

GREENWOOD CITY COUNCIL

October 16, 2006 - 5:30 p.m.

MINUTES

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; Phil Lindler; City Attorney; and Meagan Varner of the Index Journal.

CALL TO ORDER The meeting in Council Chambers was called to order by Mayor Nicholson at 5:30 p.m. and he welcomed everyone to the meeting.

Reverend Cannon 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, discussion or corrections? All in favor raise your right hand. So moved."

Motion passed unanimously.

RECOGNIZE Under Public Appearance, Mayor Nicholson recognized Elyse Benson of the Ninety Six District Resource Conservation & Development Council.

Elyse Benson of the Ninety Six District Resource Conservation & Development Council.

ELYSE BENSON "First of all, I would like to say that I appreciate the opportunity to visit with you all. My name is Elyse Benson and I'm with the Ninety Six District RC&D Council. Are you all familiar with RC&D? To those of you who may have known Jimmy Sanders, I took over for him when he passed. We're a non-profit organization that's locally controlled. I work in a six-county district and we're in the process of putting together our five year area plan. One of the requirements is that we get public input. We can work on projects that are social, environmental, or economic types of programs.

We have a program called, 'Grant Station', where we can search for grants and programs. As a non-profit organization, we can also manage grants for you. One part of our process is a survey of what kind of vision or projects you all like to be working on in the future. I'm sure this is not something that you can just pull out of your hat right now, but I would like for your advice on how we should proceed.

The survey is divided into four categories that are required by law to address. I work for the Federal Government so that is where our mandate comes from. We have an agreement with all USDA agencies for technical and financial assistance so, if you need help from one of the USDA agencies, they can work on the project to get you that service. Is that sort of fuzzy?"

NIKI HUTTO "So you're like a government liaison person?"

ELYSE BENSON "That's exactly what I am."

NIKI HUTTO "So you can facilitate us getting more money?"

ELYSE BENSON "That would be the answer, yes."

NIKI HUTTO "We can always use more money!"

ELYSE BENSON "Grant Station is a search engine for grant resources and my Council is a membership based brand with 360 different

categories. So if you have a particular project, such as landscaping at a City-owned building, I can look for all the grant resources that are available. I can help you write grants as well."

NIKI HUTTO "And your services are free of charge?"

ELYSE BENSON "That's right. You already own me as a Federal employee."

NIKI HUTTO "Why is it called the Ninety Six District?"

ELYSE BENSON "Why is the town called Ninety Six? I understand that there is a story about it. The six counties that I service are Greenwood, Saluda, Edgefield, McCormick, Abbeville and Laurens."

NIKI HUTTO "So basically, all those counties can solicit your services?"

ELYSE BENSON "Yes, exactly. The whole state is covered by RC&D Councils."

NIKI HUTTO "Okay."

MAYOR NICHOLSON "Well, Ms. Benson, do you want to leave this survey with us and we can mail them back to you?"

ELYSE BENSON "Certainly. Everything that you need is right here so I will be happy to pass the surveys out with my business card. Would you like to visit with me at your next meeting to talk about some projects that you may have thought of, or would you like to send this in the mail?"

MAYOR NICHOLSON "We'll discuss it and perhaps have you come to a work session."

ELYSE BENSON "I will be happy to do so."

MAYOR NICHOLSON "Thank you and we're delighted to have you in our community."

A Request by
Bobby O.
Elliott to
Amend the
Zoning
Ordinance for
the City of
Greenwood
Section 3.3.2.2
to Allow Ice
Manufacturing/V
ending Machine
as a Permitted
Use in the
Neighborhood
Commercial (NC)
Zoning
District.

(1st reading)

BOBBY ELLIOTT

that we employ at the public hearings is, if there is anyone here 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 said, "I think Mr. Bobby Elliott is present."

"I'm Bobby Elliott and I live at 211 Lodge Drive in the City of Greenwood. I appreciate you allowing me to share some information with you tonight. If there are any questions that anybody has about this subject, I can hopefully address some of them.

I'm here to talk about a company called Ice House of America. In Georgia, they developed a box that manufactures and dispenses ice which is apparently turning out to be a pretty hot new business. It's taken over the South: Louisiana, Mississippi, Florida, Alabama, and, as many of you know, it is now in South Carolina. You can find them in Columbia, Seneca, Beaufort, and in the Anderson area.

A gentleman by the name of Buddy Roberts (I'm sure a lot of you know) and I would like to consider bringing this new business to Greenwood. It's a very fast growing business where the market has been determined to be rooftops, in other words people who need to supplement their ice that is manufactured at home. Maybe they don't have ice machines hooked up to their refrigerator, I don't know, but that is determined to be the market. All we would like to do is get as close to them as we can for their convenience. More importantly, we can sell them ice for half the price of what they're currently paying. And as a matter of fact, the name that the Ice House of America gave the company is, 'Twice the Ice'. Exactly, it is a box that's about eight feet tall and 24 feet long. If you haven't seen the pictures, I got some

I can show you tonight. It'll have an ice maker on top of this box that will reach a height of 15 feet.

The savings is, you get to decide whether you want a bag of ice or use your own container to buy the ice in bulk. You can get a 16 pound bag of ice for \$1.50. You're now paying somewhere at a minimum of \$1.25 for about 7 pounds. You can either get a 16 pound bag for \$1.50 or select 'bulk' and use your cooler to get 20 pounds of ice for the same price.

I hope you all have had a chance to look at it because it's very attractive from an engineering standpoint. It doesn't sell any beer or cigarettes, so there is no reason for people to be hanging out around it to cause that kind of problem with any neighborhood. Ice is not a new product. It is sold in neighborhoods all over Greenwood. This is just a new way to dispense the ice you're buying now, that's all.

It is not our intention to go into neighborhoods and saturate it; that doesn't make any sense. This machine will make so much ice that we wouldn't want to be close. We would put one in a good location for a neighborhood, since it can produce 6,500 pounds of ice in 24 hours.

I just want to tell you how much I appreciate coming here. If anybody got any questions, I'll be happy to address them."

MAYOR NICHOLSON

"Okay. Are there any questions?"

BETTY BOLES

"Who will service the machines once you place them in operation?"

BOBBY ELLIOTT

"Who will service the machine? I will, or an employee of mine. Actually the machine is high tech. If it recognizes a problem, it'll call the owner. If the machine doesn't call us and somebody has a problem with it, the telephone number to get in touch with me, or some other associate of mine, will be on the machine."

BETTY BOLES

"How will you place these machines in operation? Will someone have to contact you and request one on their property?"

BOBBY ELLIOTT

"Well, that would be wonderful. I'd like for somebody to call me. We will probably pick no more than three locations in Greenwood, one at a time.

We'd go into that community to find somebody that's already in business and see if they would be interested

in us placing a machine on their property. We would rent space at their existing business instead of clearing and paving a lot for a new location. Nine out of ten times, it's going to be near a business that already sells ice, but this is just a different way to dispense it. It'll turn out to be good for the property owner that would allow us to put it on their property and the people who need ice."

- NIKI HUTTO "Why Neighborhood Commercial and not General Commercial?"
- BOBBY ELLIOTT "Well, we're trying to get a little close to the rooftops where it'll be convenient for those who use it in their neighborhood. They wouldn't have to drive across town towards Wal-Mart to buy their ice."
- NIKI HUTTO "There is General Commercial all along Main Street. I'm just thinking of the major arteries that are Commercial, not specifically Neighborhood Commercial. I don't think there would be any restrictions in General Commercial, correct?"
- PHIL LINDLER "That's right. This type of use would be allowed in General Commercial, Limited Industrial and Warehouse, and Industrial."
- NIKI HUTTO "Okay. So this would just be an added zone for this usage?"
- BOBBY ELLIOTT "I'm just trying to get close to the citizens."
- LINDA EDWARDS "Have you contacted anybody with businesses where you would like to locate these machines?"
- BOBBY ELLIOTT "We did have a couple to say that they would be interested in doing it, but obviously the correct statement was to see if the City is interested in it. That's how we started checking into it. We don't have a contract, or commitment, with anybody right now. It's just a matter of going into the neighborhood and finding a suitable location."
- LINDA EDWARDS "Have you bothered to check if their property, where you would want to locate it, is already zoned for this type of business?"
- BOBBY ELLIOTT "No. The property that we have canvassed and picked out is Neighborhood Commercial. Every time we see a spot, it turns out to be Neighborhood Commercial. That's were the customers are."
- LINDAL EDWARDS "I guess what I'm asking is, the property you already checked on is Neighborhood Commercial?"

BOBBY ELLIOTT "It is Neighborhood Commercial, but right now it won't allow us to put a machine in that neighborhood. All I'm trying to do is to get ice vending machines added to Neighborhood Commercial."

MAYOR NICHOLSON "Are there any other questions for Bob? Steve, did you have a comment?"

STEVEN BROWN "If permitted at all, my recommendation is that it be a conditional use. Conditional means that it will be permitted if it meets certain conditions. One possible condition is to prohibit an ice vending machine being located within a specified distance of another ice vending machine. I suggest the minimum distance between ice vending machine to be 15,000 feet. I do not believe that City Council desires for neighborhoods to be saturated with ice vending machines.

I think consideration should be given to the location of the machine on the parcel of property. Is it going to be permitted in the front or side setbacks? I think that needs to be determined before you allow it, and I don't have a good answer. If the location is not address in the conditions, then the machine can be located anywhere on the parcel.

I believe the utility service connections need to be underground because to prevent the possibility of trucks pulling down overhead utility lines. While his service trucks may not have a problem, there are always other service trucks. An ice vending machine should not be located on property and that machine reduces the number of required parking spaces. If he has an agreement with a property owner whose primary business is required to have 50 spaces according to our ordinance, the location of an ice vending machine may not reduce that number.

An ice vending machine may not be located on property where another accessory use is already permitted. You would not desire an ATM and ice vending machine on the same parcel of property, especially in Neighborhood Commercial. You can have it in General Commercial.

There's must be some system in place to handle waste that is generated from this use. I recommend that waste receptacles must be located within 10 feet of a permitted ice vending machine. I don't think that's a big issue but this just addresses it.

I think Mr. Elliott is a person of integrity that will do what he says he'll do. If he were the only one doing

this, we may not have as many concerns. However, City Council must ensure that our regulations protect these neighborhoods.

The Planning Commission voted to deny his request because they did not think an ice vending machine should be allowed in a neighborhood. Whether that's justifiable or not, that's their reason. I think it can be placed in Neighborhood Commercial if your conditions protect the neighborhood."

MAYOR NICHOLSON "Why don't we table this until we look at some of the conditional uses and get with Mr. Elliott?"

STEVEN BROWN "Well, you can do one or two things. You can take first reading and have the conditions at the next meeting. If they don't suit you, you don't have to take second reading. I don't see a problem with either way, but that's Council's decision."

NIKI HUTTO "The staff also recommended denial of the request. Why was that? I just want a more detailed explanation than what was given in the packet."

PHIL LINDLER "We felt there were adequate properties already provided in General Commercial, Limited Industrial, and Heavy Industrial."

NIKI HUTTO "Was it close enough to the neighborhoods in order to make it viable?"

PHIL LINDLER "Well, I think there was an issue of where we recommended this type of use to go. There was ample property available for that type of use. The issue of pedestrian oriented, versus car orientation, we really didn't get involved with that. We just felt that the use would be more geared towards those types of districts versus Neighborhood Commercial. Of course that was with permitted, not conditional, uses."

JOHNNY WILLIAMS "Wouldn't it make more sense to put an ice machine in Neighborhood Commercial than General Commercial? I would love to have one in my neighborhood."

PHIL LINDLER "Yes, sir. The only concern we had with putting it so close to a neighborhood was because it dispenses two individual coolers, or bags, that will make a loud sound when the ice comes down. It can happen at any time of the night because it would be a 24 hour business.

In that case, we try to limit most of the uses in Neighborhood Commercial to a time frame so it's more

neighborhood-friendly."

JOHNNY WILLIAMS "It's strange to me that you all say 'neighborhood-friendly' and we allow ABC stores in OPI. I'd much rather have an ice machine than an ABC store. I could not see why they denied the request. I can see Mr. Brown's conditions that would go with it, such as the 3 mile radius, but you got areas like Workman's that would've been an ideal location while it was open. They had plenty of room for it. I don't know what's already on Mill Street but I'd like to have an ice machine there because it would be close to my house. I don't know how much noise it can make but it won't wake anybody up because they're not near a house."

PHIL LINDLER "Well there's a house right behind Workman's and residential property across the street that hasn't been developed yet."

JOHNNY WILLIAMS "There is no property across the railroad tracts."

MAYOR NICHOLSON "What is the possibility that we maybe table this and discuss it at work session?"

LINDA EDWARDS "Yeah because right now, we're going back and forward with this. We don't know where he wants to put this. It might not even be anywhere near any houses but there are some conditions we need to consider. If we go ahead and do something now, we're doing it sight unseen. We don't know where he's going with these machines. We have no conditions on them. It's something new for everybody because nobody has ever come to Greenwood and asked to put up those kinds of machines.

If I'm in order, I'll make a motion that we table it and discuss it in work session. Maybe Mr. Elliott can come back with a little more information as to where he's looking at and who he's talking to. Then we'll know if this is too close of a neighborhood to put that kind of machine in Neighborhood Commercial."

BOBBY ELLIOTT "I'll be happy to."

MAYOR NICHOLSON "We have a motion, can I get a second?"

Motion to table was made by Linda Edwards, seconded by Betty Boles.

"Now we can have discussion."

BOBBY ELLIOTT "I haven't heard anything involving conditions, but if I

can get a list, I'd be happy to respond to every one of them."

MAYOR NICHOLSON

"Okay. You can get with Mr. Brown. Is there any other discussion? All in favor raise your right hand. Opposed? So moved."

Those voting in favor of tabling the request for further information were Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn and Barbara Turnburke. Johnny Williams voted against tabling.

The motion passed.

CONSIDER

An Ordinance Modifying the Text of Section 3.3.4.2 BB, Tattoo Parlor, of the City of Greenwood Zoning Ordinance to Add the Condition that the Use Not be Located within 1,000 Feet of a Child/Adult Day Care or a Child/Adult Care Center.

Mayor Nicholson read the second item and asked, "Is there anyone here to speak in favor of modifying the ordinance? Is there anyone opposing? Alright. Seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

Motion to accept the ordinance change was made by Linda Edwards, seconded by Niki Hutto.

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

Motion passed unanimously.

(1st reading)

- attach -

CONSIDER

Under Unfinished Business, Mayor Nicholson read the

first item and recognized the City Manager.

Ordinance 06-032
Authorizing the
Execution and
Delivery of an
Agreement as to
Annexation and
Incentives and
Purchase and Sale of
Real Estate by and
among Greenwood
County, South
Carolina ("Greenwood
County"), the City
of Greenwood, South
Carolina (the
"City") and SAC
Enterprises, Inc.
(The "Company"),
Pursuant to Which
the City will Agree
to Purchase Certain
Land and Authorize
the Company to
Construct a Road
Thereon; Grant to
the Company Special
Source Credits to
Reimburse the
Company for a
Portion of the Real
Property Costs
Incurred in
Connection with a
Commercial
Enterprise Serving
the Economic
Development of the
City and Greenwood
County; Consenting
to the Benefits of a
Multi-County Park to
be Made Available to
the Company; and
Authorizing Other
Matters Relating
Thereeto.

(2nd reading)

STEVEN BROWN

"Mr. Mayor and City Council, this is a project regarding two parcels of property that we've been dealing with for many months. The first one is SAC

Enterprises, which is owned by Mr. Sam Zimmerman. If you'll look at the plat, it involves these five lots (pointing) including an existing building that I think will be demolished.

In this ordinance, the City will purchase the road that will be paved and deeded back. Please understand that this will be an internal road. Normally, you require 50 feet of right-of-way; however, this will only convey 30 feet of right-of-way. If it were a major thoroughfare, I would recommend against it. But, with it being an internal roadway, I would like for you to consider approving it under those conditions.

The agreement calls for these five parcels to be annexed. One of the special incentives that you will be giving is there will be no tax paid on these properties until there are improvements placed on them. Once there is an improvement, then the agreement calls for the property to be taxed. By annexing these five parcels, it puts us contiguous with the Countybank property, which is the second ordinance that you have before you tonight.

This puts us at a strategic corner. There are other developments that will probably be happening on Calhoun Road at the other side of the Bypass. We would strongly recommend that you consider adoption of this ordinance. All you're doing tonight is authorizing us to execute an agreement with the property owner. At some point in the future the annexation will take place, but there are a number of actions that must be taken to precipitate the annexation. This will be the same situation with the Countybank property also.

I'll be glad to answer any of your questions that you have."

MAYOR NICHOLSON

"Okay. Does anyone have any questions?"

STEVEN BROWN

"If you remember, Attorney April Lucas went through these ordinances at the work session."

STEVE WELCH

"At the work session she basically made all the changes that we asked about."

STEVEN BROWN

"It is my understanding that both Mr. Zimmerman and the Countybank officials have signed off on the agreements and there are no problems, as far as what

will take place."

MAYOR NICHOLSON

"Okay."

JOHNNY WILLIAMS

"So we're not annexing it yet?"

STEVEN BROWN

"No, sir. This doesn't annex it, but allows us to present each owner an agreement which stipulates the actions that will affect the place. It could happen very quickly after tonight. If we don't have this tonight then we have no authorization, as staff, to proceed with some of these properties. The Countybank is getting ready to need permanent power and we need to bring closure to this."

MAYOR NICHOLSON

"Okay. This is the second reading. Do I have a motion?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance 06-033 of

Mayor Nicholson read the second item and said, "I think this is the Countybank property where the new branch is being built on the corner, right Mr.

the City of Brown?"
Greenwood (The
"City") (1)
Consenting to the
Inclusion of Certain
Property Owned by a
Company Known as
Project CB1 (The
"Company") in a
Joint County
Business Park in
Greenwood and
Newberry Counties in
South Carolina; (2)
Authorizing the
Execution and
Delivery of an
Annexation and
Incentive Agreement
by and among the
City, Greenwood
County and the
Company, Pursuant to
which the Company
will Agree to the
Annexation of the
Property, the City
shall Grant Special
Source Credits to
Reimburse the
Company for a
Portion of the Real
Property Costs
Incurred in
Connection with a
Commercial
Enterprise Serving
the Economic
Development of the
City and the County
will Agree to
Designate the
Property as Part of
a Joint County
Business Park; and
(3) Other Matters
Related Thereto.

(2nd reading)

STEVEN BROWN

"Yes, sir."

MAYOR NICHOLSON

"This is the second reading. Do I have a motion?"

A motion was made by Niki Hutto, seconded by Johnny Williams.

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

Motion passed unanimously.

- attach -

RECEIVE

Under new business, Mayor Nicholson read the first item and recognized the City Manager.

Information on
Proposed
Annexation of
Approximately
35 Acres off of
Cannon Road.

STEVEN BROWN

"Mr. Mayor and City Council, we have a unique situation that I don't think I've ever encountered; at least not in the recent past. Mr. Cannon, his family and two of his business associates, Reverend Stanford and Mr. Smith, have a desire to make this property in the red (pointing) a residential development. This is the Cannon Road Community. They intend to use Cannon Road as an access through a part of Mr. Cannon's family property here (pointing). It is presently zoned R1 in the County which requires a 15,000 square feet minimum in the County.

The Planning Commission made a two-fold recommendation. One is, if this property stays in the County, that it remains R1. Mr. Cannon and his business associates wanted it to be rezoned to something less around 10,000 square feet. So they stated their intention to annex it and requested that, according to the City Ordinance, it be rezoned to R4 which would allow 10,000 minimum square feet. The Planning Commission recommended that it stay as R3 if it's brought into the City.

We do not have an annexation petition. I talked with Attorney Stanford this week and he, along with his business associates, submits their request that this property be rezoned to R4. They say that R3 would not be economically feasible to build a residential community if

they must have 14,450 square feet.

I think we should hear from Mr. Cannon and Reverend Stanford's regarding their request tonight. Certainly, you would have to hold a public hearing at some time because you have surrounding property owners which have a right to voice their opinions before you. If you do rezone this property, I think they need to know what kind of action you desire to take. I know this is awkward but you can hear their presentation tonight, bring in everybody involved for a public hearing at the next meeting, and then make your decision. You still will not have an annexation petition, but at least they'll have an indication of what City Council would rezone it if it is annexed. So you can hear them tonight if you wish. I apologize for the confusion, but it is different from what we normally have before you."

MAYOR NICHOLSON

"Yes. Okay, Mr. Stanford?"

TOMMY STANFORD

"Thank you, Mr. Mayor and City Council, for allowing us to come today. Again, my name is Tommy Stanford and I live in Greenwood. I'm here with Reverend Cannon and the Cannon Family. Reverend Cannon, his family, and Mr. Smith are working on a project to develop about 34 or 35 acres that we think would be a great benefit to our City and County.

It is our intent to annex into the City. We think that there are some really good benefits that would help us by way of annexation. In order for the project to work, we would ask the City to allow us to rezone this property to R4 as opposed to R3. From an economic standpoint, 10,500 square feet is basically the only way we think we can make this project work.

We planned to do this in about four phases totaling about 84 houses. I do have a very initial sketch that I can pass around to you. We're looking at installing and putting up single-family houses. The single-family house, as I said, will be in about four phases. We're looking at anywhere from 1,200 to 1,500 square feet. The price range will start at about \$120,000 to \$125,000 and go up to about \$140,000.

Now, we feel based on some statistics where we've done a lot of research, that a house in the range of 1,300 to 1,500 in the price range of \$120,000 to \$140,000 is really good, solid, affordable housing.

In looking at that layout, Westview Middle School,

Emerald High School, Springfield Elementary School, the hospital, as well as the fire station, are all located in that vicinity. So we feel that, if we come into the City, there would be a solid tax base for the City. We have talked to CPW and had several meetings with Metro and it's our intent to use them for sewage, water, electric and gas services. We have had several discussions with the City about the possibilities that we can do to make the property a really attractive, good and safe place. We know that if we come into the City, we will have not only fire protection, but also police protection and trash pickup.

Now, there are some concerns about the traffic. We really don't envision that much traffic on account of the road. This is going to make a significant difference, as far as Cannon Road. We're doing this in stages and we don't anticipate building 84 houses with all of those cars coming out of the property at one time. So we really don't think that's a major problem.

I ask that you really consider this. We want to thank Mr. Brown for all the work that he's done in giving us the information and discussing it. However, it is important that we have a feel for what we're doing with this. It is the Cannon's family desire for this to be annexed into the City but, in order for this project to work, we need it to be R4."

MAYOR NICHOLSON "Thank you, Tommy."

NIKI HUTTO "Is there a possibility to do it as a PDD? Under our zoning we can do a PDD for 35 acres where there could be more clustering of houses and green space surrounding the property. You could do some centralized green spaces and still get in the 84 houses."

BETTY BOLES "Was that taken under consideration at all?"

TOMMY STANFORD "I don't think so. Melvin Smith was the only person working with us on this project and he had a meeting tonight in Augusta."

NIKI HUTTO "Under a PDD, you have more options of how to place cluster housing that may be beneficial and cost effective than your regular cul-de-sac type thing. I saw a retention pond around there too. I don't want to muddy the waters but give you some options."

STEVEN BROWN "Are you suggesting that there would be places that they could have a combination of R3 and R4 type of options?"

NIKI HUTTO "I'm thinking that everyone panics when you go higher in

density because it may look like a bunch of houses there and they're going to feel somewhat claustrophobic. The residents that are on Cannon Road, which have much larger lots, will have more buffering from cluster housing when you do smaller lots in certain areas. You can have enough green space that encompasses the perimeter of the property. That's the whole concept of a PDD; to give the developer more cost effective ways of using property while keeping the other areas more in tune with what the existing areas look like. Does that make sense or am I losing you?"

LINDA EDWARDS "Is this piece of property located away from these houses? It's not like they're going to be right beside them or anything?"

MAYOR NICHOLSON "No, it's sort of behind the school and those houses."

BETTY BOLES "It's almost like a little private development."

MAYOR NICHOLSON "The access road will come off of Cannon Road but this development will be behind it."

LINDA EDWARDS "Yeah but what we were saying is, other than coming out of the development, they're not going to be really near these people. They are behind them."

MAYOR NICHOLSON "Reverend Cannon, did you have some remarks?"

REV. ERNEST CANNON "Yes. My name is Ernest Cannon and I live at 313 Cannon Road. I am representing the Cannon Family, as Tommy had just mentioned. My mother, who turned 92 Saturday, is really excited about this project. My father, the late Y.J. Cannon, started the Cannon Community 40 odd years ago. He realized at that particular time that progress is very important to Greenwood and it's our intention to continue the legacy that he started.

As you can see, on Cannon Road, there are approximately 14 houses that are near the proposed development. My father sold the land in one and one-half acres. At that particular time, you could build a house on a half acre. Well, we know that things have changed since then.

After doing some checking with the City and the County, we did find out that it would be best if we could get the property annexed into the City. It would mean more to the persons that would be buying property where they would have access to sewage, water and electrical services as Tommy had mentioned. Certainly, this is going to be a real nice community. We plan for it to have trees when you come in to make it a really nice

development.

When I say we, my family, mother and the Cannon Community are really excited about it. The only complaints that we had were some neighbors that are worried about traffic on Cannon Road. We realize that, any time there is progress, sometimes adjustments will have to be made. I'm sure my father recognized that when he started developing this. Certainly we would not do anything to this community to degrade it or anything like that. We planned for it to be just as nice of a community that we have there now and even nicer because it's going to be more up to date.

So, if you would just work with us, I know the City and the County will be able to reap the benefits from what we're trying to do. The Westview side of Greenwood is really growing and developing. We're just glad to be a part of the development. We're really excited about it and we hope that the City and County is excited enough to help us get that property in R4. That way, we'll be able to be apart of the continuous development in the Westview part of Greenwood."

MAYOR NICHOLSON "Thank you, Mr. Cannon. Phil, what reason do they give for it to remain R3 if it's annexed into the City? Is it because of the size?"

PHIL LINDLER "Yes, sir. I believe that increased density was one of the main things they wanted."

NIKI HUTTO "So R3 in our present zoning is about 1/3 acre lots and R4 is about 1/4 acre lots in size. In the present County ordinance, R1 is about 15,000 which is little bit bigger than the R3 that is about 14,000. Just for comparison sake, isn't Brentwood Hills in R4?"

PHIL LINDLER "Most of the City is in R4."

NIKI HUTTO "Brentwood Hills and Laurel Hills are in R4 but I'm thinking of other new developments that you could go by. Kirksey Forrest is a PDD. A portion of Brentwood Hills is in R4 and a portion is a PDD."

STEVEN BROWN "Aren't our setbacks less than the County?"

PHIL LINDLER "Yes, they are less."

STEVEN BROWN "What's the difference between the setbacks in the County's R1 and the R3 or R4 setbacks in the City?"

PHIL LINDLER "In the County the R1 setbacks are 40-20-50. In the

City, R4 would be 20-7½ -..."

NIKI HUTTO "Well, you got two sets of ordinances to memorize and it gets a little confusing! I'm trying to think of any new developments in the City that are R4."

MAYOR NICHOLSON "How about we receive this as information, discuss it at work session and have a public hearing at the next meeting?"

STEVEN BROWN "You're going to have a public hearing as a recommendation from the Planning Board. Before they're willing to sign the annexation petition, they need to know what City Council intends to rezone it if it is annexed."

NIKI HUTTO "With today's building standards and the expensive cost of building, I can see how they won't be able to keep the affordable price at \$120,000 to \$140,000 to build 1,200 to 1,500 square foot homes. You can't do it. I know you can't."

STEVEN BROWN "You can discuss it at the work session."

MAYOR NICHOLSON "Do I have a motion that we receive the information coming from Reverend Cannon and Reverend Stanford? We will discuss this at the November work session and have a public hearing at our next business meeting."

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

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

Motion passed unanimously.

- attach -

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

An Ordinance of the City of Greenwood (The "City") (1) Consenting to the Inclusion of Certain Property (The

"Property") Owned by [A Person or Entity to be Known as Project Corley] (The "Property Owner") in a Joint County Business Park in Greenwood and Newberry Counties in South Carolina; (2) Authorizing the Execution and Delivery of an Annexation and Incentive Agreement by and among the City, Greenwood County, the Property Owner and a Company to be Known as Project Key ("Project Key"), Pursuant to which the Property Owner will Agree to the Annexation of the Property into the City, the City shall Grant Special Source Credits to Reimburse the Property Owner for a Portion of the Real Property Costs Incurred in Connection with a Commercial Enterprise Serving the Economic Development of the City and the County will Agree to Designate the Property as Part of a Joint County Business Park, and the Property Owner will Agree to Lease a Portion of the Property to Project Key; and (3) Other Matter Relating Thereto.

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, I apologize for not having the written ordinance. The City and the Commissioners of Public Works have been negotiating with this family to facilitate the annexation of their property. One of our points of negotiation has been Advance Auto that is

already building on the property. At one time we thought that Advance Auto did not want to be inside of the City. We have received an indication that this is not the case. So once we received that indication from Advance, we had to begin developing a whole new set of agreements with Mr. Corley which included the entire tract of land.

The agreement itself has not been finalized because we need to meet with Mr. Corley and make sure that we have everything. Because of the need for the CPW to serve that building after the quick completion of Advance Auto, we need to begin that process tonight. I'm asking you to take first reading in title only and we will have the agreements with a full explanation of them at the work session.

We're here because of the need to serve Advance Auto. You are only taking first reading on title only. There's no doubt of the positive impact this will have on the City and the Commissioners of Public Works. We only have one tract that's being developed, but look at all of the potential behind it. It'll be a good thing if we can make it possible."

BETTY BOLES

"You're saying that Advance Auto will be annexed in the City?"

STEVEN BROWN

"Advance Auto has agreed to annexation."

LINDA EDWARDS

"That's on the corner across the street from Lowes?"

MAYOR NICHOLSON

"It's that vacant lot across the street from Lowes. Do I have a motion?"

A motion was made by Johnny Williams, seconded by Niki Hutto.

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

- attach -

RECEIVE

Mayor Nicholson read the third item and recognized the

Assistant City Manager.

Update
Regarding City
Center Master
Plan Projects.

CHARLES
BARRINEAU

"Mr. Mayor and City Council, I wanted to give you a brief update on Phase III, which is Oregon Avenue. If you have driven by Oregon, you've probably saw a big mound of dirt. Metro Sewer has signed a contract with Town and Country and they're in the process of moving forward with the sewer installation on Oregon.

As we began looking at the planning for the streetscape and on-street parking for Oregon, we asked Davis and Floyd and Robertson Landesign to install parking at a premium. They initially looked at a one-way traffic option, but we felt that their two-way option was the best. Currently, there are 22 on-street parking spaces. What they're proposing now would possibly have 24 on the street. There were some initial thought that we could install angled parking but did not believe there was enough space.

In looking at this further with Davis & Floyd and Robertson Landesign, we became aware that there is a good bit of vacant property at the end of Oregon Avenue and Alliance Street. We got them to look at the feasibility of actually moving the right-of-way at the corner of the Dixie Hardware building. We could actually add five to seven additional parking spaces and a sidewalk at the end of Oregon Avenue.

The property owner liked the idea and they wondered if the City would be willing to swap property in return. The City owns the 40 feet wide extension of right-of-way on Alliance Street. To be honest with you, the City could not find any use for that property. We need to confirm that there are no utilities or utility easements located there. That property owner has these three parcels (pointing) and, if we're willing to swap, that property will give them more use than City. We would get more public use out of our property and have five more on-street parking spaces.

Before we move forward and have Davis and Floyd to spend any more time developing a plan for this, we wanted to see how City Council felt about it. If you're inclined to this idea, we would begin getting Davis & Floyd to draft this out and work up the exchange of deeds at a later meeting. I wanted to show this to you tonight and answer any questions."

LINDA EDWARDS "We won't be closing up any roads or driveways, are we?"

STEVEN BROWN "This is nothing that we have ever purchased. As far as I can determine, this is nothing but an unopened, unpaved roadway that was drawn on the plat some years ago. The tax office has decided that unopened alleyways belong to the City of Greenwood. All we would be doing is issuing a quitclaim deed to this property owner."

STEVE WELCH "The quitclaim deed basically says, 'I'm not telling you for sure that I own anything but, if I do, I'm giving it to you.'"

STEVEN BROWN "It's advantageous for them because it'll just extend their property and we would gain these parking spaces. Now, that seems like a few parking places, but you have to understand that the entire master plan is to develop the rear use of these properties."

LINDA EDWARDS "I understand that. I was making a reference to something else."

CHARLES BARRINEAU "If you've driven through there, you can see that the right-of-way is overgrown with a number of large bushes and trees. All of that would get cleared out to look cohesive with what we're planning on doing."

Mayor Nicholson left at 6:38 p.m. and Mayor Pro Tempore, Barbara Turnburke, presided over the remainder of the meeting.

STEVEN BROWN "Ms. Turnburke, we're not really asking for Council to take action so we don't really need a vote. We're just asking for permission to proceed in the negotiations. I think we already have a consensus with Council to move forward."

CHARLES BARRINEAU "I also wanted to point out a second issue that we're trying to work on. I wish I could tell you that this line was the actual property line. Davis & Floyd has done the research for us and this property line zigzags in and out of Oregon Avenue.

We intend to create a new center line and ask the property owners to either quitclaim, or allow us to quitclaim, property to match the new plats. We can then have a straight lined right-of-way along Oregon Avenue. I did want to let you know that we want to get all of that corrected. It has taken some time, but we want to get it right before we proceed with this project."

STEVEN BROWN "You'd be surprised at the number of roads in Greenwood that do not have a true center line. We found that on Cokesbury Road when we were doing the sidewalk project. "

CONSIDER Mayor Pro Tempore, Barbara Turnburke read the last item and recognized the City Manager.

Reappointing
 Dr. B. J.
 Dover, Mr.
 Cecil Hill, and
 Ms. Myrtle F.
 Rush to the
 Greenwood
 City/County
 Planning
 Commission.

STEVEN BROWN "Mrs. Turnburke and Members of Council, these three Commissioners have served on the Commission for a long period of time. Dr. Dover came off for a short period when he had some family illness but has been back on for the last term. These folks are very active and excellent Commission members. I have not taken the liberty to ask them if they'll agree to serve another term, but I would like you to reappoint them. If they choose not to serve again, we would just fill that vacancy."

A motion to reappoint the Planning Commission Members was made by Linda Edwards, seconded by Niki Hutto.

MAYOR PRO "All in favor raise your right hand. The motion
 TEMPORE carried."

Motion passed unanimously.

CITY MANAGER Steven Brown voiced comments about employee insurance
 COMMENTS options before the City Council.

STEVEN BROWN "I have one other thing I'd like to bring to your attention. As you know, City Council has directed us to transfer the City's health insurance coverage over to the State Health Plan. We have submitted the necessary

paperwork and have been approved for that to occur. Anytime you change insurance carriers, each provider has their own policies, rules and regulations. I think City Council should hear the changes from where we are today and what will be under the new system because you're going to hear the positives and the negatives.

In three weeks, we will be setting up meetings with employees to discuss this transition. I know all of us are busy but I'm wondering if you're willing to come back next Monday night and dedicate that meeting just to the health insurance program. You may be wondering why not discuss it tonight? Steffanie Dorn and Lynn Walker spent three to four hours today with representatives from the State Health Plan and briefed me this afternoon.

Give us an opportunity to explain all these changes to you. I'm not recommending that we don't go to the plan. The employees will be paying a significant less amount than what they are now for dependent coverage. The City is probably going to pay \$6,500 a month more to be a member of the State Health Plan. While you have given us direction to proceed with changing over, I think we need to give you the facts.

Can we do it next week at 5:30?"

BARBARA
TURNBURKE

"I have a conflict."

STEVEN BROWN

"Can we do it earlier, later or on another day?"

JOHNNY WILLIAMS

"They also need to know that there is co-pay with the Blue Cross and Blue Shield State Plan. Every time you go to the doctor you're going to pay \$10, regardless if you meet your \$2,000 out-of-pocket. There are going to be some big changes. Some of your medicines will go as high as \$85 a prescription, too."

BETTY BOLES

"Are the changes basically for the life insurance co-pay? We still have the same health plan, but with changes?"

STEVEN BROWN

"You won't have the same health plan. Blue Cross administers the State Health Plan. The reason for changing is because the dependent coverage is significantly, greatly, reduced than what you're paying now. I don't have a problem with it because they're going to be saving on one end, however they just need to know that some of their savings must be used to pick up some of the other things that they will be losing.

If Council wants us to proceed, I can announce it to the

employees and go forward. If we wait until the first Monday night in November, that time will be consumed with next year's budget, while we would have already begun the meetings with the employees."

LINDA EDWARDS "If we come at 5:30, we won't be here until seven would we?"

STEFFANIE DORN "I guess it depends on how much information you all want about the program including the changes.

JOHNNY WILLIAMS "Well, insurance doesn't matter to a young person. You only start using insurance when you age some."

Motion to have a work session Monday, October 23, 2006, at 5 p.m. was made by Johnny Williams.

BARBARA TURNBURKE "Do I have any City Council comments? Do I have a motion to adjourn?"

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

Meeting adjourned at 6:55 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer