GREENWOOD CITY COUNCIL

December 15, 2003 - 5:56 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; Lisa Hawthorne; 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 Public Hearing, Meeting, and Public Appeal Hearing on November 17, 2003, also the Special Meeting and Executive Session on December 1, 2003.

Motion was made by Linda Edwards, seconded by Betty Boles, 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 November 2003, and the Commissioners of Public Works Consolidated Financial Report for the period ending October 31, 2003.

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

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

Motion carried unanimously.
CONSIDER

Ordinance Amending the Greenwood City Zoning Ordinance Section VII, O, Temporary Uses, (1) (f).

(2nd reading)

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

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

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

Those who voted in favor were Mayor Nicholson, Linda Edwards, Betty Boles, Herbert Vaughn, Johnny Williams, and Barbara Turnburke.  Niki Hutto voted against the ordinance.

Motion passed.

- attach -

CONSIDER

Ordinance Amending Greenwood City Zoning Ordinance by Rezoning Property Located within the City of Greenwood and between Mathis Road, Northgate Street, and Cobb Road (G-Pin #6846-112-903) from C-2 (General Commercial) and R-2 (Single Family Residential) to R-3 (Single Family Residential)

(2nd reading)

Mayor Nicholson read the second item and said, “If you look on the map you can see a picture of the property on Mathis Road. Do I have a motion that we rezone?”

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

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

Motion passed unanimously.

- attach -
CONSIDER An Ordinance to Adopt the Budget for 2004.

(2nd reading) Mayor Nicholson read the third item and asked for a motion.

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

The Mayor asked, “Is there any discussion? The budget amount is $12,215,615. All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER An Ordinance to Levy Tax for the City of Greenwood for 2004.

(2nd reading) Mayor Nicholson read the fourth item and asked for a motion.

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

The Mayor asked, “Any discussion? At 96 mills, it’s a five mill tax increase from last year. All in favor, raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER An Ordinance to Authorize the City Manager to Borrow Money in 2004.

(2nd reading) Mayor Nicholson read the fifth item and asked for a motion.

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

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

Motion passed unanimously.

- attach -
CONSIDER

Adopting the Business License Ordinance for 2004.

(2nd reading)

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

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

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

Motion passed unanimously.

- attach -

CONSIDER

Ordinance Amending City Ordinance 03-004, Section 10-8 (c), Fee Schedule and Procedure for Billing of Chapter 10, Garbage, Refuse and Weeds, the Code of Ordinances of the City of Greenwood.

(2nd reading)

Mayor Nicholson read the last item under Old Business and said, “It will be an increase from $.75 to $.85 per cubic yard. Do I have a motion?”

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

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

Motion passed unanimously.

- attach -

CONSIDER

A Request from Greenwood Development Corporation to Abandon an Easement off Oregon Avenue.

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

STEVEN BROWN

“Mr. Mayor and City Council, you have in your packet a letter from Greenwood Development Corporation asking for this easement to be abandoned. This easement is part of a parking lot that has been used by both Greenwood Development and Greenwood Mills for
years and years. We did not even know an easement existed. According to some old maps I have seen, it was probably intended to be a connector road to the Hampton Place Shopping Center property.

The Commissioners of Public Works have interest in maintaining some type of utility easement. I asked Mr. Reeves and Mr. Haynie to meet, and Greenwood Development is willing to provide any type of easements that are needed by the Commissioners of Public Works. I would request City Council to abandon this easement, contingent upon the CPW and Greenwood Development coming to an agreement, as far as utility easements. This would be the City abandoning its easement, and there would be a new utility easement given to the CPW by Greenwood Development Corporation. Mr. Reeves and Mr. Haynie are here. Either one of them, or both, can speak to this issue.”

STEVE REEVES

“The CPW is willing to go along with the recommendation of the City Manager. We do have existing utility lines in that general area. In discussions with Mr. Haynie, he’s willing to work with us on those easements. As long at that takes place, we’re certainly okay with the abandonment of this easement.”

BOB HAYNIE

“We don’t have anything to add, Mr. Mayor, but we’re in full agreement to provide whatever easements are necessary. If I may direct a question to the City Manager, Mr. Mayor, that will be in the form of a quit claim?”

STEVEN BROWN

“That’s correct. If Council is favorable, we would ask that you act upon this tonight as first reading. Between now and the second reading, we would have the ordinance to abandon the easement completed. The Commissioners and Greenwood Development could come to an agreement, and we would have that finalized by second reading in January.”

MAYOR NICHOLSON

“Okay. Do we have a motion that we abandon the easement off of Oregon Avenue?”

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

“Is there any further discussion or questions?”

NIKI HUTTO

“Are you going to change the usage of the property by any chance, or is it going to continue as parking?”

BOB HAYNIE

“No anticipated changes.”

MAYOR NICHOLSON

“Are there any more questions?”
JOHNNY WILLIAMS  “Does Greenwood Development own both sides of the easement?”

MAYOR NICHOLSON  “Yes. Are there any other questions? All in favor raise your right hand. So moved.”

Motion passed unanimously.

- attach -

CONSIDER

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

A Request from Lander University to Close a Portion of Brice and Sanders Streets.

STEVEN BROWN  “Mr. Mayor and City Council, Mr. Suttles is here from Lander University. What I am attempting to do tonight is provide an opportunity for City Council to have this request on the front end. This request has already been referred to the Planning Commission. They will be acting upon it at their January meeting and will make a recommendation to you. I thought, because it involved the closing of streets, City Council should hear from a Lander representative tonight to give you some information. That will give you some time, between now and when a recommendation comes from the Planning Commission, to possibly have questions answered, receive more information, or whatever, for you to be able to make a decision.”

THOMAS SETTLES  “We’re in the design phase of constructing a new residence hall. It is to be located in this area between Henrietta, Sproles, and Barksdale. This is our existing campus right here (pointing). This is showing a proposed footprint of that residence hall and the surrounding parking. The green dotted lines are showing the present location of Brice and Sanders Street. The University owns all the property West of Barksdale, so we’re wanting to close this section of Brice Street. That will allow us to develop and connect this student housing complex better to the existing campus.

It’s going to be a four story, 300 bed structure. It will be of considerable size, so we’re looking at over 300 parking places to be created. The closure of this section will allow us to expand into the existing roadway. We have contacted the Board of the AA Building, which is located on Brice Street, and it will in no way impact their access. They will be able to come in through Henrietta, as they are
now, for access of the facility. We may need to provide an access to a cul-de-sac for fire vehicles because this will be more of a dead end. That will not be an issue.”

MAYOR NICHOLSON

“What about Sanders Street?”

THOMAS SETTLES

“We want to close Sanders Street between here and here (pointing). That will allow us to tie in the parking areas together. It’s just this segment between Barksdale and where it moves into Brice.”

MAYOR NICHOLSON

“Okay. You do own all that property from Barksdale to Brice. Are there any residential houses that’s going to be affected?”

THOMAS SETTLES

“No, because there’s access off of Grace Street and Sproles will remain open. This road is in pretty bad condition. There’s a gravel parking lot on each side. There are no curbs or gutters on it, so it would be easy for us to incorporate it into a sidewalk.”

JOHNNY WILLIAMS

“That’s where the old Jimmy Greek’s Store and Apartments used to be.”

THOMAS SETTLES

“That’s right. This is showing the foundation. The store is gone, but the footings are still there.”

JOHNNY WILLIAMS

“Are all the apartments gone?”

THOMAS SETTLES

“They are all gone.”

MAYOR NICHOLSON

“Okay. Thank you for sharing the information with us. We’ll just wait until the recommendation comes back to us from the Planning Board.”

CONSIDER

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

An Ordinance
Annexing 144.32 Acres of Property, Owned by School District 50, Located off Emerald Road. Also
An Ordinance
Annexing a Strip of
Land Ten Feet (10')
Wide, owned by the
Commissioners of
Public Works for the
City of Greenwood,
Located off Emerald
Road.

(1st reading)

“Mr. Mayor and City Council, I would like to include the next item also in this discussion. As you will notice, the School District Board of Trustees have decided to relocate the Brewer Middle School to 144.32 acres of property off of Emerald Road. To get the City contiguous to this property, the Commissioners of Public Works have purchased a 10 foot strip of land which does provide contiguity.

There are several positives about this annexation. First and foremost, it gives the Commissioners of Public Works an opportunity to provide utilities to this property. As you well know, as the Commissioners are able to expand their customer base, it provides them with revenue to do a lot of things. They also share revenue with the City. It puts the City in a position to be out on Emerald Road and adjacent to some undeveloped properties that could possibly provide some opportunities to have annexation in the future. Any time we can get out to some undeveloped properties, I think that's a plus.

The concerns I have would be how we're going to provide City services to this property. My greatest concern is fire protection. We haven't done an in-depth study, but we find that both Station One and Station Two are about 4.1 miles from the site. At a minimum, when traffic is good, it would take us at least seven minutes to get from either one of those stations. If it were at a certain time of the day, the time response would be greater. I think it's one issue that needs to be addressed.

The other is that we would be traveling out of the City a good distance to provide police services. We do that already in a lot areas, but I would want City Council to be aware. The other concern I have is that the Piedmont Technical College officials have contacted us in the past about annexing some of their property. I would certainly not have any concern about undeveloped, or newly developed, property which would allow the Commissioners of Public Works an opportunity to serve the new properties. If we annex those existing properties, then the Commissioners could not provide utilities and, therefore, it would not be a positive for them.

My other concern is, if the City were to take in the Piedmont
Technical College Campus, we would be expected to provide police and fire services. None of those properties pay any kind of tax revenue to the City or the County. I would certainly ask that you carefully consider annexing this and other nonrevenue producing properties to the City’s tax rolls, unless there is some means of new revenue to pay for the provision of services. I get concerned when the State begins to cut services as they have, and I’m sure that in time, some of their programs and personnel they have out there may be reduced. It would really stretch our Police Department to provide full-time police services to that campus. That may not ever happen, but that is a concern of mine.

I would certainly encourage City Council to study this carefully. I would ask that you not act upon it tonight, but to accept it as information. If you have concerns, take some time and study it. I don’t think we can take an ordinate amount of time because I think the School District is wanting to decide very soon as to who is going to be their utility provider. I would like to be able to address some of the concerns I know many of you have expressed to me when we heard they were asking to annex the property. I would also like to ask Steve Reeves to speak to you about what this annexation would mean to the Commissioners of Public Works.”

STEVE REEVES

“Mr. Mayor and Members of Council, this is a valuable piece of property to the CPW. I believe there’s a proposal for two schools and, when those are completed, it would mean probably an 8 to 10 percent increase in our load, which is a tremendous increase from a revenue standpoint. We all realize this is nontaxable property, but it’s certainly a value to us. I realize you have concerns that you might want to have addressed before you act upon this. This property has been considered for the school for many months now. In fact, I’ve made several phone calls before we even proceeded with the purchase of the strip to get to this site. I spoke to Mr. Brown, and he didn’t indicate there would be any concerns at that time. I also spoke with School District officials who expressed a keen interest in annexing into the City and taking service from CPW. With that, I will be glad to answer any questions, and certainly we ask for a favorable consideration from City Council.”

NIKI HUTTO

“Is there any way we can get supplemental help from the County for fire and police protection in this kind of situation?”

MAYOR NICHOLSON

“From the County?”

NIKI HUTTO

“Well, from a volunteer fire organization in the vicinity that could help?”

STEVEN BROWN

“I definitely think at some time in the future, you, as a Council, will have to address fire services on that side of Greenwood, not only just for this property. I would suggest we sit down with the Coronaca and other County officials to look at how we would
provide fire protection in the interim until we can actually get a station closer. There’s always concerns about multiple fires, response times, and things of that nature, so I think that this is a very viable alternative, or option, to our concerns."

**MAYOR NICHOLSON**

“What other districts are there besides Coronaca?”

**JOHNNY WILLIAMS**

“That’s it.”

**STEVEN BROWN**

“Well, Coronaca has a substation right in front of Solutia, which is probably closer than our stations. You’re only talking about this property right now.”

**MAYOR NICHOLSON**

“I know it will take them longer to get there because...”

**STEVEN BROWN**

“Who?”

**MAYOR NICHOLSON**

“Coronaca, because if it’s volunteer, nobody is there.”

**STEVEN BROWN**

“I think they have staff at some of their facilities, but it’s certainly something we need to look into. I can’t over emphasize the impact that this will have on the Commissioners of Public Works. I really and truly believe that what is positive for them is positive for the City of Greenwood. When they add to their load and revenue, we also think about their ability to keep rates inside of the City down. We always think about the sharing of revenue and how good they’ve been to us over the past few years. I think it’s certainly something that we should look into and consider very carefully before we say no.”

**MAYOR NICHOLSON**

“Alright. Could we just table items three and four until we get a little further information on both of those?”

**NIKI HUTTO**

“Is the CPW in a timeline for a response?”

**STEVEN BROWN**

“I would think at least by the January meeting, City Council needs to be in a position to make a decision. Steve, when do think that would be?”

**STEVE REEVES**

“Our only time constraint is the constraints of the School District, and they’re proceeding with building. They’re going to need temporary electric service and, before we can provide service out there, we would need to build facilities. We can’t do that until we know the employment we would need.”

**NIKI HUTTO**

“When will they tell you what they need?”

**STEVE REEVES**

“My understanding is they are to act at their next meeting.”
“Now, they are meeting tonight.”

“I think they’re going to consider it tonight.”

“Well, I think they’re a little behind because of the blasting they have to do out there to get rid of the rock.”

“I’m not sure.”

“I will touch base with the School District officials and, if there is some pressing time frame, I will let Council know it. Possibly, you can have a special meeting sometime early in January to deal with this issue.”

“Okay. Do I have a motion we postpone items three and four?”

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

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

“Mr. Mayor and Council, Lisa (Hawthorne) just gave me some information. She said no building plans had been submitted for review, so we may have some time.”

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

An Ordinance
Annexing 14.0 Acres of Property, Owned by Greenwood Children’s Clinic, Located off Gregor Mendel Circle.

(1st reading)

“Mr. Mayor and Council, some time ago, you took first reading on annexing this property. After first reading, the Board of the Children’s Clinic asked for that second reading to be delayed due to grant/loan considerations. They have again asked for the City Council to annex the property. Since it has been a length of time since you took first reading, I would recommend that you go back
and start the process over. Have first reading at this meeting and, if you act favorably, have a public hearing and possibly second reading. This is also a tax exempt property, but it’s also an agency that provides services. At the original first reading, City Council did vote on it positively, and I would recommend that you do so on this. This is also being served by the CPW.

**MAYOR NICHOLSON**

“Do I have a motion?”

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

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

Motion passed unanimously.

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**CONSIDER**

Ordinance Amending the City of Greenwood Zoning Ordinance - Request Made by Mr. Willie Mosley to Rezone Property Located at 102 Hospital Street from R-4 (Two Family Residential) to C-1 (Neighborhood Commercial).

(1st reading)

Mayor Nicholson read the sixth item, and said, “This is what we had the public hearing on and the Planning Board denied.”

Motion to deny the request was made by Johnny Williams, seconded by Hebert Vaughn.

The Mayor asked, “Is there any discussion? Mr. Brown, you said that if this is denied, it will be two years before they can go back before the Planning Board with any other type of request to change this, right?”

**STEVEN BROWN**

“Yes, sir. The request is tied to the property.”

**LINDA EDWARDS**

“If we deny this request, and I know it’s two years before they can come back, what can they do with this piece of property?”

**STEVEN BROWN**

“They can use it for anything that is allowed in R-4.”
NIKI HUTTO  “So that’s strictly residential, as we discussed earlier. You’re telling me it’s not habitable for residential house usage, so the building is useless in its present zoning state?”

MAYOR NICHOLSON  “There’s no parking, and there is not enough room to make it into an apartment building or anything.”

JOHNNY WILLIAMS  “What if we don’t take any action on it? Can they go back to the Planning Board and ask for the Office Professional zoning?”

MAYOR NICHOLSON  “Steve, Johnny asked if we don’t take any action, could they go back and change their request to Office Professional?”

STEVEN BROWN  “Yes, sir. I think they could, but they’re still going to have difficulty meeting the parking requirements of Office Professional, which requires all parking to be in the rear.”

MAYOR NICHOLSON  “Now, C-1 requires parking too, doesn’t it?”

STEVEN BROWN  “Yes, sir.”

JOHNNY WILLIAMS  “All require parking. It’s spot zoning and, in the 20 years I’ve been here, we don’t spot zone.”

STEVEN BROWN  “You know, I’m sure these ladies would do everything they said they would do, but they could sell this property next week. Somebody could come in and do anything they want. You have invested a lot of time and effort in protecting neighborhoods and, with the location of this being on the corner, I think it would be detrimental to the other properties there. I would certainly recommend that you deny this request. I just think it would present problems, and I just don’t see how it could be a positive influence on the neighborhood.”

LINDA EDWARDS  “Now, that’s my concern. Knowing them as I do, I know that they would do what they say they would do. Eventually it might come up for sale, and we’ve had a few examples of people coming up here and telling us, ‘I’m going to do this,’ and ‘I’m going to fix it like this.’ Once they’ve gotten what they want, it’s done a whole different way. I would hate to see anybody in that neighborhood, on either side of the street, dissatisfied with something else contrary to what these ladies would do.”

JOHNNY WILLIAMS  “If you rezone it, it could catch on like a cancer. It’ll be hard to deny one beside it, and it’ll keep going.”

STEVEN BROWN  “Well, that’s my concern, Mr. Williams, because you already denied one on the other corner. They wanted to put a barbershop there, and they had parking. They could have provided everything needed to have the barbershop, and you denied it.”
“Is there any other discussion?”

“Can I ask a question?”

“Not right now, Ms. Barthwell. We have a motion and a second that it be denied. Now, I’m going to call for the question. All in favor of this request being denied, raise your right hand. Against? Okay, 6-1. So moved.”

Those voting in favor to deny the request were: Mayor Nicholson, Niki Hutto, Linda Edwards, Herbert Vaughn, Johnny Williams, and Barbara Turnburke. Betty Boles voted against the denial.

Motion passed.

“I was going to ask about the property where the barbershop was requested to be.”

“That was up the street, next door to Boles Enterprises.”

“Was it Mr. Norman’s property?”

“It’s the Wilson property.”

“In front of Mr. Norman’s property.”

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

Mr. Mayor and City Council, this is another agreement under our ordinance allowing for reimbursement to developers. Mr. Brothers purchased Phase II of Mill Pond subdivision, completed the roads, and has infrastructure agreements with the CPW. This has also been reviewed by the City Engineer. We have a recommendation
CONSIDER

An Appointment to Fill an Unexpired term on the City of Greenwood Housing Authority Board.

Mayor Nicholson read the eighth item, and said, “As all of you know, this is the position that Mr. J.D. Ouzts, who served faithfully on the Housing Authority Board, that died suddenly. He was a very active member. I talked with John Lamb and he said Mr. Ouzts was a very active member. His wife also would accompany him a lot of times to those meetings, so I make a recommendation that we appoint Ms. Sara Ouzts to serve on the Housing Authority Board to fill out the term of Mr. Ouzts. Ms. Boles has talked to Ms. Ouzts about continuing that legacy, and she would be delighted. Will it be for the remaining year or two?”

STEVEN BROWN

“Yes, sir.”

MAYOR NICHOLSON

“Okay. Do I have a motion?”

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

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

Motion passed unanimously.

- attach -
CONSIDER
Appointing One Person for the Municipal Election Commission.

STEVEN BROWN
“Mr. Mayor and Council, you have three members on the Municipal Election Commission. As you know, we have an election in April. We had no indication that Mr. Davis would not continue to serve, but it is my understanding that he has encountered some sickness, and has notified us that he does not choose to continue on the Municipal Election Commission. It puts us in a bind because we have to start publishing documents and have meetings with them in early January. I have tried unsuccessfully over the weekend to try to identify someone I would recommend to serve on this Board. I would ask tonight for City Council to give the Mayor authority to appoint a member. Once we can find someone who is willing to serve, I would ask that appointment be for a period of one year. If City Council chooses to appoint that person for a full term, then you can do so. If you would like to do it for less than a year, you could, but I think that would be the proper thing. We need to have a Commissioner in place before your next meeting.”

MAYOR NICHOLSON
“Do I have a motion?”

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

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

Motion passed unanimously.

CONSIDER
An Appointment to the City/County Planning Commission Filling the Unexpired Term of Laura Woodall.

Mayor Nicholson read the tenth item, and asked if City Council can postpone voting until January. The Mayor asked, “We’re not pushed on that one, Mr. Brown?”
“No, sir. She has just notified us that she wishes no longer to serve. She says she just doesn’t have the time to come to the meetings and do what she should, and has asked to be replaced.”

“Do I have a motion that we postpone?”

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

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

Motion was passed unanimously.

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

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

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

Motion was passed unanimously.

The Mayor said, “Again, I would like to thank you all for coming. I hope that everyone have a very joyous holiday season.”

Meeting adjourned at 6:34 p.m.