

GREENWOOD CITY COUNCIL

December 19, 2005 - 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; City Attorney; and Vic MacDonald from 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.

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 Betty Boles, seconded by Linda Edwards.

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

Motion passed unanimously.

CONSIDER

Ordinance No.
05-036 to Adopt
the Budget for
2006.

Under public hearings, Mayor Nicholson said, "The format 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 not more than four or five minutes."

(2nd reading)

The Mayor then read the first item and asked the City Manager, "Mr. Brown, do you have any comments before we go into the public hearing?"

STEVEN BROWN

"Mr. Mayor, there's been no changes since the first reading."

MAYOR NICHOLSON

"Okay. Is there anyone here who would like to speak in favor of the budget? Is there anyone opposing the budget? Alright, seeing and hearing none, we will close the public hearing dealing with the budget for 2006.

Do I have a motion by Council that we adopt the budget on second reading?"

JOHNNY WILLIAMS

"Mr. Mayor, I make motion to adopt the budget and change the pay raise to three percent."

MAYOR NICHOLSON

"Mr. Williams made a motion for the two percent pay raise and an additional one percent in June. Do I have a second?"

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

"Is there any discussion? All in favor raise your right hand. Opposed? Aright, 6-1. The budget will be adopted with a three percent pay raise for all employees effective at the first of the year."

Mayor Nicholson, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams and Barbara Turnburke voted in favor of the 2006 budget with the 3% salary increase for City employees. Niki Hutto voted against.

Motion passed.

- attach -

CONSIDER

Ordinance No.
05-037 to Levy
Tax for the City
of Greenwood for
2006.

(2nd reading)

STEVEN BROWN

"There are no changes."

MAYOR NICHOLSON

"I think it will remain at 101 mills."

NIKI HUTTO

"May I ask a question? If the budget will change in order to have a three percent instead of a two percent raise, where is that one percent coming from?"

MAYOR NICHOLSON

"The fund balance.

Is there anyone here to speak in favor of levying taxes for the City of Greenwood in 2006 at 101 mills? Anyone opposing? Alright, seeing and hearing none, we will close the public hearing with the levy of tax for the City of Greenwood in 2006.

Do I have a motion from Council?"

A motion was made by Linda Edwards, seconded by Johnny Williams.

"Is there any discussion? All in favor raise your right hand. Opposed? 6-1, so moved."

Mayor Nicholson, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams and Barbara Turnburke voted in favor of the tax levy for the City of Greenwood for 2006. Niki Hutto voted against.

Motion passed.

attach -

CONSIDER

Ordinance No.
05-038 to
Authorize the
City Manager to
Borrow Money in
2006.

(2nd reading)

Mayor Nicholson read the third item and asked, "This is just a formality to give the City Manager authorization to borrow money for the City to continue to operate. Do I have anyone here to speak in favor of the ordinance authorizing the City Manager to borrow money? Is there anyone opposing? Okay. Seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
05-039 Adopting
the Business
License
Ordinance for
2006.

(2nd reading)

Mayor Nicholson read the fourth item and said, "I think there were no changes in the Business License Ordinance for the upcoming year. Do I have anyone who wants to speak in favor of the Business License Ordinance for 2006? Anyone opposing? Alright, seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance No.
05-040 Annexing
0.41 Acres at
109 Winney Road
Owned by
Piedmont
Technical
College
Foundation.

(2nd reading)

STEVEN BROWN

Mayor Nicholson read the fifth item and said, "I think this is the property where they acquired a house. Am I correct Mr. Brown?"

"That's correct."

MAYOR NICHOLSON

"Do I have anyone here to speak in favor of this annexation? Is there anyone opposing the annexation? Alright seeing and hearing none, we will close the public hearing.

Is there a motion by Council?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

Mayor Nicholson read the sixth item and asked the City Manager, "Mr. Brown, are there any changes?"

Ordinance No.
05-041
Authorizing the
Issuance of
Revenue Bond
Anticipation
Notes for the
Commission of
Public Works

(2nd reading)

STEVEN BROWN

"No sir. The ordinance that you have before you is just as it was presented at the first reading."

NIKI HUTTO

"If we would like to make a change, can we do it now or when the motion is made?"

MAYOR NICHOLSON

"I'd rather it be a part of your motion.

Is there anyone here to speak in favor of issuing the revenue bonds anticipation notes for the Commissioner of Public Works? This is not to exceed more \$10 million. Is there anyone opposing? Alright seeing and hearing none, do I have a motion from Council?"

NIKI HUTTO

"I move to adopt the ordinance on second reading subject to a revision to section, 3.01 'Effective Date'. It now states, '...this ordinance shall take effect upon the second reading hereon...' I would like to add, '...and expire on December 31, 2006...' so that it would be a yearly event."

MAYOR NICHOLSON

"Okay. So the only change would be to add where it is to be a yearly event."

NIKI HUTTO

"The ordinance will expire and must come back to Council just like we do our tax anticipation ordinance."

BETTY BOLES

"So you're asking that it be reviewed on a yearly basis?"

NIKI HUTTO

"As we do ours."

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

MAYOR NICHOLSON

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

Motion passed unanimously.

(attach)

CONSIDER

An Ordinance
No. 05-042
Establishing
and Collecting
a Local
Hospitality Tax
on the Sales of
Prepared Meals
and Beverages
in
Establishments
within the City
of Greenwood,
South Carolina.

Mayor Nicholson read the seventh item and asked, "Is there anyone here to speak in favor of this hospitality tax?"

(2nd reading)

ANN CRAIG

"Good evening. I'm Ann Craig, of 203 Gatewood Drive, and I'm the Executive Director of the Arts Council of Greenwood County. I'm here to speak in favor of the passage of the Hospitality Tax. As I hope you all know, the Federal Building renovation will be completed soon. We hope to move in by the end of January and open to the public sometime in February.

This is the first step in the Emerald Triangle Project. We raised about \$3.5 million to date and have also signed a contract to begin the renovations on the community theatre as well. The renovation to the museum is the third step in that process. Having made that investment, we would like to see additional revenues from our community that could be invested in expanding the Emerald Triangle Complex to make it truly a stellar

attraction for this community.

I ask for your favorable vote on that Hospitality Tax, and I have some letters to submit from our Board of Directors who could not be here tonight. Thank you."

MAYOR NICHOLSON

"Okay, thank you. Mr. Lamb?"

JOHN LAMB

"I'm John Lamb, and I live at 428 Mount Vernon Road in Troy. It's a part of Greenwood County, but I work in the City. I'm the Director of the Greenwood Housing Authority that is a part of the City of Greenwood. I do business here in Greenwood and I eat a lot of lunches in Greenwood, as you can tell. I'm not here to tell you that I like paying taxes, but I realize that if it weren't for taxes, we wouldn't have the infrastructures. I understand that it's a necessary part of a civilized society. I'd rather see this type of tax for this purpose than any other like the property tax. I think this is a fairer way, where this money is being used for some things that otherwise would get overlooked in the long run.

With my job, I do a lot of traveling to different states. I'm all the time running across people in Kentucky, Mississippi, and Alabama that, for whatever reason, have been through Greenwood at one point in their life. They're always very complimentary of Greenwood because it's a nice and beautiful little town. I'd like to see it continue and this is one way to ensure it, if we have money that is earmarked to put into projects like this. So I would ask y'all to support the Hospitality Tax. If the County isn't doing it, I wish they would."

MAYOR NICHOLSON

"Thank you, Mr. Lamb. Mr. Edwards?"

MATT EDWARDS

"Good evening. I'm Matt Edwards of 429 Grove Street. I'm also the Executive Director of the museum in Greenwood. I want to thank you for this opportunity to speak with you this evening. As an individual who has lived and worked in communities around this country and in the tourism industry, I think that the Hospitality Tax is a vital part of the contributing factor of the quality of life. The earmarked, or the proposed earmarked, end results of this tax is going to be something to build upon the cultural assets within this community. The Emerald Triangle Project, Arts Council, and the library are things that each and

every one us use everyday.

If not everyday, certainly our families, or someone we know, use them on a regular basis.

I think that this is a wonderful opportunity to echo the gentleman's comment. Certainly we don't want to pay taxes but this is a much less painful way for your average, everyday person than paying that property tax rate hike at the end of the year. It's something that I personally don't have a problem with and I certainly encourage you to look favorably on this review as well. If you have any questions for me, here I am. Otherwise, thank you very much for the opportunity."

MAYOR NICHOLSON

"Thank you, Matt. Yes, ma'am?"

DONNA BOYAJIAN

"I'm Donna Boyajian of 220 Compass Point, Ninety Six. A strong cultural life brings businesses into your community. It revitalizes your downtown, and you all know that so there's no reason to go there.

I just want to speak from a transplant. I lived all over the country and, when we were looking for a place to retire, we had two or three options. When looking at the pros and cons, Greenwood won us over because of the commitment of the Federal Building Project. We wanted to come to a community where we could sort of get our arms around and help the cultural life of a community and educate children. I just feel we're on our way. For you to all to vote in favor of this would take us to the next level. Thank you."

MAYOR NICHOLSON

"Thank you."

JERRY SPEARMAN

"I'm Jerry Spearman, 403 Starboard Tack in Greenwood. I'm here officially representing Greenwood Metro which is, of course, very interested in the revitalization of downtown. We have a vested interest in the utilities of downtown by spending a great deal of money to improve them. I also live outside of the City, but I work here.

Most of our marketing program in real estate is to people from outside of the Greenwood area. The downtown area is very vital to how Greenwood grows and what happens to it. As a resident that lives outside, but spends a lot of money with restaurants in town, I think it's only right that the people of the area pay for the revitalization of downtown also, not just the residents of the City. I think

this is a fair and good tax.

I am very much in favor of it and believe that most people who live outside of the City would also agree. Thank you."

MAYOR NICHOLSON

"Thank you, Jerry. Is there anyone else to speak in favor? Is there anyone opposing? Okay, seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

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

"Are there any questions or any further discussion? If this passes, it will go into effect April 1st instead the first of the year, right Mr. Brown?"

STEVEN BROWN

"Yes, sir."

MAYOR NICHOLSON

"All in favor raise your right hand. Opposed? 6-1, so moved."

Mayor Nicholson, Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn and Barbara Turnburke voted in favor of the hospitality tax. Johnny Williams voted against.

Motion passed.

- attach -

CONSIDER

Ordinance No.
05-043
Franchise Fee
on Revenue
Utilities
Servicing
Customers in
Areas Annexed
into the City
Limits.

Mayor Nicholson read the eighth item and asked, "Is there anyone here to speak in favor of this franchise fee?"

(2nd reading)

WAYNE HARTER

"I'm Wayne Harter of 3709 Highway 702 in Ninety Six. I work with and am representing Greenwood Mills on this. As you all know, we were very interested in the wording of this ordinance and just wanted to express our appreciation for you rewording it so that our Harris Plant will not be affected. Duke indicated that we would be subject to the franchise fee even though the Harris Plant was not located within the confines of the City Limits of Greenwood. We just want to express our appreciation for your consideration of the rewording of the ordinance. Thank you."

MAYOR NICHOLSON

"Okay. Jeff?"

JEFF FOWLER

"Mr. Mayor and Members of City Council, I'd also like to thank you from the Economic Development standpoint that not all cities and counties are very easy to deal with when you get down to regulations. I can't tell you how many phone calls, not even mentioning the prospects of getting letters from County and City Council Members, to industries of the fact that you guys will work with them in the future, not just when they're first coming in. For me, this is something that I can point to when I say our City and County Councils will work with them on not just bringing your projects here, but once you're established.

Most of our counterparts, not only throughout this State but throughout the country, will always say we have a wonderful quality of life. We will always say we have a good workforce and that our County and City Councils will work with them. It's just very refreshing to be able to show them a matter of where City Council had to get involved with local regulations that had to be passed and your ordinance actually proves our point.

Just to give you one final example, we are dealing with a company right now in another area of the country that is primarily looking to relocate. That relocation can result to anywhere between 200 and 600 new jobs because they cannot work with their local City, County and State officials. This helps us out a lot. I appreciate you guys working with them because I know you had put time and effort in it."

MAYOR NICHOLSON

Thank you, Jeff. Is there anyone else to speak in

reference to the franchise fee on the revenue of utilities served by Duke customers?

Alright, seeing and hearing none, we will close the public hearing.

Do I have a motion from Council?"

STEVEN BROWN

"Mr. Mayor, before you take a motion, I need to explain that in the ordinance I have highlighted some changes. At the last 'Whereas', Duke officials felt our language was a little strong about their lack of negotiations with us and have requested us to soften that language. So we have softened it by removing some words and inserting in the ordinance, '... but the parties have not reached agreements on terms and conditions of such agreement...' To address the situation that Mr. Harter just spoke of, Mr. Brailsford had a conversation with Duke Corporate Attorney Jeff Griffith. They agreed that, if City Council will insert four words in Section 1, '...and for use within...,' the ordinance will be acceptable to them.

I'll be honest with you. If they had negotiated in good faith back in February and March, we wouldn't be where we are today. They delayed this whole process and in November notified us that they didn't want to negotiate. Now in December they want to review our Ordinance and negotiate the inclusion of specific language in the ordinance. That is not the way to do business.

With that said, I think you have an ordinance that is acceptable. I have explained to any outside industries who have called that City Council does not intend nor has it communicated to Duke officials a desire for any industry located outside of the City to pay any part of a franchise fee. So evidently this will get City Council where it wants to be."

MAYOR NICHOLSON

"Okay. Thank you, Mr. Brown. Do I have a motion for second reading?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

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

Ordinance No.
06-001 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property
(Approximately
8.68 Acres),
Located at 314
and 315 Fair
Avenue, from
RM7 (High
Density
Residential -
Manufactured
Housing) to LIW
(Light
Industrial /
Warehousing).

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, this is property that is owned by the City of Greenwood. It is the location of our public works and equipment maintenance shops. In looking at your new zoning ordinance, we believe that we were, in some aspects, violating our own ordinance. Over the years, the shop was situated in the middle of a residential neighborhood. As properties were acquired, the land acreage increased. We believe that light industrial is more suitable for what is being done on that property. While we were classified as a nonconforming use, we feel this is more acceptable. We asked the Planning Commission to look at it and they have forwarded you a recommendation to approve this rezoning."

MAYOR NICHOLSON

"Okay. Thank you, Mr. Brown. Is there anyone here to speak in favor of this rezoning? Is there

anyone opposing? Okay, seeing and hearing none, we will close the public hearing. Do I have a motion?"

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

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

Motion passed unanimously.

-attach -

CONSIDER

Ordinance No.
06-002 Amending
the City of
Greenwood's
Official Zoning
Map (Ordinance
No. 04-020) by
Rezoning
Property
(Approximately
0.53 Acres),
Located on East
Cambridge
Avenue and
Pelzer Street,
from R4
(Residential
Medium Density)
to NC
(Neighborhood
Commercial).

(1st reading)

STEVEN BROWN

Mayor Nicholson read the tenth item and asked the City Manager if he had any comments.

"No, sir."

MAYOR NICHOLSON

"Okay. This is the property located across from Workman's Restaurant at the corner of East Cambridge and Pelzer Street. Is there anyone here to speak in favor of this rezoning request?"

ROBERT CORLEY

"Mr. Mayor and City Council, my name is Robert Corley. This property is owned by my wife who could not be here tonight because she's under the weather, like probably half of the people in Greenwood.

I met with Planning and Zoning and talked about this property. My wife and I have owned this property for I guess 25 years, maybe approaching 30 years now. At one time it was rental property, but the house burned down. We didn't get enough insurance to rebuild it because it was burnt real badly, so we just had the house demolished and cleaned the lot.

We've been trying to sell this lot. We can't seem to get anybody that wants to buy it. I personally don't want to build apartments on it, but we've had several people to look at the lot and said if it was zoned Neighborhood Commercial there would be a high probably that we could sell it. Naturally, if you owned a piece of property, you would like to sell it.

Now, this lot has been a vacant for a number of years and I have to maintain it. If you've been by, you'd see we do try to maintain it the best we can. The Spring, Summer, and Fall of the year involves getting the grass cut. I don't know how many times I would go by picking up bottles, cans, paper cups and plates just trying to keep the lot clean.

If you look at the map, on the corner from this half acre lot is Workman's Restaurant that's zoned Neighborhood Commercial. Across the street is, I'd guess, a little strip mall. I think there is an ice cream shop, clothing store, and beauty shop there. Right next door to that is a car wash, another restaurant, and a grocery store. Then there is the Hash House which closed when Ms. Polattie passed on. Just up the street is National Health Care Nursing Home and a florist shop just up the street.

Until this time, we had no opposition from the adjoining neighbors. I mean there was some opposition and, naturally, always will be. The property owner to the rear of this lot told me, and my son has a letter, that he was not opposed to it being changed.

Questions have been raised that, if we sell this lot, we will loose control of it, and that's true.

If I sell it, I could not possibly tell anybody what they could do with the lot. But in looking at all the alternatives, knowing full well that we want to sell the lot, Neighborhood Commercial was the best way we could see it done.

That's the mildest form of commercial zoning that you have. Whatever that would go there would have to be landscaped, buffered and maintained. My feeling is, knowing that I don't want to put any apartment buildings there, it would be better to have some type of a landscaped office building than to have a vacant lot. Unless somebody wants to build apartments on it, I would sell it to them. I don't think they'll want to do that on a half acre lot; not on that corner.

So I'm appealing to you. It was turned down by Planning and Zoning because they said it was nonconforming. They voted, but it was not a unanimous vote. I did have some folks to allow it, but the votes to disallow it were more. All I'm asking you to do is consider it and give us a fair judgment, which I know you will. I told my wife last night that, whatever City Council decides, it's what they decide. If it's for, fine. If it's against, we won't have a falling out. I know you're going to have opposition and I understand that. I told the guy I work for the other day that I'm not opposed to the people that are against it. I'm not going to have a falling out with them because we'll still be friends.

I thank you for listening to me. Just consider where it's at, what I'm asking you to do, and if you just give me a fair judgment. I thank you."

MAYOR NICHOLSON

"Okay. Thank you, Robert. Is there anyone to speak in favor of the zoning request? Is there anyone opposing the zoning request?"

ANNETTE EDWARDS

"Mayor Nicholson and City Council Committee, thank you for this opportunity and privilege to speak on the behalf of my community. I'm Annette Edwards and I live at 108 Pelzer Street. I'm clergy in this area and is a community leader that work with many civics. I want to thank you for this opportunity to speak on behalf of my community and other community members. We stand in opposition of this proposal being rezoned. We did voice all our concerns to the Greenwood Planning and Zoning Committee and their recommendation was to deny this request.

This community has worked very hard for the drugs to be out of that community. We got rid of a lot of traffic on the sidewalks with crowds gathering there standing and talking late at night.

We're very much familiar with each other and know pretty much everybody that lives in that community. We spend a lot of time cleaning up where Mr. Corley owns that piece of property. We went there many times to pick up trash and it remains clean.

We stand here tonight because we do not desire for this to be commercial. He purchased this piece of property at a residential price and now desires to sell it at a commercial price for whatever it is. I stand in opposition of this, along with my neighborhood residents, and we ask that you would consider the Planning and Zoning Committee recommendation that this community remain as a neighborhood and not commercial.

We have Mr. Workman's restaurant there, but the ice cream shop Mr. Corley was speaking about on East Cambridge is just where Mexicans go to buy popsicles. They did that about two months ago and are now closed down. There is very little business at the carwash across the street that he speaks of. I talked to the owner and he's thinking about closing it down because there's not much traffic. There was a lot of gathering and playing of loud music until we got that cleaned up. It's not a strip mall that he's referring to but a beauty shop, a barber shop and a little boutique store.

Also, the spot that he's talking about selling is where the kids meet for the bus stop every morning. I believe that if he put a commercial business there, it would risk a kid getting hurt in an accident that may occur and we have not had an accident in that community. I just stand tonight and ask that you would continue to vote and deny this request. Thank you."

MAYOR NICHOLSON

"Thank you, Ms. Edwards."

KIM CLARK

"Thank you for your time. Greenwood has a beautiful Uptown and I'd like to echo what a lot of people are saying about what you are doing. My name is Kim Clark and I share a home at 109 East Cambridge with my family. I grew up in Greenwood. My grandfather, Joe Jenkins, practiced at the Scurry Clinic at the corner of Cambridge, which is gone now. My Great and Great, Great Grandfathers are

buried behind the National Health Center.

This is truly home for me and I'm grieving over what is happening on Cambridge Avenue.

We got treasure there that desperately needs to be protected. I will challenge you when you leave tonight to drive down Cambridge. Some of those wonderful old homes that were built in 1900 are greatly preserved and some of them are deteriorating rapidly. I feel that if we don't step in soon, we're going to lose them forever. The State has done research on protecting districts and I got a pamphlet that I'll leave with Mr. Brown that's called, 'Historic Districts are Good for Your Pocketbook.' It talks about how this would be good for Greenwood, not just for those of us who live on Cambridge and care about the neighborhood, but for the entire town. Preservation yields a more beautiful town when it's protected and thus a bigger tax base.

In terms of this lot that we're discussing, I feel that every little piece of historic Cambridge is important. I'm sympathetic with him that he wants to move forward with his lot, but I'm also concerned about our neighborhood. I feel it just has to be protected because it is a neighborhood, not a business district. We hope that you help protect us tonight and in the future. Thank you all."

MAYOR NICHOLSON

"Thank you, Ms. Clark. Is there anyone else to speak in opposition of this rezoning request?"

BETH REMBERT

"My name is Beth Rembert and I reside at 534 Pelzer Street. Mayor and City Council, I appreciate this opportunity to stand before you and ask that you consider this rezoning to be denied. The reason why I am asking is the fact that the surrounding area has been working and spent money from CDBG to revitalize the homes there. Also, from the historic significance, the State is coming to take a look at that area and consider Grendel as a historic area. I think if that lot was rezoned to Neighborhood Commercial, it would certainly not be in the favor of the surrounding areas and the other old homes on Cambridge. So I would appreciate you considering that a denial tonight. Thank you."

MAYOR NICHOLSON

"Thank you, Ms. Rembert. Is there anyone else wishing to speak? Okay, seeing and hearing no other, we will close the public hearing dealing

with the rezoning of property at the corner of East Cambridge Avenue and Pelzer Street.

As I stated earlier, the Planning Commission voted to recommend denial of the rezoning request. Do I have a motion from Council?"

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

"Are there any questions or any further discussion?

NIKI HUTTO

"For clarification, R-4 zoning does not allow apartment buildings. With a half acre lot, the most you can do is two single family homes. If it's four houses per acre, and it's a half acre lot, the maximum you could get would be two homes. So this lot couldn't have been sold for an apartment either. Neighborhood Commercial would allow a convenience store, beauty shop, or anything of that nature."

MAYOR NICHOLSON

"Okay. Is there any other discussion? All in favor of denying this request raise your right hand. So moved."

Motion passed unanimously.

CONSIDER

Under unfinished business, Mayor Nicholson read the only item and asked for a motion.

Ordinance No. 05-033 Amending the City of Greenwood's Official Zoning Map (Ordinance No. 04-020) by Rezoning Property (Approximately 2.74 Acres) Located at 110 & 108 Enterprise Court, from NC (Neighborhood Commercial) to

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

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

Motion passed unanimously.

GC (General Commercial).

(2nd reading)

CONSIDER

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

Ordinance No.
06-003 Amending
the Code of
Ordinances of
the City of
Greenwood,
Chapter 17,
Municipal
Court, Section
17.2,
Appointment of
Judge; Term;
Vacancy in
Office and
Section 17.2.1,
Administrative
Municipal
Judge.

(1st reading)

STEVEN BROWN

"Mr. Mayor and City Council, Ordinance 06-003 revises language in our City Code to provide a procedure for adding duties to our administrative municipal judges. Presently city ordinances allow more than one administrative judge to be appointed by City Council. At the present time, Judge Shameka Brown is our only administrative judge. Judge Miller is an Associate Judge and Judge Wyndham is a Senior Judge. The present ordinance prohibits administrative judges from holding court. Several weeks ago at work session, I discussed with you our desire to allow Judge Brown to begin hearing guilty pleas.

For two reasons we would like to do this. One is that we feel she is competent in her knowledge and performance to do so. Secondly, we need to be preparing for the time when our senior and associate judge may decide to retire. If we do not begin to allow some of our other staff members to assume some of these responsibilities, then one day

we may be without that experience we need.

We have separated duties of the court administrator from the administrative judge and added some language under the powers and authority of the administrative judge. The changes in the ordinance read as follows: '...an administrative municipal judge may hold court...' and this is the important sentence, '...specific judicial powers and authority are assigned to administrative municipal judges by the senior judge upon recommendation by the court administrator and the City Manger with consent of City Council by resolution.' If you adopt this ordinance, you may alter the duties of an administrative judge by resolution. The ordinance allows the Senior Judge, Court Administrator and City Manager to submit recommendations to you regarding the duties of administrative judges.

Since these are full time employees, they perform their normal administrative duties under the City Manager's direction. The Court Administrator and Senior Judge dictate their judicial responsibilities and City Council will to have the authority to approve or disapprove. This gives all of us a part of the action and, at the same time, gets us where we need to be. I certainly recommend that you consider this. I think Judge Brown has the capability of doing more than what we're allowing her to do at this time."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion to approve 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.

CONSIDER

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

Authorizing the City Manager to Accept a Housing and Urban Development (HUD) Appropriation of \$400,000 for the Greenwood Federal Building Renovation Project.

CHARLES BARRINEAU

"Mr. Mayor and Members of Council, as many of you probably recall a couple of months ago at an Inn on the Square luncheon, Congressman Gresham Barrett made a public promise that he would seek funding for the Greenwood Federal Building. Tonight, I'm excited to inform you that Congressman Barrett has made true to his word and we have been informed that we will receive an appropriation of \$400,000 from the Housing and Urban Development, Economic Development Initiative Program for the Greenwood Federal Building. This appropriation requires no local match and I would like to recognize the efforts of the staff and Board of the Partnership Alliance for their efforts to seeking this funding. I would ask that you allow the City Manager to accept these funds."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion to approve was made by Barbara Turnburke, seconded by Linda Edwards.

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

Motion passed unanimously.

- attach -

CONSIDER

Authorizing the
City Manager to
Accept a
\$488,861
Community
Development
Block Grant
(CDBG) for
Streetscape
Improvements on
Oregon Avenue.

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

CHARLES
BARRINEAU

"Mr. Mayor and Members Council, the South Carolina Department of Commerce has announced a Community Development Block Grant for a revitalization grant in the amount of \$488,861 to be used for streetscaping and infrastructure improvements on Oregon Avenue within the Emerald Triangle Project. The application calls for the City of Greenwood to invest \$75,640. In addition, CPW Commissioners approved a \$100,000 investment, and a \$245,675 investment from the Greenwood Metro Commissioners.

This total project is merely \$1 million and I would like to recognize the joint partnership effort between the City, CPW, and Metro to leverage these bond resources. Without their help, we would've gotten this grant. I would like to ask that you allow the City Manager to accept these funds and allocate the required match of \$75,640."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

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

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

Motion passed unanimously.

- attach -

"I would just like to thank Mike Monaghan from CPW, Jerry from Metro and everyone involved. I think you're going to see a lot of things this upcoming year because there are a lot of interests coming on the south end of town."

CHARLES
BARRINEAU

"Mr. Mayor, we had four announcements this Fall. Two of those went to the County, but I did want to make you aware of them. We received well over \$1 million. An additional \$200,000 through the Department of Commerce was also received due to the work of the Partnership Alliance for the Federal Building. Now, as many of you may or may not know, \$250,000 was allocated for the old Brewer Project called the Magic Johnson Foundation Project. Those are two great projects within the City of Greenwood."

MAYOR NICHOLSON

"Fantastic! We appreciate all of the Partnership Alliance help in enhancing the quality of life in our community. Overall, I think the upcoming year will have a lot of activities going on. We have the funds for the interest on the south end of town, the parking lot project off of Pressley, and then the streetscape. It just goes to show that it is going to be a real revitalization of Uptown Greenwood."

STEVEN BROWN

"We also had received an application for a building permit for residential renovations in the Grier Building. For years all the Mayor, City Council, and staff have been talking about is the possibility of having some residential living space in Uptown, which is allowed in your new ordinance. There has been a permit application submitted that's under review now. It would be one entire floor of the Grier Building, so you will see and hear something about that.

The other thing is, you often heard me talk about the City staff and their competency. I'd be remiss if I didn't note the efforts of Charlie. Somebody on the staff had to coordinate this. With me being in the office, I saw the effort that Charlie put

forward in meeting with the staffs of CPW, Metro, and The Partnership. I'm telling you that he's a prize, a jewel, and does a wonderful job. He can do these things and knows how to do it well. The City of Greenwood is fortunate to have somebody with his ability on our staff."

MAYOR NICHOLSON

"Thank you. We appreciate it, Charlie, because it's a lot of funds coming into our community. It has been going to a lot of other areas, so it's our time. We just appreciate your assistance."

CITY COUNCIL
COMMENTS

Mayor Nicholson asked for any comments by anyone from City Council.

NIKI HUTTO

"Yes, while we have Phil (Lindler) here, how close are we to getting grants for the historic overlay in downtown? Do we have the criteria?"

PHIL LINDLER

"The infrastructure is somewhat in place. The ordinance states that you must have a historic order of admission."

NIKI HUTTO

"Who appoints that?"

PHIL LINDLER

"It's the City and County Council. The problem is County Council Members dropped it at the 2nd reading."

NIKI HUTTO

"Does it have to be a joint effort even if it's in the City?"

MAYOR NICHOLSON

"It has to be a joint effort."

PHIL LINDLER

"By the way the ordinance is structured it has to be a joint effort. So if you'd like to have the City to go forward, then you will need to amend that section"

STEVEN BROWN

"I think that's what I would recommend we do to move forward."

NIKI HUTTO

"We'd have to amend the section then."

MAYOR NICHOLSON

"We'll see what we can do at work session in January."

NIKI HUTTO

"Could you bring wording to amend that section?"

STEVEN BROWN

"I'd be glad to."

MAYOR NICHOLSON

"Is there anybody else?"

CITY MANAGER
COMMENTS

There were no other comments submitted by the City Manager, Steven Brown.

The Mayor asked, "Do I have a motion that we adjourn?"

Motion was made by Linda Edwards.

The Mayor said, "Again, we wish everybody a very Merry Christmas and a Happy and Joyous New Year."

Meeting adjourned at 6:25p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer