

GREENWOOD CITY COUNCIL

May 17, 2004 - 5:31 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; Jason Sturkie; Mike Hatfield of WCRS and Wallace McBride from the Index-Journal.

CALL TO ORDER

The meeting in the Council Chambers was called to order by Mayor Nicholson at 5:31p.m., and he welcomed everyone to the meeting.

Mr. Bill Wilson gave the invocation.

STATEMENT AND QUORUM

Mayor Nicholson gave 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 asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mr. Mayor, we have a quorum present."

MINUTES

Mayor Nicholson asked for a motion to approve the minutes of the City Council Public Hearing and Meeting held on April 19, 2004.

Motion was made by Barbara Turnburke, seconded by Linda Edwards, approving the minutes as presented.

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

Motion was carried unanimously.

REPORTS

Mayor Nicholson asked for a motion to accept as information the reports from the City Manager for April 2004, and the Commissioners of Public Works Consolidated Financial Report for the period ending March 31, 2004.

A motion was made by Linda Edwards, seconded by Betty Boles, to receive the reports as information.

The Mayor asked, "Any questions or corrections? All in favor raise your right hand. So moved."

Motion carried unanimously.

CONSIDER

An Ordinance
Amending the
Greenwood City
Zoning Ordinance
by Rezoning
Property Located at
130 and 136 Lander
Avenue from C-2
(General
Commercial) to RI-1
(Institutional)

(2nd reading)

Under old business, Mayor Nicholson read the first item and said, "If you look at the overhead projector, you will see the diagram of the location of the properties that we're talking about. This property is being rezoned because Lander is going to build new dormitories in that area. Do I have a motion?"

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

The Mayor asked, "Any discussion? All in favor raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Voiding
Ordinances Nos.
04-003 and 04-
004.

(1st reading)

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

STEVEN BROWN

"Mr. Mayor and City Council, on February 23rd of this year, City Council adopted on second reading Ordinance 04-003, which deals with the annexation of a 10' strip of property that is owned by the

Commissioners of Public Works. Ordinance 04-004 deals with approximately 144 acres of land that's owned by School District 50, where the new Brewer Middle School is to be built. When I drew the annexation petition for the Commissioners of Public Works General Manager to sign, I mistakenly referenced State Law, Section 5-3-130, which deals with property owned by a school district. That was an incorrect reference. As a result of that incorrect reference, Duke Power subsequently filed an intent to contest the adoption of both ordinances. They were contesting the CPW annexation because we referenced the wrong law. Therefore, with the CPW annexation not being proper, the school district annexation was not contiguous to the City.

This has been reviewed by our City Attorney, and I have discussed it with one of the Municipal Association's staff attorneys. It is our recommendation that the applicable ordinances be voided and new ordinances adopted. Tonight, the first ordinance that's before you is to void both of those ordinances. Your next action will be to re-adopt the CPW annexation ordinance on first reading, and then take first reading on the School District 50 annexation.

If you look at the second page of the ordinance for the CPW, you will notice that I have changed the reference to the State Code from 5-3-130 to 5-3-100, which is the statute that deals with property owned by a municipality. Since the City of Greenwood Commissioners of Public Works is a municipal entity, then that is the section of the code that we should have used. I will answer any questions that you may have."

MAYOR
NICHOLSON

"Okay. Does anyone have any questions for Mr. Brown? Do I have a motion that we void these two ordinances?"

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

"Any discussion? All in favor, raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance
Annexing a Strip of
Land Ten Feet (10')
Wide, Owned by
the Commissioners
of Public Works of
the City of
Greenwood,
Located off Emerald
Road.

(1st reading)

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

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

“Any further discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Annexing
144.32 Acres of
Property, Owned by
Greenwood School
District #50, Located
off Emerald Road.

(1st reading)

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

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

“Any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Annexing
7.30 Acres, More or
Less, Owned by St.
Mark United
Methodist Church,
Located off 72 By-
Pass West.

(1st reading)

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

STEVEN BROWN

“Mr. Mayor and City Council, we have received a petition from the officials of Saint Mark United Methodist Church. St. Mark United Methodist Church property is 7.3 acres. They are across from the Greenwood Commons Development, and are contiguous.

Presently, they are served by Duke power, as far as electrical utilities. It is my understanding that the church does intend to expand. If they indeed expand, then our electrical service could be provided to any new buildings.

This annexation will place the City adjacent to Beaudrot Road. There is a lot of undeveloped property in that area. I think it gives us a great opportunity to annex future properties. I recommend that you adopt this on first reading.”

MAYOR
NICHOLSON

“Okay. So that would really place both sides of the Wal-Mart Super Center in the City. Do we have a motion that we annex this property?”

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

“Any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Annexing
Property, Owned by
Robert S.
Drummond and
Keith E. Timms,
Located off Mathis
Road.

(1st reading)

STEVEN BROWN

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

“Mr. Mayor and Council, earlier this year, you rezoned this property at the request of both Mr. Drummond and Mr. Timms, the two individuals who owns this property. A portion of that parcel was rezoned by you and a portion of it was rezoned by the County Council. They have now requested that the 3.2 acres, that is not within the city limits of Greenwood, be annexed. This will make the City contiguous with Mathis Road.

They intend to build townhouses in this area, and we see this as a positive annexation. It will produce tax revenue for the City of

Greenwood and, as you will see in the next two or three items in your agenda, it places us in a position to annex other properties. So I would recommend this to you.”

MAYOR
NICHOLSON

“Okay. Do we have a motion?”

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

“Any discussion? All in favor, raise your right hand? So moved.”

- attach -

CONSIDER

Ordinance Annexing
10' Strip of Property,
Owned by
Greenwood
Development
Corporation, Located
off Old Greenwood
Road and US
25/Montague
Avenue Extension.

(1st reading)

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

STEVEN BROWN

“Mr. Mayor and City Council, the action that you took on the Drummond and Timms property has put us in a position to also be contiguous with some property that is owned by Greenwood Development Corporation. Tonight, we’re only asking you to consider a ten foot strip because it is expedient to do the strip right now. Greenwood Development Corporation has expressed an interest in annexing the entire tract into the City. We look for that to happen in the next 60 to 90 days. One of the reasons we’re not doing that tonight is the need to have this property rezoned. We feel the best way for that to be done is through the approval of the land use maps. We would like to be able to coordinate the annexation with the approval of the land use maps and make it all happen at once. But to assist us, Greenwood Development didn’t want to hold up your other projects, so they have agreed to annex the 10' strip here (pointing). It’s an existing utility easement that has been acquired by the Commissioners of Public Works. It’s not deeded property, but it’s still owned by Greenwood Development. Years ago, they placed a high pressured gas line in a 10' easement, and we have followed that same 10' easement. This is

along Old Greenwood Road, and it runs northeasterly until it intersects with Montague and Highway 25. It turns and follows Montague and Highway 25 to Calhoun Road and Northside Drive.

We would ask you to consider this. We feel very good that the City will also be able to annex this property that is a future commercial development for Greenwood Development.”

MAYOR
NICHOLSON

“Okay. Any questions? Do I have a motion that we annex this 10' strip?”

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

“Any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Annexing
1.309 Acres, Owned
by AMT Ventures, II,
LLC, Located off
Northside Drive and
US Highway 25.

(1st reading)

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

STEVEN BROWN

“Mr. Mayor and City Council, I would ask that you delay any action on this ordinance because I do not have the signed petition. This is property that was previously owned by the C.Y. Thomason family and is now owned by CVS Pharmacy. When we first started negotiating the annexation of this property, through the assistance of the Commissioners of Public Works, it was owned by AMT Ventures. We have now found that the property has been transferred to CVS.

We have prepared a new annexation petition, and will be submitting that tomorrow to CVS. They told me today that they will sign it as soon as it gets into their office, so we're asking you to delay action on this.

You can see with the Drummond and Timms property and the 10' strip from Greenwood Development, it gets us to the CVS site.

Naturally, we feel this is a good annexation. I'll be glad to answer any questions.

As I have said for months and years, none of this would have taken place if it were not for the cooperation between the Commissioners of Public Works and the City of Greenwood. We have found that we have accomplished great feats by working together. The CPW staff has worked with us just wonderfully to make all of this happen, because it takes the both of us. There are things that they want from the Commissioners of Public Works, and other things they want from us. By us working together, we're able to enhance their operations at the same time. All three of these properties are tax generating properties, and we think it's good, but we ask that you delay any action tonight.

In talking with Mr. Monaghan and Mr. Reeves at the Commissioners of Public Works, we would ask City Council to consider moving your June work session up a week. Instead of having it the 1st Monday in June, to have it on June 1st, which would be a Tuesday. If we would have it on that Tuesday (Monday is a holiday), then we would not have it the following week. I know it's just a week, but they need all of the time they can to get the utilities to these construction sites. Steve (Reeves) do you want to add anything about that request?"

STEVE REEVES

"I think that's pretty clear, Steve. It's a time element for us."

MAYOR
NICHOLSON

"We'll look at it then. Do I have a motion that we postpone the annexation of the property off Northside Drive and US 25?"

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

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

Motion passed unanimously.

CONSIDER

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

Ordinance
Authorizing the City
Manager to Deduct
Workers'
Compensation
Premiums from
Uninsured
Contractors'
Invoices.

(1st reading)

STEVEN BROWN

“Mr. Mayor and Council, the City has been notified that in the future, any contractor who is performing work for the City of Greenwood and does not have Workers’ Compensation Insurance to protect their employees, our carrier is going to annually look at the dollar amount of those contracts and assess our premiums based upon that dollar value of those contracts. We feel that this is a fee that should not be paid by the taxpayers of the City. We understand that certain small companies do not have Workers’ Compensation Insurance, but at the same time, we do not feel we should be paying for some and not for others. So we’re asking permission, if this occurs, to deduct from that contractor’s invoice, the amount equal to 110% of the exact cost to the City. The 110% is 100% of the cost and 10% for the administration, because it is going to be time consuming. It’s going to take away time from our staff when they can be doing other things. We feel 110% is a fair amount. We would have a public hearing on it at the next month’s meeting, if you adopt it on the first reading tonight.”

MAYOR
NICHOLSON

“Alright. Do I have a motion?”

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

“Any questions or discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

“So we’ll put it on the agenda and have a public hearing prior to the meeting in June, right?”

STEVEN BROWN

“Yes, sir.”

NIKI HUTTO

“Do we have any idea of how many contractors we use that are not insured?”

STEVEN BROWN

“Steffanie can give us an idea.”

STEFFANIE DORN

“You’re probably talking about 15 to 20 throughout the entire year. We may only use some of them once or twice during the year at a total cost to the City of about \$750 to \$1000.”

NIKI HUTTO

“Per
use?” STEFFANIE
DORN

“Per year.”

NIKI HUTTO

“So in essence, they’ll know, when they are hired under this new legislation, they will have to pay that fee. Will they know what that fee would be up-front before they took on the position?”

STEFFANIE DORN

“They will know what the charges are ahead of time.”

STEVEN BROWN

“It is not a procedure that is unique to the City of Greenwood.”

CONSIDER

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

Ordinance
Amending
Ordinance Number
03-016, the City of
Greenwood 2004
General Budget.

(1st reading)

STEVEN BROWN

“In budget year 2003, the City Council had given us permission to buy several items of equipment. They were ordered, but did not arrive by the end of the year. Therefore, when the auditors audited our books, they set aside an amount equal to those purchase orders of \$196,550.

The largest piece of equipment is a commercial sanitation truck. Those amounts have been set aside in the fund balance, but we do not have them in our budget. When they are delivered, I really don’t have the money. We need to transfer it from the reserve fund into the budget, and we would ask you to approve this amendment.”

MAYOR
NICHOLSON

“Okay. Do I have a motion?”

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

“Any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

CONSIDER

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

Ordinance
Authorizing the City
Manager and City
Clerk to Execute a
Deed Conveying to
an Individual
Participating in the
Housing Authority of
the City of
Greenwood's
Section 8 Voucher
Home Ownership
Program, the
Property Located at
113 Balsam Lane.

(1st reading)

STEVEN BROWN

“City Council authorized the staff to acquire a home known as the ‘\$1 Home Program’. As I had explained in the past, this is a program whereby homes have been mortgaged through HUD’s loan programs and then foreclosed because of lack of payment. HUD would therefore try to sell the home on their own. If they were not successful within a number of days, they allowed the City to own this home for \$1. It was last Monday that we closed the acquisition of this home, so we now own 113 Balsam.

City Council has directed us to work with the Housing Authority’s home ownership program, and we have an individual that has been identified by the Housing Authority. State Law says that City Council cannot dispose of City property unless it is done by ordinance. Since we now own it, the only way that you can dispose of it is by ordinance. We are not naming the individual tonight, but we do intend, by the second reading, to be able to tell you who that individual is.

We would ask that you take first reading tonight, have a public hearing at the June meeting, and approve it on second reading to authorize myself and the City Clerk to deed this property to that individual. We have set a price of \$50,000 on this home. We have discussed that with everyone who knows about what the cost should be, and it appears that is what everybody thinks the value of this home is.”

MAYOR
NICHOLSON

“Okay. Any questions? Alright, do I have a motion that we authorize the City Manager and the City Clerk to execute this deed?”

Motion was made by Niki Hutto, seconded by Barbara Turnburke.
“Any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

An Ordinance
Amending City of
Greenwood Code of
Ordinances, Chapter
3, Alcoholic
Beverages, Section
304, Consumption or
Possession in Open
Container - Streets,
Parks, Etc.

(1st reading)

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

STEVEN BROWN

“Mr. Mayor and City Council, there are a number of organizations and affiliated groups who have, over the past 12 to 18 months, expressed an interest in requesting City Council to consider amending your present ordinance, which does not allow the consumption of alcoholic beverages in public places. This would mean any streets, sidewalks, parks, or anything considered to be public places. You have an ordinance that prohibits it now, but there is a desire by some to allow the consumption of alcoholic beverages at public events.

I would be the first to tell you that, if City Council were to entertain and pass an amendment allowing this, it would need to be strictly enforced by rules and guidelines. Through the assistance of Paula Brooks at the Uptown Development Corporation, which is one of the groups that’s requesting this, we have secured ordinances from other cities. I’ve found that when we started looking at what others are doing, it is not an uncommon practice to allow this. Greenville, Anderson, Charleston, Columbia, and any other city of significant size, allows this to occur under very strict and limited guidelines.

We tried to take what we have seen in other towns, and merge it into an ordinance that may fit Greenwood.

Tonight, Paula is here representing Uptown Development Corporation, along with several members of the community. They would like to speak to you as to their interest in this ordinance. I had told them that it needs to come from them. It is not a City generated request, because I believe there are probably some out there that'll be just as opposed to it, as those who are in favor of it. But at the same time, we're talking about a very strict, regulated, and controlled situation.

I do have an amended copy of the ordinance with me tonight. I'm not asking you to take action on it tonight, but I would like for you to hear from these folks. Listen to them very carefully, and ask them any questions that you may have. We will supply you with a few amendments I have made to the copy that was in your packet.

There is some interest in this ordinance. If you are inclined to pass this ordinance and allow such activity to take place during the Festival of Discovery, I'm sure there are some events under the Festival of Flowers that may like to use this, also. We would ask that you remain open to the idea of allowing this to happen in the City."

PAULA BROOKS

"Since the Uptown Greenwood Development Corporation began the Live After 5 Free Outdoor Concert series over five years ago, we have received numerous and repeated requests for beer or wine at these and other functions, such as the South Carolina Festival of Discovery and the Uptown Greenwood Pro Cycling Challenge, which have been held in the Uptown area. However, due to the current Open Container Ordinances, we have been limited in our ability to respond to these requests. As a result, this has become the biggest recurring criticism we have received regarding our special events and activities.

As you know, festivals, outdoor concerts, and other cultural or recreational opportunities play an important role in the quality of life of our citizens. As our population continues to grow and become more diverse, it becomes increasingly important to reflect that diversity in our events and activities by offering a wider variety of choices for entertainment, relaxation, and recreation.

It is critical that we attract and capture the local audience that may feel compelled to travel out of town to enjoy the types of events and cultural or recreational opportunities that are offered in other cities and towns. Being able to offer the experience right here in Greenwood is extremely important. Activities and events such as these have a major economic impact on our businesses and local economy. Dollars that would be spent in other communities for a similar experience, can instead, be reinvested in the local economy thereby, allowing Greenwood merchants, restaurants, and hotels to

reap major economic benefits from event participants. As these events grow and attract tourists and other out of town visitors, Greenwood is provided with another avenue through which we may capture a more significant portion of the more than \$14 billion that are spent by tourists annually in the State of South Carolina.

Therefore, the Uptown Greenwood Development Corporation is asking you to consider an ordinance that will allow organizations, businesses, and other groups to serve beer and wine in paper or plastic cups at special events or activities, after undergoing an application and subsequent approval process. Charleston, Columbia, Myrtle Beach, Hilton Head and, of course, Greenville already have such an ordinance in place. Newberry City Council has been considering such an ordinance over the last year and a half, and has allowed beer and wine at several events in their downtown area. I spoke to Jeff Shacker, Assistant to the City Manager, and he said that support for such an ordinance has continued to grow, and that the events during which they have allowed beer and wine have been very successful.

Of course, the Uptown Greenwood Development Corporation realizes that crowd management and the security and safety of event participants and the public at large are of utmost importance. I spoke in length to Angela Prosser, Program & Events Administrator for the City of Greenville, and Mark Thompson, Operations Manager for Greenville Events, regarding their procedures for ensuring safe and enjoyable events.

They require any volunteers that will be serving beer to attend training programs that teach them to prevent intoxication, drunk driving, and underage drinking. The South Carolina Law Enforcement Division offers training for restaurants, police officers, volunteers, and event planners through their Community Relations Department. Budweiser provides a free training service as well. Other management efforts include using theatre-type tickets for sales, versus cash, which can only be purchased after being identified as being of legal drinking age and receiving a wristband. The Uptown Greenwood Development Corporation would like to assume a lead role in the area of event management and safety by working with our local law enforcement to coordinate and offer regular training sessions for any groups, organizations, or businesses that may apply and receive approval to offer beer and wine at an event.

It is our belief, however, that such problems will be minor. The majority of adults that attend the Live After 5 concerts, the South Carolina Festival of Discovery, and our other Uptown Greenwood events are between the ages of 30 – 55. We also draw a significant number of persons in the '55 and Over' age bracket. These individuals are not seeking an event at which to drink excessively and become obnoxious, destructive, or aggressive. They are instead seeking an environment in which to relax and

enjoy a cultural, entertainment, or recreational experience, with the option of also enjoying adult refreshments such as beer or wine. Through diligent event management, coordinated with local law enforcement, any initial problems that we might encounter will be dealt with quickly and efficiently, and thereby, send a clear message that such behavior will not be tolerated at any such events or activities.

I would like to thank you for your consideration of this ordinance, and I will be happy to answer any questions you may have. In addition, I have invited a few Uptown merchants and restaurant owners, as well as other organizations that are in support of this ordinance, to attend tonight and share their points of view as well.

Any questions?"

MAYOR

"Thank you, Paula."

NICHOLSON

PAULA BROOKS

"Thank you."

STEVEN BROWN

"I guess you've recognized that she only mentioned beer and wine. The ordinance that has been recommended to you does not include any kind of liquor at all. It would only be beer and wine. If there is anyone who wishes to speak, you can feel free to do so at this time."

FRANK CUDA

"I'm Frank Cuda, and I represent the Festival of Flowers. I wholly endorse this proposal. We have used the beer and wine permit on several occasions during the Festival of Flowers, with great success. I wholly endorse this new proposal. Thank you."

BILL WILSON

"I'm Bill Wilson. I didn't come prepared, but Paula said everything that needed to be said. I'm amazed that I'm one of those '55 and Older' that comes to these events. I was at the last one this past weekend, and I agree with them 100%. I've been on the Square for a number of years, and we've had events where we have served beer. I don't know about wine during events, but they were always on private property. The County Bank would allow it to be served on their patio or brick area.

I believe that Greenwood has grown to the point that we need to consider letting people come downtown, or uptown, and enjoy themselves with the choice. I have a number of friends who would like to come to a lot of these things, have a beer or two, and enjoy themselves, not looking to abuse it. Of course abuse is always a potential risk, but I believe the way that other cities are handling it like the City of Greenwood has handled it, it would be rare that we would have any abuse. I think it would be worth it, considering all that's being planned for the Uptown area, with the new Emerald Triangle Revitalization Project that's just starting to get kicked off. I think we're becoming sophisticated enough where we can do this

and handle it. As a lifelong merchant on the Square, I wholeheartedly support it. Thank you.”

MAYOR
NICHOLSON

“Thank you, Bill.”

JOE HALL

“Hi, Council. My name is Joe Hall. I own the Uptown Sushi Bar and Café, and we’ve been in business for almost two years. I think by us being here is a testament to the diversity and growth that we’ve seen in Greenwood City and County. We’ve had three events where we’ve done outside alcohol beer and wine on private property. Our outdoor jazz fest has been a huge success. I think it is a huge benefit to the uptown area, and we see the most demand for our products and services at that time, during the event. So thank you, for considering this.”

MAYOR
NICHOLSON

“Thank you.”

NATALIE
PARRAMORE

“Hi. I’m Natalie Parramore, and I’m the Project Chairman for the new West Cambridge Park. I’m here because West Cambridge Park is not only a place for children and families, but we’ve also built a beautiful venue for entertaining. This Fall and Spring, we plan to do a concert series, and offer entertainment for the adult and family population in Greenwood. So as part of our venue at West Cambridge, we would like to also be able to participate in this type of function.

I also want to say that I’ve been to many of these types of functions in various areas such as Anderson and Greenville. I can’t even imagine or remember being in a situation where I saw unruly behavior. I think anytime you do these types of events, you must certainly have the guidelines set straight forward from the beginning for crowd control. I think that as long as the guidelines are set, you will find most of these events will always be successful.

The other thing I would like to stress, too, is the revitalization of the downtown area. Being able to offer this to the citizens of Greenwood is going to do nothing but bring quality businesses to the downtown area. We’ve been striving to refocus our efforts downtown. I think this will be such a strong thing for the downtown businesses and the downtown in itself for the City. So I strongly encourage this, and hope that you feel the same way.”

MAYOR
NICHOLSON

“Thank you, Natalie. Is there anyone else?”

JASON STURKIE

“The \$1 million liability insurance, is that per person, per event?”

STEVEN BROWN

“Per event.”

LINDA EDWARDS

“Well, if we decide to do the work session, could you possibly give us a copy of what’s in place now to compare with this?”

STEVEN BROWN

“Sure. It’s just one paragraph that basically says it’s not allowed anywhere. What this says is, ‘...except as expressly provided in this section, it shall be unlawful for a person to consume or possess an opened container, or any alcoholic beverage, in and on any

public street, road, alley, sidewalk, tree zone, parking garage, parking lot, or park within the City.’ The exception would be that they would complete an application to request a permit. The permit would be issued within the guidelines that you set forth. I certainly do not want it to be a burden upon the Police Department or City employees. We would not recommend anything where we would have to use an inordinate amount of extra duty police officers. If that is the case, and you would approve it, then one or two things needs to be done. Either we would ask you to amend the ordinance at a later date, and require the people holding the event to pay for those police officers and extra police personnel, or void the ordinance and not have it at all.

We’ve talked, as Paula said, to a lot of people who have these ordinances. It seems that most towns have very little trouble. It will be something new and different to Greenwood. I have allowed the Police Chief to read this ordinance, and he’s made several recommendations and changes. We’ve incorporated his recommendations in the ordinance, and we would ask you to consider that as well.”

NIKI HUTTO

“So this ordinance has those recommendations in it, Mr. Brown?”

STEVEN BROWN

“Not yours, but mine that I have here. I will supply it to you.”

NIKI HUTTO

“Okay, so this is not what you consider your final draft?”

STEVEN BROWN

“This ordinance is based upon public events, and it differentiates between private events. Public Events mean any events, functions, and sporting events that are sponsored by an organization to which the general public is invited and held on public property owned by the City or County. Private Event means any event, function, sporting event, or other gathering to which the general public is not invited and is held on public property. So the permit would only be issued for a public event.”

LINDA EDWARDS

“This is not going to be a, ‘bring your own’?”

STEVEN BROWN

“No ma’am.”

LINDA EDWARDS

“You would have to buy what’s there?”

STEVEN BROWN

“Yes ma’am, and there would have to be restricted areas. The ordinance also requires for some type of armband to identify those who are 21 and older. It does not allow beer or wine to be consumed in a can, bottle, or anything of that nature. It must be in a paper or plastic cup. We’ll get you copies of these new amendments quickly.”

MAYOR
NICHOLSON

“I think I’d like to entertain a motion that we accept this as information, and discuss it at our next work session.”

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

“Any further discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

CONSIDER

Resolution to
Authorize the City
Manager to Provide
Maintenance to
West Cambridge
Park.

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

STEVEN BROWN

“Mr. Mayor and City Council, I think the majority of City Council has been able to visit the West Cambridge Park, and you have seen the wonderful work that has been done there. I think all of us are very proud of it. In looking at who is going to maintain that park, I received a call from the County Manager, who asked me to meet with him and Mrs. Parramore, regarding the maintenance for the park. At that time, we discussed the possibilities. As you know, it is in the City, and is surrounded by residential properties. In times past, when there was no park there, we had problems with overgrowth, snakes, rats, and everything else you can imagine, that people do not want adjacent to their properties. Now, we have a very beautiful park, and I think the issue of maintenance needs to be addressed.

The County Manager, as I have included into the resolution, offered to provide the City of Greenwood at no cost, including all Workers' Compensation insurance, four inmates a day. We will take those four inmates, and provide maintenance at the park. We will have to use some City equipment and a person to supervise these four inmates. While there may not be any money or equipment that is being used by the County, I will tell you that the offer of these four inmates is a tremendous plus. We feel, with the four inmates, we can do our daily peruse of the property, collect any litter that may be there, empty the trash cans, provide routine janitorial service to the two restrooms on the property, and cut the grass where there is a need. I'll be glad to answer any questions that you may have.”

MAYOR
NICHOLSON

“Okay. Any questions?”

STEVEN BROWN

“I would ask that you approve this resolution.”

MAYOR
NICHOLSON

“Do I have a motion that we approve the resolution to provide the maintenance to West Cambridge Park?”

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

“Any further discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

Resolution to
Adopting Health and
Dental Insurance
Benefits for FY-
2004.

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

STEVEN BROWN

“Mr. Mayor and City Council, it’s that time of year that we deal with health insurance for the employees, and I have a resolution before you tonight. My recommendation is that the City of Greenwood will provide single employee medical and dental coverage at no cost to the employees. The employee will pay for all the costs associated with dependant coverage. Employees may choose either MED \$500, which is a \$500 deductible plan, or a MED \$1000, which is a \$1000 deductible plan. The City of Greenwood will pay an amount not to exceed the single MED \$500 monthly premiums, and these payroll deductions changes become effective July 1.

As you and I both know, insurance is a major concern for the City of Greenwood. Not only have we had some premium increases in the last two years that has been significant, but we’ve also had some high experience rates. We have had a lot of high costs involved in our insurance and, therefore, our premiums are based upon our experience. While the employees will be paying more, the City of Greenwood will also be paying more. While we would love for the employees not to realize any increase at all, I don’t think that’s living in the real world.”

MAYOR
NICHOLSON

“Okay. Do I have a motion that we adopt the health and dental insurance benefits for fiscal year 2004, which will take into effect July 1, 2004?”

STEVEN BROWN

“Please remember that they now have the option, if they do not choose to pay one certain amount, they can realize reduced dependant coverage costs by choosing the mid \$1000.”

MAYOR
NICHOLSON

“Do I have a motion?”

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

“Any further discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

A Resolution
Recognizing Gray
Davis, Dance
Student Attending
South Carolina’s
Governor’s School
for the Arts and
Humanities.

Mayor Nicholson read the fourteenth item and recognized Gray Davis, who is a senior finishing his final year at the South Carolina Governor’s School for the Arts and Humanities; his instructor, Stanislav Issaev; and his mother, Janie LeTourneau, and asked them to tell City Council about the prestigious award that Gray has won during the last few weeks.

JANIE
LeTOURNEAU

“I’m Janie LeTourneau, Gray’s mother. This is Gray Davis, and Stanislav Issaev, who is the chair of the Dance Department of the South Carolina Governor’s School for the Arts and Humanities. He started in the ninth grade, and Gray has been going to the Governor’s School for four years. The Governor’s School is generally for the Arts and Humanities for 11th and 12th graders in the five arts areas. They do allow the dance students, however, to begin in their freshman years, so this is Gray’s fourth year that he’s about to complete. He’s been training with Stas the whole time (we call him Stas). Just to make a long story short, when he first came to the Governor’s School, he new the basics of ballet, and he’s really blossomed into a world class dancer, as we’ve found out last month.

We attended an international ballet competition at the Lincoln Center. They had regional competitions that started in January throughout the world, so it is an international deal. So, of the 300,000+ classical ballet dancers that were at this competition, Gray won the grand prize! It’s a big deal, if you think about it. It’s like an athlete winning the gold medal in the Olympics, and that kind of thing is recognized by a lot of important people in the ballet world today. It’s a big deal. I’m not saying that because he’s my

son, and we're very proud of him. His picture was in the New York Times on April 28th, and I think they mentioned that he was from Greenwood, South Carolina, so Greenwood got mentioned in the New York Times. We've been very happy to be at the Governor's School and, anytime I can talk to somebody from the Greenwood area to encourage their children in any of the Arts areas, I'd love the opportunity to do that."

STANISLAV
ISSAEV

"It was at that competition that Gray had received an invitation and contract to perform with the biggest and most famous company in the United States, the American Ballet Company in New York, in September. This is really a rare invitation, because it's one of the biggest names in ballet and the world. It's a big honor."

JANIE LeTORNEAU

"For such a young person to already have this contract, it is a rare thing, so we're proud."

MAYOR
NICHOLSON

"Gray, you have to say something."

GRAY DAVIS

"I'm really happy with what I'm doing now. I never knew it would happen in such a way that it did. I'm from Greenwood, and this is a big thing for me. I thought I would be in Greenwood my whole life, because this is where I grew up, but I'm just happy with everything that's happening."

MAYOR
NICHOLSON

"Well Gray, we just want to tell you that we're really very proud of you, and the accomplishments that you've made. I know you're only 17 years old, but you're going to do well. Just remember us so that you can mail us tickets to your shows! We're very proud of you, and we just wanted to let you know that we're with you 100%, always. I have a resolution I would like to read in your honor."

Mayor Nicholson read the resolution and presented it to Mr. Gray Davis.

- attach -

CONSIDER

Mayor Nicholson read the last item's title, and asked for a motion.

A Request from the
City Manager for an
Executive Session
to Discuss a
Contractual Matter.

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

The Mayor asked, "All in favor raise your right hand. So moved."

Motion passed unanimously.

“Again, I would like to thank you all for coming and have a beautiful week.”

Meeting adjourned at 6:28 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer