

GREENWOOD CITY COUNCIL

August 18, 2003 - 6:20 p.m.

MINUTES

PRESENT

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

ABSENT

Betty Boles

MINUTES

Mayor Nicholson asked for a motion to approve the minutes of the City Council Executive Session, Public Hearing, and Meeting held on July 21, 2003.

Motion was made by Barbara Turnburke, 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 July 2003, and the Commissioners of Public Works Consolidated Financial Report for the period ending June 30, 2003.

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

(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 Barbara Turnburke.

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Repealing
Ordinance #130
(Zoning Ordinance)
and Adopt a New Set
of Zoning Standards
(Zoning Rewrite).
(2nd reading)

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

Motion was made by Niki Hutto, seconded by Johnny Williams

The Mayor asked, "Is there any discussion?"

STEVEN BROWN

"Mr. Mayor, please understand that there are some requirements for fencing under new construction. To give you a good example, if Westview School had been built after this ordinance is passed, then there would be fencing required between the subdivision that is adjacent. That's always been a concern inside of the City. There are concerns about commercial properties being developed near residential areas. If the grocery store that you allowed to be built off of Seaboard was built after this ordinance, then they would have had to put up a fence between that store and the adjacent subdivision.

These are the requirements in the new ordinance, and it's been my understanding that you have wanted to protect some residential communities. For a number of years, we tried to use landscaping, and things of that nature, to buffer these communities, and they have not worked, so this ordinance does require fencing for some areas.

I think what the speaker is attempting to do is get you to fight his

battle with the County, and that is totally wrong. He feels that whatever you do is going to be a basis for what the County does. I have explained to him on a number of occasions that this is not a City/County zoning ordinance. The present zoning ordinance that is in place has differences between the City version and the County version.

There is one other thing that I would ask you to consider. I don't ever expect there to be any FA, SA, or SAM properties inside the City limits and, if that is a point of contention to anybody on City Council, you could pass this ordinance and eliminate the section that deals with FA, SA, and SAM. You would not have that zoning classification inside the City, so it doesn't make any difference whether the County sets it at 20 acres, one acre, 500 feet, or 100 miles. You wouldn't have that inside the City, and there would be no such zoning inside the City limits."

NIKI HUTTO

"How about the new piece of property that CPW has deeded into the City?"

STEVEN BROWN

"Well, we would not recommend it be FA or SA."

NIKI HUTTO

"Okay. Our boundaries are expanding."

STEVEN BROWN

"That's right, but that's just a consideration."

JOHNNY WILLIAMS

"Just delete it. If it's not going to do us any good, let's take it out."

STEVEN BROWN

"I mean, one thing is for sure, you can always come back and add those classifications at a later date but, if it's a problem to members, that section could be deleted and everything else would be approved."

Motion was made by Niki Hutto to delete Chapter Three, Article Five of the Zoning Ordinance, seconded by Johnny Williams.

MAYOR NICHOLSON

"Is there any other discussion?"

STEVEN BROWN

"I just want to clarify one thing that was said to you. Under non-conformities, your ordinance says, 'It is the intent of this ordinance to permit non-conformities to continue until they are removed, but not to encourage their proliferations.' That is in Chapter Ten, Article Three. Then he made a statement, 'If no structural alterations are made and no change of use occurs, then non-conforming use of a property may be continued until perpetuity.' Those statements are not in conflict. It states what the non-conformity is and how it can continue until it's removed, but then it comes back and gives a little bit more credence by saying that, if there's never any changes to that property, it can remain a non-conforming use forever and a day. I don't see any conflict."

MAYOR NICHOLSON

“Okay. Is there any further discussion? I have a motion and a second that we adopt this with one deletion. All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

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

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

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

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

Motion passed unanimously.

(2nd reading)

- attach -

CONSIDER

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

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)

NIKI HUTTO

“Has everything been approved?”

STEVEN BROWN

“I have not heard anything from the local NAACP Chapter. I know that there have been discussions between Mr. Bowers office and the Columbia Office. I have requested the information from Reverend Stanford and I have not heard any information. To be honest with you, I would not recommend you taking any action

until we have heard that response. If we postpone this any longer than September, then I would ask you to not pass this until after the next election. I do not think we'll have sufficient time to get it approved by the Justice Department.”

MAYOR NICHOLSON

“Can we see if we can contact them and, if necessary, have second reading at work session?”

STEVEN BROWN

“Yes, sir. That can happen.”

MAYOR NICHOLSON

“Do I have a motion that we postpone at this time?”

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

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

Motion passed unanimously.

CONSIDER

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

(1st reading)

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

STEVEN BROWN

“Mr. Mayor, I can tell you that this ordinance is a result of some problems in industrial owned properties, or areas which would be considered industrial parks, where we have required them to have valley gutters. Some of the manufacturing companies tells us that they have the large tractor trailer trucks that have destroyed these valley gutters. They say it's a continuous problem to maintain, and have requested that the requirement for valley gutters be deleted to allow them to have a type of open ditch. We don't have these areas inside of the City, but I do have some concerns about eliminating the requirements. I don't think it will apply inside of the City, unless there is the creation of a large industrial park. Phil may respond to that also from his prospective.”

PHIL LINDLER

“Thank you, Mr. Brown. Mr. Brown is correct that it does set up a 4½ mile radius for the valley gutter district within the City of

Greenwood. Most of the current boundaries right now are within that 4½ mile area except for the new annexation on the north end of town. So most of it is already considered within the valley gutter district, and it wouldn't affect you currently, but in the future, it could. We could revisit it in a future time, if you felt that was necessary."

NIKI HUTTO

"Well, is it only because of the tractor trailers? Wouldn't the valley gutter system actually be an improvement for better water flow and maintenance of water management, than without a valley gutter system?"

PHIL LINDLER

"The water flow would be improved. However, by not allowing the open ditch section, our engineers are telling us that it's having faster flows and not allowing the water to perk into the soil. That is certainly a consideration with the stormwater management components."

NIKI HUTTO

"That's what I'm thinking. So in essence, not having the valley gutter in place could lead to problems down the road?"

PHIL LINDLER

"Yes. I think that both would lead to problems, but you would have a coordinated system that works."

Motion to deny amending the City of Greenwood Land Development Regulations for Valley Gutter Improvements within the City of Greenwood was made by Niki Hutto, seconded by Johnny Williams.

MAYOR NICHOLSON

"Any further discussion?"

LINDA EDWARDS

"I have a question."

MAYOR NICHOLSON

"Yes?"

LINDA EDWARDS

"Now, if I didn't misunderstand, we can deny this now, but we can also come back and revisit, should the problem arise?"

MAYOR NICHOLSON

"That's correct. Right now there's no area inside the City with the large industries that affect this, but down the road, if there are any, we can revisit it."

NIKI HUTTO

"Maybe I misunderstood it."

LINDA EDWARDS

"But I don't think we need to wait for 'down the road'."

NIKI HUTTO

"Am I right to assume that if we adopt this, then it would be worse for water management in the future?"

PHIL LINDLER

"Possibly, yes."

NIKI HUTTO

“Possibly, yes?”

LINDA EDWARDS

“But we’re not sure.”

STEVEN BROWN

“A valley gutter is constructed on each side of the road to transport the stormwater, as opposed to using an open ditch. When we use the open ditch, we’ll have erosion and sediment control problems. That’s exactly what has happened in so many places where open ditches started out very small and, over time as the water erodes the ditch, it became deeper, and wider. I believe one of the problems with the large trucks is the valley gutters are very easy to travel over and, often times, they probably should not, but that’s where the damage comes. I would certainly like for you to use the valley gutters and keep the open ditches to as few as we can.”

MAYOR NICHOLSON

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

Motion to deny passed unanimously.

RECEIVE

Mayor Nicholson read the last item under old business and recognized the City Manager.

A Report from the City Manager Regarding a Vacancy on the Housing Authority Board of Commissioners.

STEVEN BROWN

“Mr. Mayor and City Council, at your direction, I spoke with Mr. Watkins, who is presently on the Board of the Housing Authority. He states that he would be very interested in remaining on that Board, except his job takes him out of town now more than ever. He feels he would not do service to the Board by not being able to attend the meetings on a regular basis, and has asked for someone else to be appointed in his place. He has stated that he is willing to serve until you have someone, so there will not be an immediate vacancy.”

NIKI HUTTO

“How many times do they meet a month on the Board?”

STEVEN BROWN

“They meet one time a month.”

MAYOR NICHOLSON

“Okay, thank you, Mr. Brown.”

CONSIDER

Request from the
Greater Greenwood
Parks and Trails
Foundation.

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

STEVEN BROWN

“Mr. Mayor and City Council, you have a written request before you from this group of people. They’re asking you to participate with them in the development of Cambridge Park by providing some utilities through your agreement with the CPW. The list of those items are included in that letter, and I would like to recommend that you consider approving their request.”

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

MAYOR NICHOLSON

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

Motion passed unanimously.

RECOGNIZE

The Partnership for a
Greater Greenwood
County.

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

STEVEN BROWN

“Mr. Mayor, Mr. Hinson is going to make a presentation to you.”

JERRY HINSON

“Mr. Mayor and City Council, on behalf of the Partnership for a Greater Greenwood County, I come to you tonight asking for your participation and continued leadership with the Partnership. Earlier in the year, I had the opportunity to view a presentation that Mr. Brown and Ms. Brooks presented related to the progress that the City had made over time. I was very impressed with that. I think the comment that Steve made that night was this, ‘We’ve come a long way, baby!’, and I firmly believe that. I came two years ago and I was not privy to what had happened prior to that time.

My presence today is to offer an opportunity to partner and build upon that progress that we’ve seen with the leadership of the City. The leadership of the Partnership for a Greater Greenwood County, which is also represented on the Partnership by the City and the Mayor, of the past few months has rededicated itself to

provide leadership and financial support for the continued economic growth on this case. This evening targeted the City Center and an area that touches around that.

Much discussion has taken place related to maintaining and stimulating a vibrant economy. In those discussions, we've had representation from the Uptown Development area, the City, the County, Lander, and other entities. There have been some planning efforts in the past and we do not necessarily want to take away from that. We want to build upon that because I'm a proud believer in not reinventing the wheel. There have been a lot of successes and, as we've heard tonight, about the Comprehensive Plan. We do not want to go away from that but we do want to build upon that.

The approach that we want to use here is this: How do we stimulate economic growth in the City? I think, as we've heard tonight, there are some issues and we want to be pro-active in doing that. As you know, we have entities, such as Capsugel, that have been using the Pirelli Building. How do we attract individuals into coming to that area? I've had many people talk to me about the possibilities of residential condos above the business section of downtown. In addition to that, I think there are many issues that we are missing. Do we have a plan to attract the types of things that we want? I know we've heard about the empty spaces, but what do we do about those empty spaces? How do we attract the individuals to fill them?

With this plan, we will have an approach that is market-based. By market-based, I think it will identify the retail opportunities that we have in the City. A good example of that is, up until probably six months ago, if someone would have asked me if a sushi bar would make it in downtown, I probably would've said no. But lo and behold, I think they proved me different. So I think one of the things that I would recommend is that we look at a market-based approach. What are the needs of the consumers? Are those things available in the City or the Uptown district area? At that point, we identify what the leakages are: Where are the consumers going to buy these products somewhere else? How can we attract that consumer and business owners into the City area to provide those opportunities? When we do that, we're attracting the possibilities for property taxes of business, use of utilities, and serving a very viable need that we have out there.

In addition to that, this plan will address urban design. I know that we have bits and pieces of that as we've gone forward. One of the things that we're pressing today, and the reason we're looking at some of these things, is how do we link the hospital and Lander to downtown? I think one of the things that I said when I came to town is it's almost like there's a draw bridge between the uptown area and Lander. How do we attract those students to spend their money and come into the downtown area? How do we attract people after five p.m.? I think we've got some very good

professional businesses in the downtown area, but what do we do after five p.m.?

Also, this plan will work with us to identify potential funding sources. We all know, in a tight economy, we're looking at every dollar and, when we want to try to attempt to do things, we've got to look at where the monies are going to come from. One of the things that this will deal with is building a matrix, or framework, that is a collaborative effort of how it's driven and who is responsible for that. Also, this will be driven by a student committee, including Council representation. I think, basically, at the end of the day, we will be very pleased in addition to where we've been as to where we're going.

Tonight, I ask you to continue with us in the leadership and financial initiative. The Partnership has taken the early initiative and had presentations with others involved. We've looked at individuals and firms that could do those type things. We are very comfortable that we're now ready to move forward with that, and we ask you to be a partner with us."

MAYOR NICHOLSON

"Okay. Does anybody have any questions? Thank you, Mr. Hinson."

CONSIDER

Mayor Nicholson read the third item and read the Proclamation.

Proclamation for
September 8-12,
2003, as National
Assisted Living Week.

- attach -

CONSIDER

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

Resolution to Approve
a Request by
Greenwood Area
Habitat for Humanity
to Change the Name
of Fuller Street to
Wright Avenue.

STEVEN BROWN

"Mr. Mayor, the Habitat for Humanity requested the Planning Commission to consider this request and, after a hearing, the Planning Commission recommended to change the name of the street to Wright Street. You have that recommendation before

you.”

MAYOR NICHOLSON

“Okay. Do I have a motion?”

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

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

Motion passed unanimously.

- attach -

AUTHORIZE

City Manager and
Chief of Police to
Apply for an U.S.
Department of Justice
Grant.

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

STEVEN BROWN

“Mr. Mayor and City Council, the City has been notified by the Department of Justice that we are able to apply for a grant. This grant would be used to provide some security measures that need to be in placed in City Hall. It will need to be matched by an amount of funds, \$12,500, and I would ask City Council to authorize us to proceed with this grant. If it is approved, we would come back to City Council and ask your approval prior to spending any of their monies.”

MAYOR NICHOLSON

Okay. Do I have a motion?”

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

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

Motion passed unanimously.

Meeting adjourned at 6:46 p.m.

Floyd Nicholson, Mayor

ATTEST:

City Clerk and Treasurer