

GREENWOOD CITY COUNCIL

November 15, 2004 - 5:47 p.m.

MINUTES

PRESENT

Mayor Pro Tempore Niki Hutto; Council Members: Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; and Wallace McBride from the Index-Journal.

ABSENT

Mayor Nicholson

MINUTES

Mayor Pro Tempore Hutto asked for a motion to approve the minutes of the City Council Public Hearing and Meeting on October 18, 2004, plus the Special Meeting and Executive Session on November 1, 2004.

Motion was made by Johnny Williams, seconded by Barbara Turnburke, approving the minutes as presented.

The Mayor Pro Tempore asked, "Is there any discussion? All in favor let it be known by raising your right hand. All opposed? So moved."

Motion was carried unanimously.

REPORTS

Mayor Pro Tempore Hutto asked for a motion to accept as information the reports from the City Manager for October 2004, and the Commissioners of Public Works Consolidated Financial Report for the period ending September 30, 2004.

Motion to accept the reports as information was made by Barbara Turnburke, seconded by Herbert Vaughn.

The Mayor Pro Tempore asked, "All in favor let it be shown by raising your right hand. All those opposed? So moved."

Motion passed unanimously.

CONSIDER

Under old business, Mayor Pro Tempore Hutto read the first item and asked for a motion.

Ordinance
Amending
Ordinance 03-
010, Zoning
Ordinance,
Chapter 3,
Zoning District
Regulations,
Section 3.1.3,
Zoning District
Use Matrix and
Section
3.3.4.2,
Additional
Conditional
Uses Allowed in
GC, (Z) Sexual
Oriented
Business.

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

"All in favor of the motion let it be known by the raising your right hand. All those opposed? So moved."

Motion passed unanimously.

- attach -

(2nd reading)

CONSIDER

Under new businesses, Mayor Pro Tempore Hutto read the first item and asked for a motion.

A Request by
Thomas Harvin,
Jr. to Rezone
1709 Kateway
from R 3
(Residential
District) to
LIW (Light
Industrial /
Warehousing).

(1st reading)

LINDA EDWARDS

"Niki, I have a question. First of all, there needs to be a correction. The municipal jurisdiction is Ward 2, and I'm Linda M. Edwards. What I'm wanting to ask is, can we postpone this? Due to health problems, I haven't had time to look

at this area.

I've been down there and I understand what they're saying, but I'd still like to see what's what."

MAYOR PRO
TEMPORE HUTTO

"So a motion has been brought forward to postpone this issue for further study?

LINDA EDWARDS

"That's my motion."

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

MAYOR PRO
TEMPORE HUTTO

"All those in favor do show by raising your right hand. All those opposed? Motion so moved."

Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke voted in favor to postpone the ordinance. Niki Hutto voted against.

Motion passed.

CONSIDER

An Ordinance to Amend the Greenwood City Code of Ordinances, Definitions and Procedures for Conceptual Plan Review.

(1st reading)

Mayor Pro Tempore Hutto read the second item and said, "For your information, this is an administrative procedure revision to the land development regulations. These are going to be procedures used by the staff to review development plans submitted by the Greenwood County Joint Planning Commission, and they recommend an approval of this. At this time, Council, will there be a motion made to approve?"

Motion was made by Barbara Turnburke, seconded by Betty Boles.

"All in favor do so by raising your right hand. All those opposed. The motion passed."

Motion passed unanimously.

CONSIDER

Mayor Pro Tempore Hutto read the third item and recognized the City Manager.

An Ordinance to
Adopt the Budget
for 2005.

(1st reading)

STEVEN BROWN

"Ms. Hutto and members of City Council, you've heard my comments at the work session that was held two weeks ago. The budget that is before you is \$12,168,922. It's about \$75,000 less than last year's budget. It does include a cost of living increase for the employees.

Because of our inability to generate new revenue, there are only two items of capital equipment in this budget. One is an administrative vehicle for the Fire Department, which I think they need. Another is a residential sanitation truck. I am going to be working with the Police Chief to provide him some additional vehicles through other means.

We have cut the budget in every possible way that we can. I would tell City Council that this budget included almost \$1 million of surplus funds to balance the budget. If you continue to use your surplus funds, you will deplete your working capital, which probably means that we may have to borrow tax anticipation monies next year. If something significant is not done to either generate new money, or to reduce cost, then at this time next year I will be recommending a combination of two things. One is a reduction in the number of employees and/or a reduction in the services that are provided. Gasoline and health insurance costs have increased. Just to pay for the employees insurance (health and dental) is \$1,013,000. The actuaries tell me that the trending increase in medical costs is 12% to 18% on an annual basis. So what they're telling us is, we can look for another 12% to 18% in medical costs of insurance in the coming year.

As you well know, the legislature decided to reduce the assessment on automobiles several years ago. Each year the assessment on automobiles is being reduced gradually until it reaches a level of 6%.

They also handicapped us on our ability to tax telecommunications franchise fees. The economy in Greenwood is probably as bad as it is anywhere in the State, if not worse. Businesses are closing, people are cutting back, and there have been no new industries locating here.

I think it's incumbent upon, not only City Council, but also the staff to look into identifying ways to reduce the cost of City Government. We can live with the budget that's before you, but I will commit to you that I will be looking for ways of not spending the \$12 million that's in the budget. We do not need to deplete that surplus. I will say it over and over again.

I look forward to working with you and the staff towards a goal of reducing the cost of City Government during the coming year. I'll be glad to answer any questions that you may have. "

MAYOR PRO
TEMPORE HUTTO

"Are there any questions? Do I have a motion to approve what's presented on first reading?"

Motion was made by Johnny Williams seconded by Herbert Vaughn.

"All those in favor show so by raising your right hand. All those opposed? So moved."

Motion passed unanimously

- attach -

CONSIDER

An Ordinance to
Levy Tax for the
C i t y o f
Greenwood for
2005.

(1st reading)

Mayor Pro Tempore read the fourth item and said, "I'd like to make a note that the millage rate is the same as last year of 96 mills, so there is no increase in tax for this year. Do I have a motion to approve the levy of taxes for 2005?"

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

"All those in favor show so by raising your right hand. All those opposed. The motion passed."

Motion passed unanimously.

- attach -

CONSIDER

An Ordinance to
Authorize the
City Manager to
Borrow Money in
2005.

(1st reading)

Mayor Nicholson read the fifth item and said, "This is an ordinance that provides the City Manager and the Finance Director the authority to borrow tax anticipation funds if needed. Mr. Brown, this is what you were discussing previously?"

STEVEN BROWN

"This ordinance was referenced in my earlier comments. As you deplete the surplus, then you deplete your working capital. That means, with our taxes being levied in October of each year, we operate from January until about this time each year with the funds from the previous year. That's the period when our working capital is used. As we spend more and more of it, then we have to issue 'tax anticipation notes' and borrow money. They're then paid off when we get our tax money.

In the 1970's and early 1980's, it was done every year. We've been able to increase that working capital, and we've had to borrow money once in the last 19 years. So it'll be good if we do not, but this gives us the ability to do so if needed."

MAYOR PRO
TEMPORE HUTTO

"Do I have a motion to approve?"

Motion was made by Barbara Turnburke, seconded by Herbert Vaughn.

"All those in favor do so by the showing of your right hand. All those opposed? Motion so moved."

Motion passed unanimously.

- attach -

CONSIDER

Adopting the
Business License
Ordinance for
2005.

(1st reading)

Mayor Pro Tempore Hutto read the sixth item and recognized the City Clerk.

STEFFANIE DORN

"Thank you, Ms. Hutto. There are no changes to any of the rates in the Business License Ordinance, but there are some changes to the verbiage. What I had proposed is the model Business License Ordinance, as presented by the Municipal Association of South Carolina. Really, it's a tightening- and cleaning-up of our language.

What we have had in place has been the model that they presented probably 15 years ago. We tweaked it through the years to fit our needs, and I've done the same thing with the model ordinance. There are a couple of things in our old ordinance that I did not want to lose, such as a 25% or \$25 penalty minimum for anyone who did not have a license. We have that with a lot of contractors. 'One-job' contractors will come back (to the Finance Office) later in the year and their license fee may only be a couple of dollars. There's not a lot of incentive for them to buy it unless there's a penalty of \$25, so we put that in about three years ago. I kept that because it wasn't in the model ordinance.

Other than that, there's nothing that's gonna cause anybody not to buy a license that hasn't been buying one. There are no changes to anybody's license rate. Mainly, it's a legal means of just cleaning the language that we have in our ordinance.

I'd be happy to answer any specific questions anyone might have."

MAYOR PRO
TEMPORE HUTTO

"Are there any questions or discussions for Ms. Dorn? Do I have a motion to approve?"

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

"All in favor will you please show so by raising your right hand. All those opposed? So moved."

Motion passed unanimously.

(attach)

CONSIDER

O r d i n a n c e
Providing for
the Imposition
of a Local
Accommodations
Tax within the
C i t y o f
Greenwood.

(2nd reading)

Mayor Pro Tempore Hutto read the seventh item and said, "This ordinance imposes a three percent local accommodations tax for the purpose of implementing a visitor and tourism program for the City of Greenwood. Charlie Barrineau, could you please respond to some of the questions that City Council may have on this issue?"

STEVEN BROWN

"Before Charlie speaks, may I say something? It is an additional three percent in addition to the State imposed two percent tax on hotel/motel receipts. We haven't had the ability to generate revenue to support and finance a formal marketing program for Greenwood. This would provide sufficient revenue to implement the program. As we all know, the motels and hotels are normally occupied by people from outside of the community, and State Law dictates how those funds can be used. The funds cannot be used to buy police cars, radios, nor desks for offices. They may be used only for the promotion of tourism activities, and we would like for City Council to consider this.

The reason why I asked Ms. Hutto to ask Charlie to respond to your questions is that the Town of Santee implemented the local accommodations tax while Charlie was employed as their Administrator. He has first hand experience. I thought that he could give you some good information and response to your questions."

C H A R L E S
BARRINEAU

"Mrs. Hutto and Members of Council, in just looking at the ordinance, one thing I will point out is the proposed starting date of April 1st. The reason for that is, if Council would consider it, it gives hotels some time to implement and prepare for it."

MAYOR PRO
TEMPORE HUTTO

"Also, they can adjust advance reservations and wouldn't have to eat tax after they have quoted a price."

C H A R L E S
BARRINEAU

"That is correct."

MAYOR PRO
TEMPORE HUTTO

"I'd like to make a comment that I sat on several committees with the Chamber of Commerce, who has for a long time been a proponent of increasing tourism here in Greenwood. The benefits of South Carolina's #1 industry, which is tourism, really has not been able to infiltrate here. This would be a way that we could use these funds to employ someone to take a concerted effort and really do us justice, because we haven't been able to do so. It is a long time in coming."

JOHNNY WILLIAMS

"This is for hotels and motels only?"

MAYOR PRO
TEMPORE HUTTO

"Yes."

BETTY BOLES

"What are their views about the accommodations tax?"

C H A R L E S
BARRINEAU

"If Council would consider taking first reading tonight, we intend to send a notice to all hotels to be aware of this and appear at the public hearing to make any comments before second reading."

MAYOR PRO
TEMPORE NIKI
HUTTO

"As I said, I attended several meetings in the past, and the hoteliers were in favor of it because they want more people in their hotel rooms. They basically expressed that we were one of a few areas in the State who wasn't taking advantage of this opportunity, and we're missing out. My opinion is they are expecting it and wanted us to take the advantage of using the money to promote Greenwood as a destination. We did not have the means to do so with the money that we had allocated. There just wasn't enough, but this will give us that extra bump. So, from the initial reaction that I got from the hoteliers when we met at the Chamber, they were in favor of this, especially if we had a

concerted plan to work with."

STEVEN BROWN

"Ms. Boles, the ones that I have talked to are in favor of it, if it is used properly for the activities in which it is intended. They do not want to see it fund existing agencies. They want to see it used to promote and attract new events, groups, and programs that'll bring people into Greenwood to sleep in the hotels, eat in our restaurants, and shop in our stores. That is what they want to see.

I think if we do it that way, then we will have absolute support. If we do it the other way, I think they will be very dissatisfied, and you will hear from them in the future. There have been meetings of the hotel folks in which they have supported an effort using the monies properly. I know the staff has no intentions except to use it the right way. I also think City Council understands what is the right way."

LINDA EDWARDS

"On new events, only?"

STEVEN BROWN

"Well, that's left up to you. The point I wanted to make is, whatever it's used for, City Council will have that final discretion."

JOHNNY WILLIAMS

"In other words, you don't have to give most of the accommodations tax monies to the Chamber of Commerce?"

STEVEN BROWN

"No, sir. The laws that apply to those other monies do not apply to these, except that it must be used for tourism. You don't have to divide it up in percentages and send it to the oversight committee for their approval, but you have to abide by the State Law."

HERBERT VAUGHN

"Do you know how much money this might generate?"

C H A R L E S
BARRINEAU

"Looking at the sales tax, if you were to go three percent, it'll be around \$130,000, and I'm using conservative numbers."

STEVEN BROWN

"As your City Manager, I envision that you'll have staff to operate the program, but also additional monies to entice events and programs, whatever they may be. They may run the gamut from sporting events, fishing tournaments, to conventions. It'll also involve working with the Civic Center, Lander University, and all of our other entities around

town developing a program where we can promote Greenwood.

We're surrounded by three of the most beautiful lakes in the whole State of South Carolina, and there's just a golden opportunity that we've never taken advantage of."

MAYOR PRO
TEMPORE HUTTO

"Also, we have never really had a person in which this would be their purpose to organize a fishing tournament and coordinate it with other parties.

Okay, do I have a motion?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

A Resolution
Authorizing
Christmas Gifts
for City
Employees.

Mayor Pro Tempore Hutto read the eighth item and said, "This has been budgeted by City Council in the 2004 budget. The City Ordinance states that if Council decides to give the employees a Christmas gift, it must be done by resolution of City Council. For a number of years, the City has given employees with less than one year of service, a \$25 food gift certificate and those with more than one year of service, a \$50 food gift certificate.

I've been very concerned, especially after hearing Mr. Brown's grim financial picture. At this time, knowing that we have planned for a three percent pay raise, this funding could be used to adhere this in areas where we could consider possibly using this money elsewhere."

JOHNNY WILLIAMS

"Well, the reason why we chose that Christmas gift is because when I was elected to Council, employees would get a \$200 Christmas bonus. We then cut that

out and went to the gift certificates which buys their Christmas dinner in some areas."

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

MAYOR PRO
TEMPORE HUTTO

"All those in favor? All those opposed? So moved."

Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke voted in favor of the resolution. Mayor Pro Tempore Hutto voted against.

Motion passed.

- attach -

REQUEST

Permission to
Use Community
Development
Funds to
Demolish Certain
Properties.

(1st reading)

Mayor Pro Tem Hutto read the ninth item and said, "This is dealing with the code enforcement of dilapidated housing. At this time, we have some absentee owners who have not responded to our legal notices on these houses, and we have no one to sign summons against. It's been recommended to us that we use the Community Development Surplus Funds to demolish these buildings. Do you have any comments concerning this Mr. Brown?"

STEVEN BROWN

"The houses are located on Beadle (Avenue), Strong (Street) and Central (Avenue). My problem is that the taxes are being paid on these properties, but they're not doing a thing to maintain the properties. Two of them appear that they can be rehabilitated, but the owners won't respond to any notices from Building Inspection or Code Enforcement. The City Attorney has completed the legal process, including public notices, and we get no response from the owners. Naturally, the people living around these properties are keeping their property up to code and maintaining their yards want us to do something about it."

LINDA EDWARDS "Are the people that own these homes paying the taxes?"

STEVEN BROWN "For all we know, looking at the County records, the taxes are being paid. I don't know who actually paid them, but they're not in delinquency."

NIKI HUTTO "Have the houses been condemned?"

STEVEN BROWN "Yes."

NIKI HUTTO "Okay."

STEVEN BROWN "Now, the one on Strong (Street) definitely needs to come down because there's nothing that can be done. We brought the other two to your attention because Mr. McCravy has completed the legal notification process, and Building Inspection has done the notifications. We get calls from the adjacent property owners wanting to know when we're going to do something about it."

MAYOR PRO
TEMPORE HUTTO "When you demolish a piece of property that still has ownership and taxes paid on it, do you reduce the tax rate to equal the value of the property once the house is gone?"

STEVEN BROWN "Well, once the house is gone, the value of the house is removed from the taxes and all you have is the land. Then you'll have a vacant piece of property for which the grass is not being cut and the City has to do it. Either way, we have dilapidated housing, and it's a blight to the community."

LINDA EDWARDS "So all the avenues have been exhausted to get in touch with the owners?"

STEVEN BROWN "I think this is a good time for Mr. McCravy to tell you about the lengthy, involved process."

JOHN MCCRAVY "Well, it starts with the City Inspector that issues citations. They're given a long period of time (120 days) to respond. Then they're given a notice of the hearing to which they will attend or don't show up at all. Once they're properly served, a lot of time passes where we try to find them. Sometimes they can't be found, they're hiding, don't live in the State, or whatever. Each

one of these have a different circumstance.

These are only about three of about 40 or 50 we've done. We have now gotten to the point where we either decide to tear them down, or just leave them there.

These people can't be brought to justice in any way, so this is the only alternative to enforce the zoning laws. It's more of a political decision when it gets to this point, so that's why it's being brought before you."

STEVEN BROWN

"The cost is \$7,000 to demolish the three of them."

BETTY BOLES

"When you say public hearing, do you publicize it in the newspaper?"

JOHN MCCRAVY

"Yes, plus they're served individually, legally, and are given a legal notice."

BETTY BOLES

"Is this also posted on the building?"

JOHN MCCRAVY

"Yes. They usually have things that they post on the building. A lot of times they put tape around it when it becomes dangerous."

C H A R L E S
BARRINEAU

"In many cases, this one in particular (pointing at house on screen), there are more than just one owner. This one has five owners, so we had to actually serve five individuals. Each one had a different percentage of the house. The common thread in all those three properties is, they're all in a will or in an estate that nobody has taken over."

STEVEN BROWN

"Some of the neighbors called me about this one on Beadle (pointing) and said that there was a large hole in the backyard. We went out and discovered an old septic tank. There was no one for us to contact. It was a very dangerous situation. We had to get City staff to take care of the problem so that no one would get hurt. That's the problem we encounter. It was a hazardous situation, and we must go onto the property to resolve the problem.

As Mr. McCravy said, since we have started this expanded code enforcement, we're at the point to where after we notify, publish, and do whatever is necessary and nothing still isn't done, we must tear it down. Everybody else will start ignoring us if we get to that point and we don't. They'll just say, 'Well, I'll just ignore them, too,

because they're not going to do anything.'

It's unfair to the people who live in these communities and use their hard earned money to keep their homes in good condition.

They paint, maintain, do whatever, and then have to live beside these abandoned houses that harbor rats, snakes, and people that sleep in them at night. All kinds of criminal activities go on inside of these homes. It's money that we don't want to spend, but we're almost at the point where if we don't, then our code enforcement is almost ineffective. I would recommend that we use some Community Development payback monies, which is an authorized expenditure."

JOHN MCCRAVY

"I can assure you that, by the time it gets to this point, the owners have been given so many chances and so much time to do something about it."

C H A R L E S
BARRINEAU

"We have been working in each of these files for two to three years."

STEVEN BROWN

"We found one lady who lives in Greenwood that is an heir to the house on Central. We tried to sign a summons on her, but then we were told that we probably could not prosecute her because she only had 1/7th or 1/8th interest in the home."

JOHNNY WILLIAMS

"I got a question. If we tear down, what's the odds of us being sued?"

JOHN MCCRAVY

"Well, anybody can always file a lawsuit, but it doesn't mean that it will be successful. I can't guarantee you that they wouldn't file a lawsuit, but I think we got all the paperwork to show everything we've done to give them so many chances. I don't think a judge or jury would possibly find in their favor. That's my opinion."

STEVEN BROWN

"We've torn down six houses already this year under the same program."

JOHN MCCRAVY

"A lot of times they're relieved because they don't have to pay taxes on it anymore."

STEVEN BROWN

"The houses on Seaboard and Cambridge were torn down under the same program."

MAYOR PRO

"Do I have a motion to grant permission to use

TEMPORE HUTTO

Community Development Funds to demolish these properties?"

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

"All those in favor please do so by raising your right hand. All those opposed? So moved."

Motion passed unanimously.

AUTHORIZE

The City Manager to Replace the Emergency Generator at Fire Station #1.

Mayor Pro Tempore Hutto read the tenth item and said, "The emergency generator at Fire Station #1 has died and needs to be replaced. The estimated cost of this generator is \$20,000, and the CPW has graciously agreed to assist us with the installation, which will reduce our overall costs. The City Manager believes that he can pay for the generator out of the 2004 budget. Mr. Brown, could you answer any of the questions that City Council may have?"

STEVEN BROWN

"The fire station was built in the 1960's and we have been using the same generator since the fire station was built. It is beyond repair. I got the Fire Chief here to vouch for that. When we have thunderstorms and the power goes off, the generator's purpose is to provide emergency power to our building.

We've had quotes as high as \$50,000 and we have negotiated a price of \$18,000 with the company who supplied the generator to the newest fire station. It is just like the one on site at our new fire station, which cost about \$18,000. The manager of the Commission said their employees installed two generators on their properties, and has agreed to assist us. I'm sure there is going to be some additional costs, so we've added \$2,000. We think we're saving about \$30,000. If we don't do it, then we don't have any emergency power at that main station, which is also our largest station.

If you authorize a new generator, I want to collect a little money here and there to pay for it out of this year's budget. I think I can do it, but I

just didn't want to buy that equipment without your authorization. It's also a good time to take advantage of the offer by the CPW."

MAYOR PRO
TEMPORE HUTTO

"Is there any further questions? Do I have a motion to authorize the City Manager to replace the emergency generator at Fire Station #1?"

Motion to approve was made by Hebert Vaughn, seconded by Betty Boles.

"All those in favor please raise your right hand. All those opposed? So moved."

Motion passed unanimously.

CONSIDER

Ordinance to
E s t a b l i s h
P o l i c i e s
Governing the
"Wrecker &
Towing Service
Rotation List"
within the City
of Greenwood.

(1st reading)

Mayor Pro Tempore Hutto read the eleventh item and said, "This ordinance basically requires the wrecker service to be within the City limits. It requires a secure area for storage of the vehicles once they are towed. This only applies to individuals who do not have a preference, or is incapacitated, and the police officer needs to get a wrecker service to the accident. Do I have a motion to approve the ordinance?"

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

BETTY BOLES

"Ms. Hutto, since I am involved in the ownership of a wrecker and towing service, I would like to abstain from voting on this issue."

MAYOR PRO
TEMPORE HUTTO

"Okay. We have noted that Ms. Boles is abstaining from the vote on the wrecker ordinance. All in favor of this motion, signify by raising your right hand. All those opposed to this motion? The motion passed."

Betty Boles abstained from voting. Mayor Pro Tempore Hutto, Herbert Vaughn, Johnny Williams, and Barbara Turnburke voted to pass the ordinance. Linda Edwards voted against.

Motion passed.

(attach)

LINDA EDWARDS "You didn't call for the question."

MAYOR PRO "Excuse me!"
TEMPORE HUTTO

LINDA EDWARDS "Before we voted, you should've asked if anyone had any questions. We may have to go back and redo that motion. I guess my same question that hasn't been answered yet is, are we're limiting this to wreckers in the City?"

MAYOR PRO "Correct."
TEMPORE HUTTO

LINDA EDWARDS "In our working session, you said that there were about eight?"

STEVEN BROWN "Right now, there are eight. Yes, ma'am."

LINDA EDWARDS "But that does not prohibit wreckers from outside the City if somebody prefers to use them?"

STEVEN BROWN "Absolutely not. It does not prohibit them."

LINDA EDWARDS "They just can't be on the rotation list?"

STEVEN BROWN "That's right. If an individual has an accident, the officer will ask that individual if they have a preference for a service to tow their vehicle. If they express their preference, and the service that they name has a business license, then they can come inside of the City to remove the vehicle. If they do not have a business license, we will not allow them to come into the City."

MAYOR PRO "But that was the case before? There's no change
TEMPORE HUTTO in that."

STEVEN BROWN "That's right. The problem we're addressing are the wrecker companies who are located long distances outside of the City and are towing people's vehicles 20 miles out of the City Limits. People are concerned about it and have expressed their dissatisfaction. This only applies to our rotation list."

LINDA EDWARDS

"I also noticed the hours. '...There shall be an attendant on call capable of responding to police requests for wrecker or towing 24 hours a day, 7 days a week...' I thought, at one time, we talked about a time limit?"

STEVEN BROWN

"We didn't have a time limit."

LINDA EDWARDS

"As to when a wrecker should respond? I know it may be a little inconvenient at night because you got to wake somebody up, but I understood that the officers were kind of concerned about it taking 20 minutes to an hour for a wrecker to get there. I thought we were going to say something about a time limit so that you could go to the next service, if the first one couldn't get there within a certain length of time. If all of them are located in the City, they shouldn't have no problem getting there."

STEVEN BROWN

"All I can say is, on a normal basis, we don't have long response times from services inside the City. I won't tell you that, when you wake somebody up at 3 o'clock in the morning, it doesn't take them some time. The middle of the night is not as critical to get vehicles out of the road as much as it is during business hours when you have the traffic problems.

This is only first reading, not the second. If City Council wants us to advertise this for another public hearing, then it'll be on the agenda next month."

LINDA EDWARDS

"I'd like to see it advertised again because I've gotten a couple of calls. I'm not saying they're genuine, but perhaps an effort to stall. Some were confused that, once we take them off the rotation list, they can still buy a business license and do business in the City of Greenwood. However, a couple of them left thinking that, if you take them off the rotation list, they can't come into Greenwood to do anything. So in order to be fair, let them in on this part too. They came out on the first part, let them be in on the second part. Then they'll know what we're doing. They can read the ordinance for themselves and we won't be back two or three years later trying to change this for somebody else. Let's just do what we need to do and get it right."

JOHNNY WILLIAMS "I was going to say that we won't be back in two or three years because I've been here a while and this is about the forth or fifth time this has come up. If you stop and think about it, the wreckers we're talking about pay taxes inside the City, plus they buy the business license to operate the whole business, not just a part of it. I have no objections as to a public hearing for the next meeting."

STEVEN BROWN "If City Council wishes, we'll mail notices out to the 33 and let them know that there will be another public hearing."

MAYOR PRO
TEMPORE HUTTO "But we have a motion and a second on the table that this be approved. So do we not have to withdraw it?"

JOHNNY WILLIAMS "We've already voted on it."

STEVEN BROWN "You've already voted, but I think Ms. Edwards brought up a point about the discussion. If you want to re-vote again, I don't see anything wrong with it now that you've had the discussion. You can let the vote go through as you've had it before, but I think Ms. Edwards wants to have the public hearing before second reading."

LINDA EDWARDS "Yeah, because I thought we were going to do one. I know we did it before, but I thought we were going to do it with this draft. So right now, I'll still be voting no if we're not."

STEVEN BROWN "We can have it at the second reading."

MAYOR PRO
TEMPORE HUTTO "A public hearing at second reading?"

STEVEN BROWN "You've already had one vote."

MAYOR PRO
TEMPORE HUTTO "Okay, I understand. So we're gonna have an additional public hearing prior to the second reading of this ordinance?"

STEVEN BROWN "That's correct. That's the way I understand City Council. The vote is to be recorded as four in favor, one against, and one abstention."

MAYOR PRO
TEMPORE HUTTO "Correct."

CONSIDER

Mayor Pro Tempore Hutto read the last item and recognized the City Manager.

O r d i n a n c e
Amending City of
Greenwood Code
of Ordinances,
Chapter 7,
E l e c t i o n s ,
Section 7-6 (a),
(b), Legal
Descriptions for
Each Ward.

(1st reading)

STEVEN BROWN

"Members of City Council, this is the third rendering of a map to redistrict City Council Ward Districts in compliance with the 2000 Census. This is totally a decision by City Council. I know that some of you have been to Columbia and met with the State's Statistical Staff to see how these City Council Ward Districts can be rezoned, not only to comply with the Census data, but also comply with the U. S. Justice Department regulations.

If you sit here long enough, you could probably draw 20 additional maps. I'll repeat what Mr. McCravy said a little while ago, this is certainly a political decision. The staff has a map before you, and we think it complies with the Census data. We think it will meet the muster of the U. S. Justice Department also, but it is left up to City Council as to whether you'll approve or deny it."

MAYOR PRO
TEMPORE HUTTO

"Have you sent it to the federal government?"

STEVEN BROWN

"It cannot be submitted to the Justice Department until it has been approved by City Council."

MAYOR PRO
TEMPORE HUTTO

"Are there any additional questions? At this time, do I have a motion to approve and amend this ordinance for the new City Wards?"

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

"All those in favor, signify by raising your right hand. All those opposed? So moved."

Motion passed unanimously.

- attach -

"One more thing. Mr. Brown wants me to ask Council if you all would consider moving our regular meeting to December 13th since the December 20th meeting is on the week of Christmas? It'll be a week ahead."

STEVEN BROWN

"It's just a consideration. A lot of people go out of town and there are a lot of activities that week. We'll have two meetings two Mondays in a row but, after the 13th, we're free for the rest of the month. If Council decides to do so, we will publish ads of public hearing notices in the paper. We need a vote by City Council to move it to the 13th."

MAYOR PRO
TEMPORE HUTTO

"Do we have a motion?"

Motion was made by Johnny Williams, seconded by Barbara Turnburke to have the December City Council meeting moved to Monday, December 13, 2004.

"Is there any discussion? Everyone is favor please raise your right hand? All those opposed? So moved."

Motion passed unanimously.

"At this time, I thank you all for coming. We

adjourn this meeting of City Council.”

Meeting adjourned at 6:42 p.m.

Niki Hutto, Mayor Pro Tempore

ATTEST:

City Clerk and Treasurer