

GREENWOOD CITY COUNCIL

October 20, 2003 - 5:45 p.m.

**MINUTES**

PRESENT

Mayor Nicholson; Council Members: Niki Hutto, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke; City Manager; Assistant City Manager; City Clerk; City Attorney; Mike Hatfield of WCRS, 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 September 15, 2003, and Executive Session on October 6, 2003.

Motion was made by Johnny Williams, seconded by Betty Boles, approving the minutes as presented.

The Mayor asked, "Any discussion or corrections to the minutes? 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 September 2003, and the Commissioners of Public Works Consolidated Financial Report for the period ending August 31, 2003.

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

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

Motion carried unanimously.

CONSIDER

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

Ordinance  
Amending the  
Greenwood City  
Zoning Ordinance  
Section VII, N,  
Signs, Off-Premise,  
Directional, Signs  
for Churches and  
Schools. en  
Hampton and East  
Cambridge Avenue.

Motion to postpone the vote for further study was made by Johnny Williams, seconded by Hebert Vaughn.

The Mayor asked, "Any discussion?"

(2<sup>nd</sup> reading)

NIKI HUTTO

"Is it to study the standardized sign?"

MAYOR  
NICHOLSON

"Yes, that's the one. Phil is going to get some information to bring back to us. Is there any other discussion? All in favor of postponing, raise your right hand. So moved."

Motion passed unanimously.

CONSIDER

A Tele-communications Franchise and Consent Ordinance to Grant United Telephone of the Carolinas, Inc., Its Successors and Assigns, the Right, Power, and Authority to Construct, Install, and Maintain, and Operate In, Over, and Upon and Under the Streets and Public Places of the City of Greenwood, Its Lines, Poles, Wires, Cables, and Other Tele-communications Facilities to Render Tele-communication Services to Its Customers in the Corporate Limits of the City of Greenwood for Such Period as Provided Herein; and to Provide for the Payment of Compensation for the Use of Streets and Public Places.

(2<sup>nd</sup> 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? All in favor, raise your right hand. So moved."

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Amending City of Greenwood Zoning Ordinance Section VII, O, Temporary

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

Uses, (2).

(1<sup>st</sup> reading)

STEVEN BROWN

“Mr. Mayor and City Council, at last month’s meeting we postponed any action on this because there was an omission from the Planning Commission. They have not acted on it, therefore there’s no action required by City Council tonight.”

MAYOR  
NICHOLSON

“Okay. Do I have a motion that we just table this?”

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

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

Motion passed unanimously.

CONSIDER

Accommodations  
Tax Advisory  
Committee  
Recommendations.

Mayor Nicholson read the last item under Old Business and asked the City Manager, “Mr. Brown, do you have a statement?”

STEVEN BROWN

“No sir. Nothing is different.”

MAYOR  
NICHOLSON

“Everything is the same, right?”

Motion to accept the Committee’s recommendations was made by Johnny Williams, seconded by Herbert Vaughn.

“We have a motion to accept the board recommendation of:

Arts Council of Greenwood County	\$8,500
City of Greenwood	\$28,580
Chamber of Commerce	\$24,000
Greenwood Community Theater	\$10,000
Heritage Corridor Committee	\$500
Olde Fashioned Fourth of July Celebration	\$500
Festival of Discovery	

Surplus	\$8,500
	\$18,000
(\$15,000 Arts Council of Greenwood County & \$3,000 Greater Greenwood Parks & Trails) Museum	\$10,000
Uptown Pro Cycling Challenge	\$7,741
Total \$116,321	

JOHNNY WILLIAMS

“Did we hear anything from the \$18,000 yet?”

STEVEN BROWN

“No sir, not yet. We have submitted all the requested information, but they have not responded.”

JOHNNY WILLIAMS

“So it’s still in limbo?”

STEVEN BROWN

“Yes sir.”

MAYOR  
NICHOLSON

“Is there any other discussion? All in favor of approving the recommendation coming from the Advisory Committee, raise your right hand. So moved.”

Motion passed unanimously.

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AUTHORIZE

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

The City Manager  
to Sign a Site Lease  
Agreement with the  
Greenwood Toros  
Soccer Club.

STEVEN BROWN

“Mr. Mayor and City Council, you have a lease agreement in your packet regarding a request submitted to you last month by the Toros Soccer Club. The only comment I have is that State law requires you to adapt an ordinance to lease or sell any property. So I have prepared an ordinance and, if you take action tonight, it would be first reading.

The City Attorney reviewed the lease agreement, and he believe it protects the City from a liability standpoint. It addresses issues such as access to our adjacent properties. I think the agreement is good, and I see no problem in leasing this property to the Toros. I don’t know of any reason why it would be detrimental to the City to lease this property. That agreement allows you, if you have another use for that property, to terminate their agreement. You

don't loose control of your property.”

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

MAYOR  
NICHOLSON

“Any discussion or questions?”

STEVEN BROWN

“There is one thing I need to point out. This ordinance states that if there is a dispute regarding any part of the agreement, it will be settled by mediation. We need to stay out of court as much as possible.”

MAYOR  
NICHOLSON

“Okay. We don't need to be in court. All in favor of the lease agreement, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

AUTHORIZE

The City Manager  
and Finance Director  
to Sign a Three-Year  
Agreement for Cash  
Management  
Services.

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

STEVEN BROWN

“Mr. Mayor and City Council, you are aware of our procedures. Every three years, we send out requests for proposals from all the financial institutions within Greenwood, and ask them to submit a bid for our cash management services. We have probably been doing this since about 1986 or 1987, and there have been three different institutions that have had the contract during that period of time. Three years ago, we signed a contract with First Citizens. This has been handled by our Finance Director, Steffanie Dorn, and she will make the recommendation to you.”

STEFFANIE DORN

“Mr. Mayor and Council, we received bids from all the banks within the City limits, except for Bank of America. They didn't feel they could be competitive and declined to present any proposals. I reviewed the proposals very carefully and feel that First Citizens Bank offers the best proposal at this time. The interest rates, of course, are exceedingly low at this time, but they have offered to give us credit at a little bit higher interest rate. It will allow us to

keep less money in the bank and invest more into higher interest earning capacities. I feel their offer will allow us to make a little bit more money on the short change that we do have at this time. I recommend that you allow us to continue our agreement with First Citizens Bank under this proposal. I will be glad to answer any questions that you may have.”

MAYOR  
NICHOLSON

“I think we’ve had it with First Citizens already. Have you been pleased, Ms. Dorn?”

STEFFANIE DORN

“Yes sir, I have been.”

MAYOR  
NICHOLSON

“Are there any other questions? Do I have a motion that we grant Mr. Brown and Ms. Dorn permission to sign an agreement with First Citizens?”

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

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

Motion passed unanimously.

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CONSIDER

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

Resolution  
Authorizing  
Infrastructure  
Reimbursement  
Agreement for  
Maxwell Springs  
Phase I.

STEVEN BROWN

“Mr. Mayor and City Council, for the benefit of some of the newer Council members who may not have been involved in this situation previously, a number of years ago, City Council, acting upon a recommendation by my office, allowed us to implement an Infrastructure Reimbursement Program. When we say infrastructure, we’re talking about streets, sidewalks, storm drainage, and any other improvement that is on the public right-of-way. We have used this program successfully to provide incentives for developers to annex properties into the City. Since 1985, we have had 66 annexations. These are not parcels, but actual annexations which may have included four or five different

parcels and numbers of acreage; the largest being close to 700 acres. So we have been very successful in our annexation programs.

When the Maxwell Springs Development was being considered, the developer looked at the Infrastructure Reimbursement Program and found it to be a great incentive for them. A portion of their property was already inside of the City, but he had bought additional property which was on the outside. He agreed to annex all of it (several hundred acres) into the City and is developing that project in phases.

You have before you tonight the recommended \$675,855 agreement for Phase I. This seems like an extreme amount, but if you look at your agreement, you'll see that it's lots 1 through 67 for Phase I. We take the new taxes generated by the annexed land, along with any improvements on that land, and for a period of ten years, we will reimburse them 75% of those new taxes each year, up to 10 years, or to the agreed amount, whichever comes first. The reason why we use 75% is because it provide the City with 25% of the new income to offset any cost involved with providing services up-front.

I think it's a wonderful program, and it is an investment in the future for the City. Greenwood, Spartanburg, and Anderson are the three cities that are using this program right now. I'll answer any questions that you may have."

MAYOR  
NICHOLSON

"This has been one major reason why a lot of people have been wanting to come into the City now."

STEVEN BROWN

"Absolutely. I've had meetings in the last few weeks with developers that have projects right outside of the City, and this is one thing they consider. There's no up-front costs to City because the developer pays all costs for the improvements. It's left up to them to develop the property, and the amount that is reimbursed depends upon the speed in which they develop the property. So if it takes them a long period of time, they may very well not recoup the agreed amount."

MAYOR  
NICHOLSON

"Okay. Any other questions?"

STEVEN BROWN

"In most cases, they would have never had annexed in the City if we didn't have a program like this. I would also tell you that we work closely with the CPW on another reimbursement program for water and sewer costs. By us working together on these programs, we have been very successful."

MAYOR  
NICHOLSON

"Okay. Do I have a motion that we authorize the reimbursement for Maxwell Springs Phase I?"

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

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

Motion passed unanimously.

- attach -

CONSIDER

Re-Appointing Dr. B. J. Dover to a Four (4) Year Term to the City/County Planning Commission.

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

STEVEN BROWN

“Just a few months ago, we had a vacancy and asked Dr. Dover to serve. He’s only been on the Commission a couple of months, and this just puts him back on his four year rotation.”

MAYOR  
NICHOLSON

“Do I have a motion?”

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

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

Motion passed unanimously.

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CONSIDER

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

Authorizing the City Manager to Sign an Agreement Giving the Commissioners of Public Works Permission to Install Power Lines on City Property Located on Maxwell Avenue.

STEVEN BROWN

“Mr. Mayor and City Council, since the CPW constructed their new electrical substation off of Oak Street, they have a number of projects scheduled which will provide improved electrical service to different areas of the City. One of those areas is the side of the railroad tracks that is adjacent to Hampton Place and the library. The CPW is wanting to eliminate some of the poles on Maxwell Avenue. They looked at the property we purchased from CSX off Maxwell Avenue and identified the location of the two poles on our property. I looked at it, and I had staff to look at it, and no one sees any problem with it. The agreement states, ‘If at any time in the future you want to use this for a purpose and our poles cause you a problem, we’ll move them.’ I don’t think it can get any better than that. Some of the poles on Maxwell, Oregon, and Alliance will be removed and that will be positive. I would recommend you authorize us to sign this agreement with the CPW.”

MAYOR  
NICHOLSON

“Do I have a motion?”

STEVEN BROWN

“This is just one of the times that we can do something for them. They do a lot of things for us, and this is an opportunity we have to assist them.”

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

MAYOR  
NICHOLSON

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

Motion passed unanimously.

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CONSIDER

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

Motion to Enter  
Executive Session to  
Discuss Jenkins  
Spring Fire Station  
Contractual Matters.

STEVEN BROWN

“Mr. Mayor and City Council, you have authorized us to begin the process of building a fire department substation on the corner of Jenkins Spring Road and 225 Bypass. We have contracted with DSP Architects to design that building, and there are a few things concerning the bids submitted by various general contractors that Joe Prothro, with DSP, will discuss with you in Executive Session. I expect that after you have your Executive Session, you would adjourn back into open session and take action after hearing from Mr. Prothro. So if you can vote to go in, we would appreciate it.”

MAYOR  
NICHOLSON

“Do I have a motion?”

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

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

Motion passed unanimously.

The City Council Members then briefly recessed into the Conference Room for Executive Session at 6:09 p.m.

The City Council Members resumed open session of the City Council Business Meeting at 6:18 p.m.

CONSIDER

A Motion to  
Authorize the City  
Manager to Sign a  
Contract for  
Construction of  
Jenkins Spring Fire  
Department Station.

Mayor Nicholson read the last item's title, and recognized Mr. Joe Prothro of DSP Architects.

JOE PROTHRO

“It is our recommendation that the City enter into negotiations for a construction contract with W. E. Baker out of Whitmire for their bid of \$610,750, with the understanding that we will be doing some

negotiating with them to see if we can develop any cost savings.”

MAYOR  
NICHOLSON

“Do I have am motion?”

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

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

Motion passed unanimously.

“One other thing before we adjourn. Work session is usually the first Monday in November, but since we’re having our retreat the 1<sup>st</sup> Friday in November, we will not meet that Monday. So don’t forget the Work Session will be that Friday and Saturday, November 7<sup>th</sup> and 8<sup>th</sup>. Do I have a motion that we adjourn?”  
Motion was made by Linda Edwards.

Meeting adjourned at 6:25 p.m.

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Floyd Nicholson, Mayor

ATTEST:

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City Clerk and Treasurer