the hospital or if there is a death in the immediate family. This year, the club has been so successful that the committee, chaired by Major Mitchell, has extended the benefits and increased the amount of money that they're spending. When they looked at the amount of funds they had, it was more than \$10,000 that has been accumulated."

It is owned by employees and is extended to all members. Next year, no member will have to pay dues.

For Christmas this year, every person who is a member of the Employee's Club were given a \$30 food gift certificate that was all paid out of the Employee's Club. So those of you who are on Council that received a food gift certificate were members and those who didn't are not. I didn't say that to be taken the wrong way, but I would encourage anybody who isn't a member to please join. If you join this year, you must pay the fee but the other regular members won't.

This is a good story about how employees take care of one another. We have very few disagreements, but I don't know of any. The club has resolved the issue of a consistent approach where, if you work in the Sanitation Department, you'd get the same benefits as those who work in Administration or whatever. This is just the employees doing a good thing and I'm proud of them.

I thought it was great that they put themselves in the position to do so. Major Mitchell has three or four others on the committee and Steffanie keeps up with their funds. They all take care of it, set their own rules and regulations. The way it works is kind of neat and I just wanted you to know."

MAYOR PRO
TEMPORE BOLES

"Alright. Are there any other comments?"

JOHNNY WILLIAMS

"Well, I've been a member of the Employee's Club ever since we were allowed to join and I think it's a wonderful thing."

LINDA EDWARDS

"I would just like to tell everyone I hope that you have a very Merry Christmas and I look forward to seeing you next year."

NIKI HUTTO

"When is our work session?"

STEVEN BROWN

"The first Monday in January on the 7th."

MAYOR PRO
TEMPORE BOLES

"This meeting is adjourned."

The meeting adjourned at 6:35 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer