

GREENWOOD CITY COUNCIL

June 16, 2003 - 5:39 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; and Shavonne Potts from the Index-Journal.

MINUTES

Mayor Nicholson asked for a motion to approve the minutes of the City Council Meeting held on May 19, 2003.

Motion was made by Johnny Williams, 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 May 2003, and the Commissioners of Public Works Consolidated Financial Report for the period ending April 30, 2003.

A motion was made by Niki Hutto, 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

Ordinance Annexing
5.01 Acres Located at
the Corner of
Montague and
Highway 72 Bypass
and Owned by Liberty-
US 125 LLC.

(2nd reading)

Under old business, Mayor Nicholson read the first item and asked for a motion.

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

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

Motion passed unanimously.

- attach -

APPOINT

One (1) Person to the
City/County Planning
Commission.

Mayor Nicholson read the second item and said, "I have contacted Dr. Bennie Dover of 1126 East Cambridge Avenue. Dr. Dover served on the Planning Board a few years ago, and he has expressed an interest of serving on the Planning Commission as a City representative. Do I have a motion that we appoint Dr. Dover?"

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

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

Motion passed unanimously.

RECOGNIZE

Mr. Phil Lucas of
Lakeland Marines
(Veterans Memorial).

Under new business, Mayor Nicholson read the first item and recognized Mr. Phil Lucas.

PHIL LUCAS

"Thank you, Mr. Mayor. Two of my colleges are bringing in a model of the proposed memorial and would like to sit it on the table so that the Council will have something to view. I also have some handouts for the Council, if you could just give us a moment. In the interim, I would like to recognize some of the attendees of our

Lakeland Marines Club Unit here tonight.”
Mr. Lucas then introduced club members in attendance.

“If you will, I would like to read over these several pages with you. Then, at the conclusion of our presentation, I will be happy to answer any questions that any members of the Council may have.”

Mr. Lucas then went over the handout and presentation of the proposed Veterans Memorial.

“That’s the conclusion of our presentation. At this time, I will be happy to entertain any questions that anyone has regarding this project.”

MAYOR NICHOLSON

“Mr. Lucas, what about parking? I know there’s parking at the library, but they only have but a few parking spaces in front.”

PHIL LUCAS

“Well, we see parking in front and beside of the library. There are about 16 spaces, I believe, in front of the library right now. The parking will be somewhat of a problem, but we don’t see it as a major problem. Obviously, in events like the Festival of Flowers, or perhaps Memorial Day, Veteran’s Day, and July 4th will be somewhat a problem, but we also think that the Hampton Place Shopping Center can relieve some of that parking problem. Are there any other questions that I can address for you about the memorial, or any of the general construction?”

NIKI HUTTO

“Of the \$125,000 cost you estimated, do you have funding already?”

PHIL LUCAS

“We have not started our fund raising because the cost will be site specific. Some sites will cost more to build than others. We have made some inquiries into that area, but we have not started a fund raising program, pending the approval for our selection of a site. But that figure should be substantial and adequate to build on just about any site. It is cost dependant on the site.”

NIKI HUTTO

“Are there any other sites that you’re considering besides the site that you’ve chosen?”

PHIL LUCAS

“There are no more in the City. We think that this is an ideal site in proximity to the library. We think this is an asset to the County where young people can learn about the price of freedom and what it takes and means to be an American. We think the library is a repository of information about our country and this is an important part of it.”

JOHNNY WILLIAMS

“But they’re talking about moving the library.”

PHIL LUCAS "Then we'll maybe build a memorial bigger than we anticipated!"

JOHNNY WILLIAMS "They are talking about building a new library."

PHIL LUCAS "There has been some talk."

MAYOR NICHOLSON "Yeah, there has been some discussion."

PHIL LUCAS "I think that the library was built in the 1950's, if I'm not mistaken, so it's been there close to 50 years, and that is a possibility. We are not tied to the library in any way from that standpoint. We think the location is such that it will attract both citizens and visitors, especially during events like the Festival of Flowers. I noticed that the gazebo is not getting a tremendous amount of use. It does get some use, but just looking at it, you can tell it's not heavily used by the citizens. We also think that it will be a draw for the City, honor our veterans, and create a lot of civic pride. It will help us all to think about the price that has been paid for our liberties, and we think that now is the time to move this project forward."

MAYOR NICHOLSON "Mr. Brown, did you have a question?"

STEVEN BROWN "I have a comment."

MAYOR NICHOLSON "Okay."

STEVEN BROWN "The first thing I need to tell you is that I'm a veteran, and I served in the Marine Corps between 1968 and 1972, so I not only stand here tonight as your City Manager, but I stand here as a person who is very proud of his military service. At the same time, I'm also a person who has been working for the City for 22 years, and I know a lot of the history behind some of the things that have been done. I need to let City Council know, and hopefully you will remember, when there were a lot of older, dilapidated buildings sitting on that property, and not a lot of people were concerned about it. For a number of years, it was certainly a place where we had a train mural on the back of the buildings, but it deteriorated, and wasn't the prettiest thing in the world. Members of City Council and former Mayor John Nave initiated an effort to do something about it. The cost of the property was, as well as I remember, between \$150,000 and \$200,000 for the eight buildings, which were all attached. Then there was an additional cost of demolishing the structures. Donations to the Greenwood City Beautification Commission were used to beautify that site.

I would tell you tonight that the Marine attachment is not the first group that has been to City Hall and asked to use that property. It's a gateway into Uptown, and it has always been my position that the property remain as a pristine, landscaped, well maintained, beautification area. I've had people from very worthy causes who wanted to place flag poles and other structures for different reasons. I have always been able to convince them that maybe

some other site would be better. I am certainly not opposed to what this group is wanting to do, but I find myself in a unique position of having to oppose the location. I personally think there are other areas in the City that could be used. We have monuments on the square, the courthouse, American Legion buildings, and probably other areas that I'm not even aware of. I don't know if this would be something that the Parks Commission may want on their properties.

I just think that there are some places in town that need to remain green. Everything is asphalt, concrete, brick and mortar. There is a desire in town for us to, not only have good development and businesses, but also to have some green spaces. Even though they may tell you that this would not consume the entire property, it's a little difficult to maintain the property with joint tenants. The area has electricity at the gazebo, and we have installed an irrigation system. We do, to the best of our ability and at the lowest costs possible, try to keep it a very attractive area.

I would ask City Council to deny this request and ask them to find another location. They are very worthy of your considerations by their tremendous work in our community. While they have my respect and appreciation for what they do, I can probably name you 20 other organizations in this community that are just as worthy and, at some time, may be looking for a spot to honor some person or persons for a reason.

I ask you to consider my comments carefully. I have a photo of this area. If you look to the right, these are the steps that enter the gazebo. This is the sidewalk leading to the gazebo. While we think many people are not using the gazebo, this area was designed to be passive and quiet. I know there's traffic, but someone can sit quietly and read a book or whatever. You can look at it and see it is very well landscaped, and I'm proud of what our people do to this area. It was designed by a local landscape architect, and we planted it in accordance to his plans. You can see how we have been able to keep these trees healthy.

If you're considering granting their request, I would ask you to allow me to let some of the Beautification Commission Members, who were involved in this project, speak to you. This is where they want to put the memorial. It's the open space that is available on that property right now. I just think it needs to remain as it was originally designed. We took a very deplorable situation in town, beat the bushes, and secured the money to purchase the properties and demolished them. Now we have this area in our downtown that I think it should remain as it now is."

JOHNNY WILLIAMS

"Across the American Legion, above the garden club, is the old railroad bed. That would be a beautiful place for it there."

PHIL LUCAS

"We have not investigated any additional sites in the City."

JOHNNY WILLIAMS "You would be right there at the American Legion, which has plenty of parking on the other side of the road. Can we use the old railroad bed? Who has it, the garden club?"

STEVEN BROWN "It's still a part of the lawsuit."

JOHNNY WILLIAMS "Oh well, that solves that."

MAYOR NICHOLSON "Yeah, they never settled that."

BETTY BOLES "I have a question. What's the size of space and capacity will this monument will take up?"

PHIL LUCAS "That monument is basically 50 feet by 50 feet and it completely fits in this area right here (pointing). The entrance would be between these two plants. Our guard house would sit in this area leading up, and it will all be in this area over here (pointing). Nothing will come to the sidewalk that leads to the gazebo. Everything will be on the other side. If you look at Page 4 in the handout, it shows the relationship between the gazebo and the location of the monument. It's about 10% of that entire island. It's not quite 2,500 square feet in the area that we're talking about. There's about 25,000 in that island, so we're talking about 10% of the available space there with no landscaping in that area but the grass that we propose to place it."

STEVEN BROWN "If City Council will look, you can see how the water is being controlled at the present time. It will have to be redesigned. It's going to require some additional work on our part."

PHIL LUCAS "Any improvements that we make will be with the City Engineer to make certain that everything is provided. In fact, we've noticed there's some problems with drainage around the gazebo, so that is one of our concerns. If you look closely, there's a catch basin located in the swell that feeds back to the street. We have addressed that problem, and again you can see that we're not changing any elevations. We'll basically have a flat surface to work with, and we have done that for several reasons. One, is because the site will work well with a flat surface. Also, it'll make handicapped access much easier from the street and the parking area. So, we don't anticipate any significant grading at all on the site."

MAYOR NICHOLSON "How soon would you need to know, Mr. Lucas?"

PHIL LUCAS "We're hoping to get some action tonight, and then second reading in July, so that we can start our fund raising program as soon as possible for us to hold our scheduled Veteran's Day groundbreaking."

MAYOR NICHOLSON "Because this is the first time that we have seen it, let us just accept

this as information tonight. We will look into it, and get back with you all.”

PHIL LUCAS “Okay. Now, will that be prior to next month’s meeting?”

MAYOR NICHOLSON “Yes.”

PHIL LUCAS “We appreciate that, sir.”

MAYOR NICHOLSON “Can we wait until next month’s meeting? Coming into July with holidays and everything, will that put you off too much?”

PHIL LUCAS “Well, we’re going to lose another month. We would certainly like to have a decision, as quick as Council is comfortable making it. If you would like to hold a meeting, other than Council Meeting, to discuss this with the City Engineers, we would certainly be willing to meet with you on whatever schedule you would like to have it. We would like to move this along in a timely fashion, if you could.”

MAYOR NICHOLSON “Right.”

NIKI HUTTO “You said that you don’t have any other sites in the City. Do you have other sites in the County?”

PHIL LUCAS “Yes, we have some sites that we have looked at in the County. We don’t think that it carries any benefit to either the City or the County by having it in more of a remote location. We think a central location benefits everybody.”

NIKI HUTTO “Right. Have any of you contacted anyone at the Parks Commission with this 11 acre park? It hasn’t been built yet, but it would be more room and space.”

PHIL LUCAS “We have not looked at that.”

NIKI HUTTO “It can be centrally located which would give it more presence from a distance. I’m thinking those trees are going to block the memorial, and the only place you’re going to get the full impact of how that’s going to look, is from the library.”

PHIL LUCAS “And that’s exactly what we intended, because the layout of the rear wall serves several purposes. One, obviously, it defines the architecture of the memorial. But secondly, it’s a sound and traffic buffer to all that activity out on Highway 25.”

JOHNNY WILLIAMS “I was one of the members that wanted to do away with the mural, and you would place another wall back on Montague. Everybody riding up Montague will be seeing that back wall, so we’re back at square one.”

PHIL LUCAS “Well, I think what you see there, is not a mural of a train on the back of our wall.”

JOHNNY WILLIAMS "No, but it still got a wall we're looking at."

PHIL LUCAS "But you will have this existing landscaping on that side of the wall, which Steven pointed out, that's quite significant. The elevation is a little bit deceptive in this photograph, but the elevation at that rear wall is about nine feet. There's only about six feet of that wall that would actually be visible above that berm, because there's about a three foot berm that comes down the center of this island. If you look on your handout in the landscape area, this is about a three foot difference in elevation from this point to this point (pointing). So the wall will be in this area, that's partially screened by existing landscaping. It will actually be about three feet below the existing grade, so you won't see a building out there. You'll see something about a person's height, about six feet."

JOHNNY WILLIAMS "Well, I can remember when we done that project, and I got criticized bad for tearing the mural down. They said, 'You're tearing down the history of Greenwood.' Now, all you hear is how good it looks."

PHIL LUCAS "They have done a good job at landscaping, no doubt. I mean that's why we designed it to fit into that green space, not to impose on the landscaping, but simply to fit in amongst the landscaping. That's what driving this design. It's not exactly how we would like for it to be, but what will fit in this particular space."

JOHNNY WILLIAMS "Cambridge Avenue would be an ideal spot, but that park would also be an ideal spot."

PHIL LUCAS "We haven't pursued that at this time. We just think that this has such potential, because of the proximity to the library and downtown. It's easily accessible from just about any point in Greenwood. We think that the proximity to the library is a big plus."

JOHNNY WILLIAMS "What I'm thinking about right now is, if it was put there, everyone coming into Greenwood on Cambridge, or leaving Greenwood, would see it, because it's open space there."

MAYOR NICHOLSON "He's talking about the park side on West Cambridge."

JOHNNY WILLIAMS "An ideal spot would be next to the American Legion, but it's still tied up in that lawsuit."

PHIL LUCAS "Well, we have some prime sites out in the county we can use that's too remote. We're looking for something that benefits the City and the County that's central to activities downtown, such as parades, Festival of Flowers, and things like that. This would be a plus for the County."

JOHNNY WILLIAMS "Well, if they build a park, then it'll take over down there too. Everything is going down that way, and they're supposed to start

building this summer; so I've been told."

PHIL LUCAS

"I don't have any details about their plans on that."

JOHNNY WILLIAMS

"They said that they're going to build it this summer. That's what they told me."

MAYOR NICHOLSON

"Yeah. You have another statement Steve?"

STEVEN BROWN

"Mr. Mayor, we can look back to past decisions and often see that no one considered the long-term impact. This is open, public property. At some point in the future, City Council may determine a public need for this property. There are all kinds of things that can happen. Now, there's landscaping and trees there. Those decisions could be made very easily for a public purpose. If there's a \$125,000 monument there, and you're going to make a decision to widen a road, or street, or provide for more parking, you will have an obstacle that's going to prevent you from making that decision. I'm not trying to scare you. All I'm trying to do is to be as honest as I can and, being the City Manager for all of the City. I've seen it happen before. This is between a parking area in front of the library, and US 25 Highway on the other side. If you allow this to be put there, and you need this property for another public purpose, they will expect you to pay to have it relocated."

PHIL LUCAS

"One question here. I know that property does not belong to the City of Greenwood, but the Highway Department. Is there some memorandum of understanding, or other documents, between the State Highway Department and the City for the use of this property? I'm just curious, since the City does not exactly own the property."

MAYOR NICHOLSON

"No."

STEVEN BROWN

"Yes, there's a memorandum, to my understanding, that we can use the property for beautification efforts, and to do nothing that would infringe upon the use or site of obstructions, or anything of that nature. We have gained permission in reusing this property under an encroachment permit. There has even been discussion with the DOT officials that they are of the mind to deed this over to the City, but at the present time, we're only under an encroachment permit."

MAYOR NICHOLSON

"Now, Mr. Lucas, let us look into this and get back to you."

PHIL LUCAS

"If you will get back with us, we will be happy to meet with you at your schedule."

MAYOR NICHOLSON

"Okay. Thank you for everything you all are doing in our community."

RECOGNIZE

Mr. Robert Larkins of
Larkins Electric
Service.

Mayor Nicholson read the second item and asked, "Is Robert here? I don't see Mr. Larkins present. Did you hear from him, Mr. Brown?"

STEVEN BROWN

"He wanted to appeal a decision of mine to City Council."

MAYOR NICHOLSON

"Right. He had requested to be on the agenda tonight, too?"

STEVE BROWN

"Yes sir. Mr. Larkins owns a washeteria and, I think, an M & M Tax business where the old Bonanza Steakhouse used to be. It's right across from where Highway 34 comes back into Highway 25. He went in, demolished a building, and used the same site to construct an entirely new building. At the time he was building it, we approached him, as we do all new businesses, and informed him of the need to install a concrete pad so that our large commercial trucks would not destroy the surface. We have these large flotation tires on the front of the truck that has a tendency to dig into asphalt. He said, at that time, he did not want our services, and would handle his own trash. That is his option.

Now, he has come back, and wants us to put a container down there without the concrete pad. You have an ordinance that was adopted in 1989 that says, 'The City shall not provide service to any user who does not receive service on the effective date of this chapter, unless such user first constructs a concrete pad and driveway from a public street, or public alleyway, to the concrete pad pursuant to plans and specifications approved by the office of the City Engineer.'

I went down this afternoon, and looked around that area. I can take you to the new Subway, and some of the doctor's offices at Beckman Mental Health. They have all been constructed within the time frame of these buildings, and they all have pads. This is the area that he wants us to place the garbage can. You can see it's the old asphalt. When we get in there, twist and turn, we're going to make holes. That was the purpose of the ordinance, to give the City some protection from liability.

After I told him 'No.', then he questioned me about the ordinance that prohibits any other outside service coming in and serving him inside the City. He said that he had contacted Powell's and Buzhart's, and they will put him a container down there without a pad. I told him that the City Ordinance prohibits them from serving businesses inside the City. That's an ordinance that has already been tested, and the courts find it to be legal. That was done when the City implemented these services, because we needed all customers to make it cost effective. If he waits until after you pass

the zoning ordinance, he's going to have to put up a structure like that (pointing).

He may contact you. We tried, in every way, to work with him. He's talked with the Mayor a number of times. I have talked with him, our people have talked with him, and he has accused us of being against him. We're just trying to enforce the ordinance that you have on the books, and it makes it very difficult. We try to make sure that all new construction has a concrete pad for the container. The trucks are heavier now than they have ever been, and I would ask you to uphold my decision."

MAYOR NICHOLSON

"Well, I have talked with Mr. Larkins several times, and we have the ordinance. He knew the ordinance when he built the building, because Danny had talked to him several times, and he said that he didn't want the service. I just think we need to abide by the ordinance."

CONSIDER

A Proclamation
Recognizing the
Grendel Village
Homeowners
Association.

Mayor Nicholson read the third item and called Beth Rembert to the podium.

BETH REMBERT

"My name is Beth Rembert, and I reside at 534 Pelzer Street. I was talking with the Mayor the other night, and he said that he was getting ready to call me. He asked if we would like to be on the agenda to present what we did in Chattanooga, Tennessee. I was very excited, and thank you very much for asking us to come and share with you. I'm going to read the exact statements that we did to the judges, so just bear with me."

Ms. Rembert then did the presentation on the Grendel Village Flower Garden Project.

MAYOR NICHOLSON

"Alright. We just want to congratulate Ms. Rembert, and other members of the Neighborhood Association in Grendel, for doing a great job. Now, I just want to read a proclamation recognizing the Grendel Village Homeowners Association."

The Mayor then read the proclamation.

CONSIDER

A Resolution
Requesting Action by
the City of Greenwood
Commissioners of
Public Works.

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

STEVEN BROWN

“Mr. Mayor and City Council, all of you are familiar with a lot of discussion, and some actions, that have been taken regarding what we have all come to know as, the Grace Street Water Plant Property. You recall that the Greenwood County Parks Commission requested the Commissioners of Public Works make that property available. The Commissioners of Public Works voted to make it available, and there have been many meetings since their action. I have a resolution that I would ask that you consider. The Mayor and Ms. Hutto can both respond to any questions that you may have because they have been involved in some joint meetings with a Commissioner and some members of County Council.”

Mr. Brown then read the resolution.

MAYOR NICHOLSON

“Okay. Do I have a motion that we adopt this resolution?” Motion was made by Niki Hutto, seconded by Linda Edwards.

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Amending
City of Greenwood
Code of Ordinances,
Chapter 7, Elections,
Section 7-6 (a), Ward

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

Lines for Single-Member Districts Established and Section 7-7 (a), (b), Legal Descriptions for Each Ward.

(1st reading)

STEVEN BROWN

“Sometime ago after the 2000 census was completed in 2001, City Council began a process to redraw the Council districts. At that time, we encountered the problem with the recommended districting plan. It was rescinded by City Council and you directed me to work with the Bureau of Statistics that works under the South Carolina Budget and Control Board. The director of that agency is Mr. Bobby Bowers and, at some time, he had appeared and spoke to you.

With City Council elections scheduled to occur next April for Wards One, Three, and Five, it’s imperative that we do it now. We’re required to submit any changes in our districting plan to the Justice Department. Once we have prepared our submission to them, which is a very detailed and comprehensive submission, they have 60 days to act on it. That’s why we need to have this precleared by the Justice Department no later than the end of November, or earlier if possible. I’m prepared to show and give you some information tonight about the recommended plan.

If you recall what Mr. Bowers said to you, we needed to take the current districting plan and apply the 2000 census data. That would be called our Benchmark Plan and, from our Benchmark Plan, we are to draw up the new districts. To give you a comparison, I have taken statistics from the proposed plan, and we’re comparing them with the Benchmark Plan. You can see that with our new population of 22,071, our target for each district is 3,679.

The Justice Department will review carefully information documenting the White population, the Black population, and the Other population in each ward. Of the 22,071 people living inside the City, 45.51% of them are Black. With that percentage of our population being Black, the Voting Rights Act will require our composition of City Council to reflect that percentage. There’s six people on Council and, if you look at the percentages of seats available, the Justice Department will expect us to draw a plan where we can assure the Black community two representatives on City Council, with a good possibility of a third, the reason being that the Black community comprises 45.51% of the total population.”

NIKI HUTTO

“What is Other?”

STEVEN BROWN

“It would be Hispanics, Orientals, or any person not classified as either Black or White.

One of the key ingredients in the current voting plan is the voting age data. You can see the voting age population under our present plan using the 2000 statistics. The Justice Department requires us to reflect those people who are of voting age, and what percentage of them are Black and what percentage of them are White. One of the reasons you see some increases in the Black population in the traditionally predominately White wards, is that our neighborhoods are being more diverse. At one time, we had White people clustered in their communities, and Black people clustered in their communities. Now, we find our population is more diverse and scattered around the City. Subdivisions that used to be predominately White are now 50/50 in population. So when you have this occurring, you can see these numbers are going to increase. The percentages in those districts will reflect that.

In a census block, we can determine the total population, demographics regarding their race, sex, age, etc. So when the Justice Department review our plan, they look at census block data. In trying to reach the goals of having Wards One, Two, and Three to have sufficient numbers of Black citizens living in those districts, sometimes our wards appear to be gerrymandered. You will see Ward Two is now crossing over South Main Street, and goes into the areas back behind City Hall. The reason is to gain sufficient numbers of racially diverse persons to live in a defined area (ward).

I believe our proposed plan meets all regulations. Sometimes someone will say, ‘Take this little block here, and give it to Ward One.’ Well, once you change this block, then you’ve taken something away from Six. Now, you got to find something else to give back to Six. It’s like playing checkers, and it’s not an easy process.

I’ll answer any questions that you may have.”

LINDA EDWARDS

“I have one. If these plans are approved by the Justice Department, is it possible that each person in each ward can get a breakdown of the streets? That has become confusing. My main concern, and what I didn’t like, was the splitting up of small streets. You might end up going to somebody’s house campaigning, and come to find out they can’t vote for you. They would get to the polls and then be turned around. Personally, I would like to know exactly which streets.”

STEVEN BROWN

“If you notice in the ordinance, I have each ward described. We are required to have a definitive description, and it’s included in that ordinance. This map allows it to happen much easier and quicker than the old map.

I want to point out to City Council that this proposed plan will often separate streets and neighborhoods, but it has to happen. I'll give you an example. That is Sproles Avenue (pointing). One side of Sproles is in Ward Three, and the other side is in Ward Five. This is Maxwell Avenue (pointing). One side is in Ward Five and the other side is in Ward Six. This is South Main Street (pointing). One side is in Ward One, and the other is in Ward Six. This is Marshall and Roswell Roads (pointing). One side is in Ward Two, and the other side is in Ward One.

I know for some of the new Council Members, this seems to be very confusing. I know for Mayor Nicholson and Mr. Williams, this is the third time that we've done this. In 1987, we did not have single-member districts, and everybody ran At-Large. The Mayor and City Council wanted to change it and, on their own, they volunteered to go to single-member districts. We set up the first single-member district plan in 1987. Then, when the 1990 Census was done in 1992, they drew the present plan. Here we are now, after the 2000 census, drawing the third plan. It's often confusing to the public, when we change them every 10 years, but if you want to keep your districts equal and ensure that we comply with the Voting Rights Act, then we have to do this.

Mr. Bowers will be here for your public hearing at the July meeting. If you want to take the first reading tonight, he'll be here and to answer any questions. Are there any burning issues that we can address? Mrs. Boles, have we confused you completely?"

BETTY BOLES

"Yes, I'm somewhat."

STEVEN BROWN

"Maybe I can help you."

BETTY BOLES

"Well, I'm just looking at the percentages and, since there has been the new change in overall population, from what I saw, it went from 68%, as far as Black/White ratio, to 56%. Did I say that correctly?"

STEVEN BROWN

"You're talking about what you're changing from? That's correct. Ward Three will change from 68% to 60% Black population. If you didn't, you would have one ward at 85%, and then two others at 51% and 52%. The Justice Department will not approve a plan that places a high percentage of Black population in one ward. The Voting Rights Act requires the City Council reflect the community served. The ward lines must be drawn to ensure that will happen."

NIKI HUTTO

"But where the shift is in all populations, it seems that everyone is shifting around, so there might be a greater opportunity for a minority person in a what has been historically, a non-minority ward. Am I reading that correctly?"

STEVEN BROWN "That's correct."

NIKI HUTTO "So wouldn't that be a positive that maybe all Wards have the opportunity for equal elections?"

BETTY BOLES "Oh, yes. The percentages are not that high."

STEVEN BROWN "The keys to any of these districts, are registered voters who actually vote."

BETTY BOLES "Oh yeah. But I thought this was based on the number of people who are able to vote, regardless of whether they are registered voters. I thought you did them both ways."

STEVEN BROWN "We did voting age population."

BETTY BOLES "And registered voters?"

STEVEN BROWN "No, there's nothing in here about registered voters. We document those who are of the age to vote. You then have that unknown criteria, as to how many people are registered, and how many of those go to the polls and vote."

NIKI HUTTO "So, in essence, the only guideline for these numbers to REALLY work, basically, is there has to be a registered voter campaign for those eligible people, because a lot of the eligible are not registered."

LINDA EDWARDS "But then you also have to look out for people who move and don't change the address on the voter registration card. They're not in your ward, and you lose that vote."

STEVEN BROWN "If you look at the total population in the City, 45.51% of it is Black. If you equalized it all over the City (and it's impossible to do that), then 45.51% of Black people should be in each district. What you have is 67.87% in Ward One, 69.43% in Ward Two, and 60.74% in Ward Three."

NIKI HUTTO "So we all dropped."

BETTY BOLES "It's still not accurate, because it's still going to drop."

STEVEN BROWN "It's nothing but the transitioning out of one neighborhood into another neighborhood."

CHARLES BARRINEAU "When 2010 comes, it's going to be almost impossible to do this."

STEVEN BROWN "A town in an upper part of the state had traditionally been able to draw districts with a 60% Black population, the best they could do this year is 45%. He said the reason why is because the shift of the population throughout the City. It's happening everyday."

JOHNNY WILLIAMS

“Well, Ward Two can easily be split by Hispanics. New Haven is 100% Hispanic.”

LINDA EDWARDS

“Yes, they could, because right now in Ward Two alone, I can count seven streets, I know of, that used to be predominantly Black, and now its predominantly Hispanic.”

NIKI HUTTO

“Well, if they’re illegals, then they couldn’t vote anyway.”

MAYOR NICHOLSON

“Do I have a motion that we adopt the first reading?”

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

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

Motion passed unanimously.

- attach -

CONSIDER

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

Ordinance Amending
City of Greenwood
Code of Ordinances,
Chapter 7, Elections,
Section 7-2, When
General Municipal
Election Held.

(1st reading)

STEVEN BROWN

“Mr. Mayor and City Council, you asked me to have you an ordinance which would change the date of the election. This is the present section in your code that deals with the date of the election. Mr. Brown preceded to read the Ordinance

“Now, the reason why I put ‘even-numbered year’, even though the State has considered the last few years of directing municipal governments to have their elections on the odd-numbered years, is because our ordinance states even-numbered. We’ll have it

next year in 2004, and every even numbered year. If you chose to move this, we would probably have to make a few changes to this ordinance, but this is the section in your code that deals with when the election is held right now. It says, '...April, the second Tuesday, every even-numbered year...'

Johnny Williams made a motion that the ordinance stays the same.

MAYOR NICHOLSON

"I have a motion that it remain as it is. Do I have a second? I guess this motion dies for the lack of a second."

STEVEN BROWN

"If we go to November, then I think we may have with budgeting for our new budget. Do you want the County to take over our election process and run it, or do we want to maintain some independence and have our own Election Commissioners, pretty much as we do right now? They do assist us in some ways, but at the present time, you do have the authority to have your own Election Commission, which operates your elections. If you go to the November election, it will be very cumbersome to have a City Election Commission and a County Election Commission trying to oversee the election at the general election."

JOHNNY WILLIAMS

"I think it's very confusing to the voters because we're nonpartisan."

STEVEN BROWN

"You may want to wait and see what the State government is going to do, because we keep hearing that they're going to mandate that cities, school districts, and Commissioners of Public Works, which are already with us, go on odd numbered years."

STEFFANIE DORN

"They would have to do it either in April or November."

STEVEN BROWN

"Yeah, you can chose either April or November, but on an odd-number of years."

NIKI HUTTO

"So what will we alleviate by moving to November? What are the benefits?"

STEVEN BROWN

"Well, there's always been a thought that one less election would increase participation. Then there's somebody else that says the City election will get lost in all the big statewide and county elections. There's a lot of people that feel very strongly that, when you are not in with the big crowd, your issues can get lost, and people forget about the smaller."

NIKI HUTTO

"So you're on the ballot, and nobody votes for you?"

STEVEN BROWN

"No, you just don't have the platform to explain your issues and inform your people. You're being overwhelmed by other statewide

issues.”

JOHNNY WILLIAMS

“You also have Democrat and Republican straight ballots, and we don’t run Democrat nor Republican. So therefore, if you vote straight ticket, You would not vote for anybody in the City. You can do it.”

STEVEN BROWN

“If you had a run off, then we will be coming back two weeks later. To me, that’s a negative.”

LINDA EDWARDS

“Yeah, but you’re talking about getting lost. Now, when you sit here looking at the 2000+ voters, but after an election in April, you got nothing but 125 people voting for you, they’re already lost. They’re only thinking in terms of one thing, ‘There is an election in November, and that’s when I’m going. That’s what important.’ An April election is only important to your friends.”

JOHNNY WILLIAMS

“I’ll tell you what you do. Put in a garbage can fee, or any kind of fee, and have your election in April. See how many people will come out and get you. That’s why the Mayor and I are doing here, because of the garbage can fee.”

STEFFANIE DORN

“If I can just insert two comments based on some of the questions. One question somebody might ask is about costs; whether or not we save money. We would still have to pay for our advertisements and certain costs that the county passes onto us. We would save some money, but not a huge amount of money. I can give you specific numbers if I had the time, but it’s not going to be a large cost saving factor. The other thing that Mr. Williams pointed out is, you can go in and vote for one person on the ticket, whether you vote straight Democratic or Republican. Theoretically, when the Mayor’s running, you can vote for the Mayor and not vote for your council person at all. When you have all those others with the State elections, by the time you get down to the municipal officials, which are going to be at the bottom, you’re tired of voting. Some people may be more concerned about just voting for the Governor or their state representative. It’s just something that you should consider.”

JOHNNY WILLIAMS

“The last general election I voted in took me two hours and a half to vote. With all the amendments they put on an election, you’re in there a while.”

MAYOR NICHOLSON

“Alright, it’s getting a little late. We had a motion that we leave it as it, but it died for a lack of a second. Do have another motion?”

NIKI HUTTO

“So you’re putting the first motion that died back on the table, or are you asking for a different motion?”

MAYOR NICHOLSON

“That one died.”

JOHNNY WILLIAMS

“The second died too, so now we’re back to square one.”

STEVEN BROWN "Can I make an observation? Being as indecisive as you are, I would hate to see you change. If you're going to change to a November election, I would like to see Council, if not unanimous, at least strongly in favor of it. I see a lot of concern about whether this will be the proper decision."

NIKI HUTTO "Well, the thing is, if you do it in April, we'll have new Wards. The biggest thing for me would be if November is enough adequate time to inform the public do that. I'm really in a quandary. I really don't know."

BETTY BOLES "Well, what are the other alternatives in increasing the voters turnout? I think this was the main reason that the consideration was given to November, because of the turnout. Is there something that we can do different, as far as getting the information out in April, regarding the election coming up? Because, true enough, unless you just stay on quite a few people, they are like, 'Oh, I forgot!'"

JOHNNY WILLIAMS "Unless you give the voters a reason, such as raise taxes, or put fees on them."

MAYOR NICHOLSON "No, we don't want to think about those."

JOHNNY WILLIAMS "That's why the City is so quiet. There used to be about 6,000 votes in the City election."

BETTY BOLES "I have some people tell me that they only vote once, which is in November, and that's sad."

STEVEN BROWN "It is."

LINDA EDWARDS "Some people look at it, and it's sad to say it again, but to them, a City election is not important. Voting for the President, the Governor, your Senators, your Representatives are important. There are some people who say, 'Oh, I'm gonna vote for you!', and then two weeks after elections they say, 'Now, when do I go vote?'. April is not an election month."

BETTY BOLES "But it goes back to what he's saying. I know we can get lost in the conglomeration of all the other amendments and everything else."

MAYOR NICHOLSON "Why don't we just forget it now?"

LINDA EDWARDS "We need to consider it because, just as we could get lost in November, I still say we get lost in April."

NIKI HUTTO "Alright then, make the motion."

LINDA EDWARDS "No, I didn't say make a motion. We need to think about it."

MAYOR NICHOLSON

“We’ll think about it.”

LINDA EDWARDS

“It will be up to each of us, as individuals, to get out and beat the pavement to tell these people, ‘Look my name is going to be on that ballot in November!’.”

MAYOR NICHOLSON

“We’ll just table this one. Okay, do I have a motion that we table?”

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

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

Motion passed unanimously.

CONSIDER

Request Amending the Greenwood City Zoning Ordinance by Rezoning Property Located at 220 Mill Avenue Including a Portion of 846-724-031 to a Distance of 136 Feet in Depth from Mill Avenue from R-4 (Two-Family residential District) to OP-1 (Office Professional District).

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

STEVEN BROWN

“Several years ago, 220 was rezoned to OP-1. The fabricating company wanted to buy and use it as an office. There is a company that is coming to Greenwood that is associated with Greenwood Fabricating and Plating. Until they can establish a permanent location, I think they’re going to operate out of this house. OP1 has very strict limitations on what can be done, such as the type and times of operations, parking, and noise. I have not heard of any complaints about the other OP1 that’s over there.”

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

MAYOR NICHOLSON

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

Motion passed unanimously.

- attach -

CONSIDER

Piedmont Technical
College Request of
\$500 for the 17th
Annual Olde
Fashioned Fourth of
July Family Fun Day.

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

STEVEN BROWN

“Mr. Mayor and City Council, you have done this since the Fourth of July Family Day has been in operation. You may want to delay this, and include it in with all of your other accommodations tax requests. It seems unfair to consider one and not consider them all at the same time. There’s been a lot of concern about City Council and how those monies have been allocated. Maybe you need to just take this as a request and fund it with the rest of them.”

NIKI HUTTO

“Speaking of funding, whatever happened to what we requested on that accommodations tax? Did we have any sort of response from the State?”

STEVEN BROWN

“We have not received a response, but a demand for additional information. Even though we responded to their demands, they have not responded back to us.”

NIKI HUTTO

“So the people who were allocated money have not even received any from last year?”

STEVEN BROWN

“The only two organizations that have not received it are the Parks Commission and the Arts Council, which were in question. I’m just saying that, if you make everybody else go through the legal process, I don’t see why they shouldn’t either.”

MAYOR NICHOLSON

“Alright, we’ll just postpone it.”

Motion to postpone was made by Johnny Williams, seconded by

Linda Edwards.

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

Motion passed
unanimously.

ACCEPT

Mayor Nicholson read the last item’s title, and recognized the City Manager.

As Information the City
Manager Report on
Zoning Rewrite.

STEVEN BROWN

“Phil, the staff, and I are committing to you tonight, that we will have a final document for you in July, unless something happens that we’re not aware of.”

LINDA EDWARDS

“I have a question. Everybody that has that big green trash can, now has to do a fence?”

STEVEN BROWN

“No, ma’am. After you pass the ordinance, it’ll be everybody who builds a new building.”

LINDA EDWARDS

“Okay. I was getting kind of concerned.”

BETTY BOLES

“But not the ones that are already there?”

MAYOR NICHOLSON

“Not the present ones. They’re grandfathered in.”

STEVEN BROWN

“It’s only for new businesses. The Council’s recommendation was that we not make it retroactive. This is what Mr. Larkins said to me, ‘I see places all over town that doesn’t have a pad’. I said, ‘I know that. They’re existing businesses before this ordinance was passed.’”

MAYOR NICHOLSON

“Okay.”

LINDA EDWARDS

“One more thing. I have an update from the Housing Advisory Committee. We had two tenants that never did attend, so I have Robert Adams, who lives on Central Avenue, that has consented to serve on the committee. It still leaves one person that must be a tenant.”

MAYOR NICHOLSON

“Okay, when are you going to meet again?”

LINDA EDWARDS

“July 8th, because that’s on a Tuesday.”

JOHNNY WILLIAMS

“You need somebody who rents?”

LINDA EDWARDS

“Yeah, we need a tenant. If you know somebody, please explain to them that we’re not here to tell anybody what to do. This is not a body that makes decisions to uproot people. That was why it was hard to find anybody. Some tenants I talked to were afraid it would get back to their landlords that they were participating in this. It’s not like that. We’re all there to make decisions that is to be brought back to City Council.”

BETTY BOLES

“So you just want their input?”

LINDA EDWARDS

“Yeah, we just need their input. You know, sometimes people will talk to other people in their neighborhood, when they won’t talk to anybody else. If there is a problem, we need to know so that it can be addressed.”

MAYOR NICHOLSON

“Do I have a motion that we appoint Robert Adams?”

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

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

Motion passed unanimously.

“Alright, he can come to the meeting on Tuesday.”

LINDA EDWARDS

“Yeah, because these are the only two people that we’re missing.”

MAYOR NICHOLSON

“Okay. I would like to say that with the July being busy, we will not have a work session. Is that okay? We won’t have a work session the first Monday because that’ll be the week we’re going to the meeting. I know that you have your meeting that Tuesday night, so we will not have a work session in July.”

STEVEN BROWN

“Mr. Mayor, can I ask you a question?”

MAYOR NICHOLSON

“Yes?”

STEVEN BROWN

“Do you want Mr. Bowers here for the next Council meeting?”

MAYOR NICHOLSON

“Yes, if he can be here.”

STEVEN BROWN

“I will need to know ahead of time as to who I need to send this for review by the NAACP. We need to get that done immediately, so you’ll let me know. We also need to have as many representatives as we can here, and he can make the presentation to them.”

MAYOR NICHOLSON

“Okay. Meeting adjourned. Thank you, very much.”

Meeting adjourned at 7:30 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer