

GREENWOOD CITY COUNCIL

July 21, 2003 - 6:07 p.m.

MINUTES

PRESENT

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

MINUTES

Mayor Nicholson asked for a motion to approve the minutes of the City Council Meeting held on June 16, 2003.

Motion was made by Johnny Williams, seconded by Herbert Vaughn, 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 June 2003, and the Commissioners of Public Works Consolidated Financial Report for the period ending May 31, 2003.

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

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

Motion carried unanimously.

CONSIDER

Ordinance Authorizing
City Manager and City
Clerk to Execute a
Deed to Main Street
United Methodist
Church for 0.509
Acres Located
between Hampton and
East Cambridge
Avenue.

(1st reading)

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

STEVEN BROWN

Mr. Mayor and City Council, at past meetings, you had representatives from the Main Street United Methodist Church come and ask you to consider deeding some abandoned railroad property to the church. They are planning to make some massive changes to their facilities at Main Street United Methodist Church, and they are asking the City to consider deeding this property right here (pointing at screen). The acreage on that property is .509 acres. Carolina First is on the left, and Mrs. Adams property sits on the right. One of the conditions upon which you directed them to proceed was that they prepare a landscape plan. They have presented the plan to us, and not only will the area be paved, it will also have sidewalks, landscaping, and street lights. I think they have met all of the conditions upon which you based your agreement to deed the property to the church. It was my understanding that City Council would not require a payment of any funds, if they would agree to not only making improvements to the property, but also to agree to allow public access and use of this railroad right-of-way after the improvements have been made."

MAYOR NICHOLSON

"Okay. Do we have a motion that we authorize the City Manager to execute the deed?"

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

The Mayor asked, "Any discussion or questions? 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
Lines for Single-
Member Districts
Established and
Section 7-7 (a), (b),
Legal Descriptions for
Each Ward.

(2nd reading)

Mayor Nicholson read the second item and asked for a motion to postpone taking action because of recent questions that were asked regarding the Ordinance.

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

“Any discussion? 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).

(2nd reading)

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

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

Request from
Lakeland’s Marine
Corps Detachment to
Construct Veterans
Monument on
Property adjacent to
the Public Library.

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

STEVEN BROWN "Mr. Mayor and City Council, it was my understanding that you informed the Detachment that you will have a decision at this month's meeting, so I placed it on the agenda for your consideration."

MAYOR NICHOLSON "It was something that we discussed at the last meeting. There was a question about the site and green space."

JOHNNY WILLIAMS "I would like to see the monument, but that's a bad location. So have you looked anywhere else?"

PHIL LUCAS "We have looked at about six different locations around the City and County, but we have not found any location that offers the right atmosphere, level of serenity, and the proximity to Greenwood that this site offers. So, yes, we have looked at some additional sites."

JOHNNY WILLIAMS "There are no places near the American Legion?"

PHIL LUCAS "No, the Men's Garden Club has that filled up, if that's the same area you're alluding to. We have looked at several other areas, and nothing is suitable that fits the intention and respect due to such a project."

MAYOR NICHOLSON "We're totally supporting it, but I foresee a problem because of the green space and the parking. The library doesn't have but a few parking spaces, and there's a possibility of an addition to the library."

PHIL LUCAS "We understand Council's concern about that. We just think that the time is appropriate. We did not find a suitable location in the Greenwood City area that fits the requirements of such a project, so we're asking City Council to look at this. It's been a month since we came and discussed it. We hope we provided you with the information that you would require. That green space is a valuable commodity in any city, no doubt about it, but I would submit to Council that there's other green space to be considered, and that's this 612 acres of green space of Arlington National Cemetery. I think this overrides any concerns the City may have towards the use of the green space. Again, we request only about 10% of that available green space. There are considerable green spaces in the downtown area: three medians in downtown Greenwood, on the square, in the center of the roadway, and on both shoulders. So, Greenwood is really blessed with a lot of green space. We think that now is the time, the location is correct, and we would like to see City Council take some action on this so that we can pursue this project before anymore time passes. Thank you for your attention."

MAYOR NICHOLSON "Okay. Thank you, Mr. Lucas. Now, Mr. Brown, I think that property is owned by the City, and it's a state road. Am I correct?"

STEVEN BROWN "The property is actually owned by the Department of

Transportation, and the City is on the property through an encroachment permit.”

MAYOR NICHOLSON

“Okay.”

JOHNNY WILLIAMS

“But it wasn’t many years ago that we just tore down a wall, with a mural on it, facing Main Street. The model is pretty, but it’s not going to face Main Street. It’s going to face the library, and a wall will be back up there again. That’s my concern.”

PHIL LUCAS

“The height of the wall will be about six feet above the existing landscaping berm. We had the pleasure of having Ms. Turnburke and Mr. Vaughn out to the site to look at it last week. The overall height of the wall is about 9 feet, but the City already has about three feet of landscaping berm there. It’s only about 5½ to 6 feet of the wall that will eject above the existing berm, so if a person was standing at the memorial, the wall height would be about the same, if they were standing on the highway side looking back at the memorial. They would only see something about the height of person in the center section because, if you recall, the wall slopes down in both directions from the center station. Nothing will project more than six feet above the existing landscaping that’s there. I do well remember when they had the train mural on the building, but that was a 40 feet structure.”

JOHNNY WILLIAMS

“My concern is that we took it down, and you want to put a six feet wall back up.”

PHIL LUCAS

“Yeah, but the wall serves several purposes, Councilman. It serves, first of all, to define the memorial, and structurally support it. Secondly, it serves to buffer the memorial and library area from the traffic, noise, and commotion out on Highway 25. Of course thirdly, it serves as the backdrop for the monument. There’s also a safety factor. If we had the memorial turned the other way, you would have an open front out onto the highway, which would present a safety hazard to children who would be at the memorial. So safety is one of the considerations. That’s why it faces the way it faces. Also, it serves to blend in somewhat with the library, because I think there will be a connection between people who visit the memorial and those that visit the library, and vice versa. There are several considerations as to why it’s configured as it is configured.”

MAYOR NICHOLSON

“Alright then, can we have a motion that we approve this property for the construction of the memorial, or do we deny this particular site?”

Motion to deny the site for the veteran’s memorial was made by Johnny William, seconded by Niki Hutto.

"Any further discussion? Do you have a question, Ms. Boles?"

BETTY BOLES

"Are you talking about putting a monument up facing the gazebo, or is it facing the library?"

PHIL LUCAS

"It faces the library, essentially. It's not exactly facing the library, but generally, it faces the library. So, when you walk out of the library, you'll look straight into it, and vice versa, if you're at the memorial and looking back towards the library. So they essentially face each other."

BETTY BOLES

"So, if this site does not go on this particular property, what are your alternatives?"

PHIL LUCAS

"We have no alternatives, to be honest, at this time."

MAYOR NICHOLSON

"You could not work with any of the other sites that you looked at?"

PHIL LUCAS

"They all present unique situations."

NIKI HUTTO

"Have you considered the new park? Have you talked with the Park Commission?"

PHIL LUCAS

"We have talked with the folks at the Parks & Recreation Commission, and I think it would be welcomed with a site like that. We just believe that it is not a fitting location to have it in a recreational area where you have joggers, bicyclers, skateboarders, and that sort of thing. We think this should be in a more contemplative, esoteric setting that the library area provides.

We also think that it needs to be prominently in Greenwood's downtown. We don't think it should be shoveled aside, and stuck up in a park somewhere. We believe that the people who are being honored by this don't want to be pushed off to the fringes because of whatever considerations. We think they earned a right to be in a prominent location in the City of Greenwood, and that's our basic position as to why we chose this site. Plus, the fact that it does have a few minor drawbacks, we think that they can be overcome. We don't anticipate huge crowds coming in at any one time, so parking won't be a major issue, but that's going to be a consideration no matter where it'll be placed. We think it needs to be prominently in Greenwood, because that makes a statement about the City."

MAYOR NICHOLSON

"Any other discussion or questions?"

STEVEN BROWN

"Mr. Mayor, nobody has asked the question of who will maintain this monument once it is built. If the Council votes to allow this monument on property for which we have an encroachment permit, and if there were any damages to this monument, are we assuming that the City will pay for any repairs to this monument?"

PHIL LUCAS

"I would like to speak to that, please. In the handout that we had at the June meeting, if you have that with you, addresses this issue. The monument maintenance, materials of construction and such, barring any act of vandalism or something of that nature, would be the responsibility of the Greatest Veteran's Organizations in Greenwood on somewhat of a rotating basis. There will be very minimal maintenance on the property; perhaps an occasional cleaning. The commission that will oversee the construction of the monument will provide replacements for flags, light bulbs, and things of this nature for perishable and consumable items. That was addressed in the handout from last month, and the City would not incur any liability from a maintenance standpoint."

MAYOR NICHOLSON

"Okay."

HERBERT VAUGHN

"Since we already have a confederate memorial and the VFW or DAV memorial on the courthouse grounds, have you considered something in that area? We grouped everything together."

PHIL LUCAS

"We have not. Again, that's not a site that we have previously looked at. I think space would be a problem with a situation like that. We're not considering any other sites at this time, Mr. Vaughn."

MAYOR NICHOLSON

"I'd like to call for the question. Any further discussion? Okay. We have a motion and a second that this site adjacent to the library be denied. All in favor, raise your right hand. Opposed?"

Niki Hutto, Mayor Nicholson, and Johnny Williams voted in favor to deny the request from Lakeland's Marine Corp Detachment to construct the veteran's monument on property adjacent to the public library. Betty Boles, Herbert Vaughn, and Barbara Turnburke voted against the denial. Linda Edwards abstained.

Motion is stalled.

LINDA EDWARDS

"It sounds good, and sounds like it would be a good location, but I still have to grasp a picture of it. You keep referring to the library and, at one time, the library said they were moving, then you're going to have another empty building uptown. So what happens in that venue? To me, it sounds like you're banking on the traffic to the library and, the way you have it sitting, nobody coming into town will be able to see the front of it. You would have to go around to the library in order to see the front of the memorial."

PHIL LUCAS

"Yes. To actually enter the memorial, you have to come around to the front. If you recall from last month's discussion, the library happens to be, if you will, a quiet, contemplative setting. We're not

dependent upon the library to have people to come by. It will be highly visible because, if you remember, we have designed to incorporate seven flat poles which will be highly visible from either the back or front. These will project up, so these will be visible from Highway 25, but we're not counting upon the library. We think that there will be an interest in people who will be at the library that will come to this, but we think this project can stand alone in the rightful location.

If the library wasn't there, we would still want to put it right there where we're asking to put it, simply because the way the traffic flows, the proximity to Greenwood, and the fact that the site is for people to reflect, sit at the gazebo to read, or whatever they like to do. It's a quiet type of recreation, not the noisy type where you have the park with swings, jungle gyms for young kids, and things like that. We think that it requires a different setting, and that's our choice of why this site has been chosen. No other site in Greenwood meets that criteria, and also have the proximity to the City itself."

MAYOR NICHOLSON

"Again, those in favor of denying this site raise your hand? That was three? Okay. Those opposed to it? I think it was Mrs. Turnburke, Mr. Vaughn, and Ms. Edwards abstained. Mrs. Boles, your vote? Are you opposing Mr. Williams' motion? So we have a tie."

LINDA EDWARDS

"How much of a hurry are you in?"

PHIL LUCAS

"Well, I guess I can't say it any more eloquent than 30,000 WWII Veterans will be dead this time next month. Our timetable is to have a groundbreaking in November, and to have the monument completed and dedicated in May of 2004. So we're on a ten month time horizon."

LINDA EDWARDS

"Okay. Now, let me be clear on this thing. If we vote to deny this request...?"

MAYOR NICHOLSON

"It's just for this site."

LINDA EDWARDS

"But what I'm asking is, at some time or another, can we revisit this? This is only a request. Will it be counted as 1st reading?"

MAYOR NICHOLSON

"No. Once it's denied, it only needs one reading."

PHIL LUCAS

"What's the procedure if it's not denied? Is there a second reading next month, or is it over tonight? What's the procedure?"

MAYOR NICHOLSON

"It will be over tonight."

STEVEN BROWN

"City Council is taking action tonight, Mr. Mayor, to either approve or deny the request. This is not an ordinance. You have the

prerogative to bring this back up at any time in the future, and reverse your decision, if you so choose.”

JOHNNY WILLIAMS

“At any given day?”

MAYOR NICHOLSON

“Whatever we decide tonight, we can revisit that anytime.”

STEVEN BROWN

“But the motion has failed because it is a tie vote, unless there is another motion on the table.”

LINDA EDWARDS

“That was my question, and you just answered it. If we deny it tonight, I can, or anybody can, bring it back up after further study.”

MAYOR NICHOLSON

“The motion failed because we do not have a majority, so that means we’re not denying this site.”

PHIL LUCAS

“But you’re not approving the site.”

MAYOR NICHOLSON

“Right.”

PHIL LUCAS

“So we’re in the old cliché of ‘kissing your sister’, where there’s no satisfaction for anybody.”

MAYOR NICHOLSON

“Right.”

PHIL LUCAS

“Can I simply ask a question, since Ms. Edwards has abstained?”

MAYOR NICHOLSON

“Well, let us study it now and, if possible, when we have the work session at the first of August, we might be able to take action, and put it on our agenda.”

PHIL LUCAS

“That will be August 1st, or the first Monday in August?”

MAYOR NICHOLSON

“It will be the fourth.”

PHIL LUCAS

“Unfortunately, I will be unavailable that week. Is the work session open to the public?”

MAYOR NICHOLSON

“The work session is always open, yes.”

PHIL LUCAS

“At what time does the work session start?”

MAYOR NICHOLSON

“Five-thirty. If we have enough information, we would have to post it, and have this item on the agenda. Most times, during work sessions, we don’t take action. But if we have enough information that Council Members feel comfortable with this, then we’ll put it upon the agenda, and act upon it.”

PHIL LUCAS

“Okay. Since this is our second appearance before Council, and we still have no resolution, I have a hard time grasping what information we can provide to move this along?”

MAYOR NICHOLSON

I think everyone has enough information to think about it.

PHIL LUCAS

"If I might, could I just simply ask Ms. Edwards what her concern is, or what questions we can answer to move this along tonight?"

LINDA EDWARDS

"Visually, I can see, and it sounds good, but I'm wondering what day DOT will want to expand the four lanes. I just need to visualize all of this, and make sure that once the building is put there, it'll be there for generation after generation to see. I just really need to get all that together, and make sure there are no 'if's', 'but's', or 'and's' hid somewhere down the road, and we would have to move it from there."

PHIL LUCAS

"Well, you already have five lanes already. I don't think the issue of widening the highway really is anything that will happen in our, or our children's, lifetime. Let me ask this question. I had invited each Council member, and the Mayor, to come out to the site. Mr. Vaughn and Mrs. Turnburke were able to work it in their schedules. Would it be beneficial to you, Ms. Edwards, if we visited the site with you, like Mr. Vaughn and Mrs. Turnburke did last week? Would that be beneficial? If so, could you contact me? I will arrange my schedule to accommodate you and any other members of the Council that would like to come out to the site. When Mr. Vaughn and Mrs. Turnburke came out, we had actually marked off the site on the ground so that you can physically walk around and see the actual extent of where the various components would be placed. I hope that it was informative to them, and I think it probably was."

MAYOR NICHOLSON

"I'll call you, also."

PHIL LUCAS

"If you, the Mayor, City Manager, City Engineer Larry Smith, or anybody, wish to come out at the site, we will answer any questions pertinent to the site, if that will help you to understand what our proposal is. In the meantime, we'll make arrangements to have someone at your work session, and be on the agenda for August. Thank you."

MAYOR NICHOLSON

"Thank you, Mr. Lucas."

CONSIDER

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

Request from City
Manager to Void
Infrastructure
Agreement with A.P.
Neal Construction
Company
(Cedarbrooke
Subdivision)

STEVEN BROWN

“Mr. Mayor and City Council, a condition of your infrastructure agreement with any developer is that the streets become public. That is the basis upon which the infrastructure agreement is signed. I have unsuccessfully been trying, in excess of 12 months, to get Mr. Neal to deed those streets to the City. I wrote him a letter in May, and gave him until June 30th to turn the deeds over to the City. I have since called by the phone and talked to him personally, in which he tells me that he’s working on it, but I do not have deeds 13 months later. The roads are being cut for utilities and other work that’s being done in that neighborhood. I think they need to be deeded to the City, and since he has not deeded them, I will ask you to void any infrastructure agreement that you have approved at this time. Only after the request has been made for you to accept the streets, would you reinstate this infrastructure agreement.”

MAYOR NICHOLSON

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

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

Motion passed unanimously.

CONSIDER

Memorandum of Agreement (MOA) for the Provision of Pre-Trial Detention Services by the Department of Juvenile Justice (DJJ) for Fiscal Year 2003-04.

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

STEVEN BROWN

“Mr. Mayor and City Council, on an annual basis, you allowed us to sign a contract with the Department of Juvenile Justice. It’s a State agency whereby we have the opportunity to house juvenile defendants. We have to pay for these services, but those services are provided within the stipulations of the contract. The cost of those services have not increased, however, there is one clause in the agreement this year that I will ask you to strike. That clause states, ‘DJJ shall not be financially responsible for the cost of medical care provided to a juvenile detainee in the juvenile detention center for any injury, illness, condition, or medical need

that preexisted the juvenile's admission into this detention center'. It is my opinion, and other municipalities, that this is too open ended. It puts the City in a position to be responsible for the medical cost of any condition without regard for who may have caused that condition. So, if an individual had an illness that was brought on prior to being detained and it required medical care, then they would expect us to pay for that. We have always known that we were responsible for any condition upon which the City may have caused. However, I will ask you approve their agreement, but allow us to strike that, and negotiate with DJJ."

MAYOR NICHOLSON

"Okay. Do I have a motion?"

Motion was made by Hebert Vaughn, seconded by Niki Hutto.

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

Motion passed unanimously.

- attach -

CONSIDER

Request from
Neighborhood
Association Financial
Assistance for
National Night Out
Program.

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

STEVEN BROWN

"Mr. Mayor and City Council, both Toni and Mrs. Rembert are here to speak to you tonight on behalf of the Neighborhood Association."

TONI HUBBARD

"Thank you, Mr. Mayor. My name is Toni Hubbard, and I reside at 1703 East Durst Avenue. I come before you representing the Neighborhood Development Office of the Greenwood Area Chamber of Commerce. On Tuesday, August 5th, 3000 of our Greenwood citizens will be participating in our 4th National Night Out program. If you recall in the past years, Council has assisted us with purchasing of T-shirts, giveaway items, and offsetting the cost of our printing for this event. Today, I have 33 registered neighborhood associations throughout Greenwood County representing approximately 1900 homes that will be contacted with

information on National Night Out. National Night Out is designed to increase awareness in drugs and crime prevention at our neighborhoods. I also have the same request before County Council, and they asked me, 'What is the City doing?' When I called about being on the City Council agenda, I was asked, 'What is the County is doing?' So I'm just going to split myself in half, and run over there and tell them. I really hope that you will continue to support the event. T-shirts are being delivered to the Chamber tomorrow afternoon. The door hangers have been printed with both the City of Greenwood and Greenwood County on them. We have fliers in the process of being printed that label the City as participating, as well as the County."

MAYOR NICHOLSON

"I think your request is \$1,500?"

TONI HUBBARD

"Yes, sir. The same request from last year."

MAYOR NICHOLSON

"Okay. Are there any questions for Ms. Hubbard? Do I have a motion?"

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

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

Motion passed unanimously.

TONI HUBBARD

"Thank you. We appreciate that, and we hope to see each one of you out at the various events. I'll be sure to send the Excel file to Mr. Brown, Mr. Barrineau, and Mayor Nicholson so that you'll know which neighborhoods to go out and visit that evening. Thank you."

MAYOR NICHOLSON

"Thank you."

CONSIDER

Ordinance Amending
the Greenwood City
Zoning Ordinance by
Rezoning Property
Located at 133
Hackett Avenue from
R-4 (Two - Family
Residential District) to
C-1 (Neighborhood

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

Professional).

(1st reading)

STEVEN BROWN

“Mr. Mayor and City Council, when this request came before the Planning Commission, I was present that evening, and heard the owner of this property give the reason for making the request. This is the property here (pointing at screen). I believe there is a Hispanic grocery store here, further down is J & W Cab, and then another new grocery store somewhere in here (pointing). The lady said that she wanted to rezone this property to increase the value. She said she would like to sell the property, and finance her children’s college education. She doesn’t intend to do anything with it, but just trying to increase the value. This has been residential property for many years, and it would add an additional lot to the commercial side of Seaboard. One reason why the Planning Commission denied this was because both the Planning Commission and the City Council put a linear feet requirement on the commercial property for the grocery store. They feel this request exceeds the linear feet requirement. I believe the commercial zone was set at 160’ from Seaboard.”

MAYOR NICHOLSON

“They voted to deny it, didn’t they?” STEVEN BROWN

“The Planning Board recommended you to deny it.”

Motion to deny the request was made by Johnny Williams, seconded by Linda Edwards.

MAYOR NICHOLSON

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

Motion passed unanimously.

CONSIDER

Mayor Nicholson read the sixth item, and recognized Steve Reeves of CPW.

Ordinance Providing for the Issuance and Sale of a Series of Combined Public Utility System Revenue Bonds of the City of Greenwood To be Designated Combined Public Utility System Refunding and

Improvement Revenue Bonds, Series 2003, in the Principal Amount of Not Exceeding Sixteen Million Seven Hundred Thousand Dollars (\$16,700,000) and Other Matters Relating Thereto.

(1st reading)

STEVE REEVES

“Mr. Mayor and members of City Council, we appreciate the opportunity to appear before you tonight. My name is Steve Reeves, General Manager of the Greenwood Commissioners of Public Works. Our purpose in being here tonight, is to ask for your consideration on the first reading of a 2003 Series Ordinance, which would allow CPW to do two things. One, is to refund a 1993 Bond Issue, and the other is to offer \$4 million, or approximately \$4 million, in new money. Obviously, if you’re keeping up with interest rates on investments, then you’ll know that interests rates are at the lowest they’ve been in many years. We have an opportunity tonight, or in this issuance, to refund approximately \$11 million of the 1993 bonds to significant savings based on lower interest rates.

The new money would be used for two purposes. One is in the electric system, and the other is at the water treatment plant. The electric system consists of a number of small projects, mostly involving reconductoring sections of our system to allow for better switching, back feeds, and better reliability to the electric service. The water treatment plant involves a number of upgrades to our facilities, and meeting ongoing regulations.

That’s what the new money will be used for. I will be glad to answer any questions Council may have about any of those. If there are none, Robert Galloway, with the Haynesworth, Sinkler, Boyd Firm, will come forward now to present to you the Series Ordinance.”

NIKI HUTTO

“Are there any additional security elements being placed on any part of the facilities, in light of things that’s been happening?”

STEVE REEVES

“The most significant cost item in the upgrades to the water treatment plant is in security measures. We have been mandated by the Federal Government to undergo a vulnerability assessment of our water facilities, and we’ve been in the process of doing that. We have a consultant who specializes in security measures, performing this study for us, and has given recommendations. That is the biggest bulk of the improvements at the water treatment plant. Thank you.”

ROBERT GALLOWAY

“Thank you, Mr. Mayor and members of Council. I’ll be brief and make myself available to any questions you might have on the legal side, or otherwise. For those of you who might be new to this process, the reason this matter is before you is, under State law, the City Council must approve that issue for the CPW to incur debt through revenue bonds. The bonds, however, are payable only from the revenues of the Commissioners of Public Works. There is no pleasure of the full faith and credit of the City whatsoever. There is no obligation on the part of the General Fund of the City. It is strictly a pledge of the revenues of the Commissioners of Public Works. The bond market recognizes that, so it’s entirely on their credit. Under State law, City Council must approve that bond issue.

The ordinance has a ‘...not exceeding dollar amount...’ You’ve heard the two purposes are primarily for refinancing, and secondarily for approximately \$4 million of new money for projects. This ordinance states those purposes. It provides a delegation of authority, if you will, to the Commissioners of Public Works to sign a contract with an underwriter to underwrite the bonds to the public. It provides for your consenting to the Commissioners preparing an offering document that will be used to market the bonds. It approves the purchase of bond insurance by the Commissioners.

For those of you that looked through the ordinance, you’ll see that the current version of that information is blank for bond insurance. As of the last two business days, quotes have been received from the major bond insurers. I’m happy to report that the Commissioners got a very favorable insurance premium quote, and that insurer has now been selected. Should you give this first reading tonight, at the second reading, the language that the insurer requires will appear in the document. Again, all liabilities, in those regards, and obligations fall to the Commissioners. That’s basically the highlight of this ordinance. I’ll be glad to answer any further questions you might have.”

MAYOR NICHOLSON

“Are there any questions for Mr. Galloway? Do I have a motion?”

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

“Any discussion? Mr. Brown?”

STEVEN BROWN

“I believe they are requesting that you have a public hearing the same night of your work session, and possibility consider taking second reading. Has that changed?”

ROBERT GALLOWAY

“No, that has not changed.”

STEVEN BROWN "So they're asking, if you approve first reading tonight, come back on August 4th, have a public hearing, and consider second reading that day."

MAYOR NICHOLSON "Okay."

ROBERT GALLOWAY "Mr. Brown, I might add that this is not required by the State Bond Law to have a public hearing. If the City requires it, absolutely, that will be fine."

MAYOR NICHOLSON "Okay. Are you going to add that to your motion, Mr. Williams?"

JOHNNY WILLIAMS "I didn't know all that!"

NIKI HUTTO "You want to do it this rapidly because of guaranteeing certain interest rates?"

ROBERT GALLOWAY "Yes, ma'am."

NIKI HUTTO "To save more money?"

ROBERT GALLOWAY "Just to move as quickly as possible, if Council can accommodate that."

MAYOR NICHOLSON "Okay. Any other discussion? All in favor, raise your right hand. So moved."

Motion passed unanimously.

(attach)

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

City Manager to Acquire 1.30 Acres of Property off Jenkins Spring Road.

STEVEN BROWN "Mr. Mayor and Council, City Council authorized us to seek out parcels of property to place a fire substation on the western side of the community, and we have located two acceptable parcels. One belongs to School District 50, and the other belongs to Palmetto Resources, LLC. The School District had their property appraised at \$64,000, and they offered it to us for \$32,000. Palmetto Resources has agreed to donate the property to the City upon two conditions. One is, if the City ever discontinues using this property

for a public purpose, it would revert back to them. Secondly, they're asking that the City grant a 30 feet easement across the property, which could be used by Palmetto Resources to access some property that they still own in the rear.

This gives you an idea of how the property will look (pointing at the screen). I'm asking permission to move forward on accepting this proposal by Palmetto Resources. It's certainly the most cost effective for the City. The Fire Chief has studied this property, and feel we can respond to all properties in a reasonable manner. We feel it will satisfy the City Council's wishes that we improve our service in this area."

MAYOR NICHOLSON

"Do we have a motion?"

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

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

Motion passed unanimously.

JOHNNY WILLIAMS

"Now, when do they start construction?"

MAYOR NICHOLSON

"Tomorrow."

CONSIDER

Ordinance Repealing
Ordinance #130
(Zoning Ordinance)
and Adopt a New Set
of Zoning Standards
(Zoning Rewrite).

(1st reading)

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

STEVEN BROWN

"Mr. Mayor, I have asked Phil to come, and make this presentation to you."

PHIL LINDLER

"Thank you, Mr. Mayor and members of Council. Tonight we have

first reading on the repealing of our current ordinance, and looking at some new zoning standards. As you may know, this is an outgrowth from the comprehensive plan that was written in 1999, and approved by the City of Greenwood at that time. There were a number of items that were directed mainly with our development standards in our zoning ordinance, and here we are in 2003 working on the details of the ordinance. There have been some modifications since the last printing of the version, I believe it's 6/1/2003, and you should have received copies of those. I believe Mr. Barrineau made those modifications to your proposed ordinance text. There are a number of items that have been modified that should be included in your packet. It's a two-paged listing of some of the specifications with the section number. It describes briefly the changes that have been made on those. I will be glad to answer any questions any of you may have concerning any particular section."

MAYOR NICHOLSON

"Okay. All of you have received the corrections and changes. Is there anyone that have any questions?"

STEVEN BROWN

"Mr. Mayor, we feel we have probably addressed all concerns by City Council, and I would also remind City Council that when you take first reading, and then subsequently take second reading, this ordinance does not become effective until the maps have been drawn and approved by you. So, if this was second reading tonight, it would not be effective. You've got another chore before you, and that is to review the maps as recommended by the Planning Commission. This is the text upon which the maps will be drawn."

NIKI HUTTO

"So we will be operating under the old one?"

STEVEN BROWN

"We will still be operating under the old one. The staff have been working on some of the maps, and I'm sure there will be a recommendation made to you very soon. You will have ample opportunity to review them before you consider approving them."

MAYOR NICHOLSON

"Okay. Do I have a motion that we adopt this tonight?"

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

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

Motion passed unanimously.

(attach)

CONSIDER

Ordinance Amending
the Greenwood City
Zoning Ordinance
Section IV D (3) (c),
Subdivision Sign, in
the R-1 Single Family
Residential District.

(1st reading)

STEVEN BROWN

“Mr. Mayor and City Council, in a previous meeting, I quoted to you some inconsistencies with some subdivision signs in the City. There were some requests made back to the Planning Commission to consider revising the present zoning ordinance. So what you have before you tonight, is a revision to the ordinance which allows two subdivision signs per entrance. Such signs may designate the subdivision by name, symbol, and name of the developer, or development company, only. Such signs shall not exceed 64 square feet per sign face. The sign structure shall not exceed a height of 10 feet. All sign areas, or subdivision signs, shall be calculated as a sign area only, that means before the entire structure was being used to calculate. Now, we will only use the portion of the structure upon which the sign is mounted. The sign may be mounted on a wall, fence, or other structure with the height restrictions noted. I will tell you that there was a recommendation from the Planning staff to make the height seven feet.

I appeared before the Planning Commission, and asked them to consider a little bit higher. They agreed to raise the height to 10 feet. They also agreed to make both subdivision and multi-family developments have the same sign requirements. Their initial recommendation was that subdivisions have a smaller square footage area. I think it’s a good recommendation. We believe that all signs that exist now in the City will be conforming.”

MAYOR NICHOLSON

“Okay. Do I have a motion that we adopt the sign regulation?”

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

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

Motion passed unanimously.

(attach)

CONSIDER

Resolution to Approve
a Request by Wesley
Commons to Rename
Certain Streets.

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

STEVEN BROWN

“Mr. Mayor and City Council, the officials at Wesley Commons
have submitted a request to the Planning Commission, and
subsequently it has been recommended to you to change the
entrance road in Wesley Commons, from Heritage Boulevard, to
Wesley Commons Boulevard. Heritage Boulevard is a street
name duplication, and they would like to eliminate it. These are
private roads, but in accordance with our ordinance that governs
street naming, you will have to approve this change.”

MAYOR NICHOLSON

“Okay. Do I have a motion that we authorize this change?”

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

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

Motion passed unanimously.

(attach)

CONSIDER

Ordinance Amending
the City of Greenwood
Land Development
Regulations for Valley
Gutter Improvements
within the City of
Greenwood.

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

STEVEN BROWN

“Mr. Mayor, I’ll ask Phil to come and explain this one.”

PHIL LINDLER

“Thank you, once again. Tonight, this is a request to modify our valley gutter improvements. There is currently an established valley gutter district within most of the city limits of Greenwood. The recommendation tonight is to allow properties that are zoned either light industrial, or heavy industrial, to have at least 3/4 acre of property to use open ditch sections, instead of a valley gutter sections, on the sides of the road. We have had a number of instances in which industrial properties have come to the Board of Zoning Appeals and the Planning Commission requesting variances for amendments to this so that they could have open ditch sections.

What we’re having a problem with are some of the larger trucks that come into industrial properties tearing up a number of sections of that area in the valley gutter district. In this case, there has been a recommendation that numerous variances have been granted for this to look at amending our ordinance. This has gone before the City/County Engineer, and he has recommended approval of these changes, as well as the Planning Commission forwarding a recommendation to modify the text.”

MAYOR NICHOLSON

“Okay. Does anyone have any questions?”

NIKI HUTTO

“Exactly where is the valley gutter district in the City?”

PHIL LINDLER

“It’s a 4½ mile radius from the Greenwood County Courthouse. So from here, 4 ½ miles in radius will cover most of the City, except for the newest annexation on the north end.”

MAYOR NICHOLSON

“Do I have a motion? Do you have a comment, Steve?”

STEVEN BROWN

“I have some concerns over these changes. I think there’s a better way to control the water.”

MAYOR NICHOLSON

“Can we just discuss this at the work session, and then come back a little later?”

STEVEN BROWN

“I would strongly advise you to postpone any action until I can provide you with some additional information.”

MAYOR NICHOLSON

“Do I have a motion that we postpone this and discuss it in work session?”

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

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

Motion passed unanimously.

CONSIDER

Municipal State
Highway Project
Agreement
Resolution.

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

STEVEN BROWN

“Mr. Mayor and City Council, the Department of Transportation has submitted plans to us for revisions that will be made at US 25 and 72. This is the area that is at the Exxon Station, which is directly across from where the new Walgreens is being constructed. They’re going to widen some turning lanes, and makes some improvements in that area. State law requires them to present it to the City Council to, more or less, sign off of what they’re going to do. We reviewed it, and see nothing that would be detrimental to the City. It seems it will improve the traffic flow in those areas. There’s no cost to the City, nor liability, so we would ask you to consider approving it.”

MAYOR NICHOLSON

“Okay. Do I have a motion?”

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

“Is there any discussion? All in favor, raise your right hand. So moved.”

Motion passed unanimously.

(attach
)STEVEN BROWN

“Mr. Mayor, we would need all seven members of you to sign these documents before you leave tonight.”

MAYOR NICHOLSON

“Okay.”

REAPPOINT

Mr. William B. Watkins
to the Housing
Authority Board of
Commissioners.

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

STEVEN BROWN "Mr. Mayor, I would like to give you some information. I did not approach Mr. Watkins to see if he wanted to serve again, because I need some direction from City Council. I would also tell you that Mr. Watkins does not live inside the City, and there has been some discussion in the past about persons, who reside outside the City, being appointed to boards.

At the same time, I will tell you that he's been very active, attends the meetings, and from all observations, I think he is a very good board member. However, I would not want Council to reappoint him and then, at some time in the future, discover that he's not a resident of the City. I know some Council members have strong opinions about all City boards being composed of City residents."

MAYOR NICHOLSON "And he has not been contacted?"

STEVEN BROWN "I have not, but I will be glad to, if Council wants me to do so."

MAYOR NICHOLSON "Why don't we just postpone this until next week?"

STEVEN BROWN "Does Council wants me to contact him, or do you want to discuss this amongst yourselves?"

NIKI HUTTO "We don't have any regulations that state we have to appoint a resident?"

MAYOR NICHOLSON "There's nothing in writing."

LINDA EDWARDS "If you decide either way, it would be nice if you would bring him because some of us don't know him."

STEVEN BROWN "You would like to have in the meeting, also?"

MAYOR NICHOLSON "Okay. Do I have a motion that we postpone?"

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

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

Motion passed unanimously.

"Mr. Brown, do you have anything else?"

STEVEN BROWN "No, sir."

MAYOR NICHOLSON "Okay. Before I forget, work session will be August 4th at 5:30pm

and, before you leave, don't forget to sign the agreement for the DOT. Do I have a motion that we adjourn?"

Motion was made by Linda Edwards.

"All in favor, raise your right hand. So moved. Thank you, and have a good evening."

Meeting adjourned at 7 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer