

GREENWOOD CITY COUNCIL

August 18, 2003 - 5:32 p.m.

**PUBLIC HEARING**

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 of the Index Journal.

ABSENT

Betty Boles

CALL TO ORDER

The meeting in the Council Chambers was called to order by Mayor Nicholson at 5:32p.m., and he welcomed everyone to the meeting.

The Mayor also extended a special greeting to Scout Master Robbie Stevenson and his son who are members of Boy Scout Troop #270.

Mr. Nick Nicholson gave the invocation.

STATEMENT AND  
QUORUM

The Mayor gave the following statement: "In accordance with the Freedom of Information Act, Chapter 4, Title 30, Code of Laws of South Carolina, 1976, an agenda has been posted on the front door of City Hall and notification of this meeting has been given to the news media."

Mayor Nicholson asked the City Clerk, Steffanie Dorn, if a quorum was present. She said, "Yes, Mr. Mayor."

Recognize David Peel  
of 221 Jennings  
Avenue.

Mayor Nicholson said, "First on our agenda today, we have public hearings and two individuals who would like to appear before Council with some concerns."

Mayor Nicholson then recognized Mr. David Peel and said, "You were with us last month, Mr. Peel. Do you have anything new you would like to share with us?"

DAVID PEEL "I think so."

MAYOR NICHOLSON "Okay, Mr. Peel. You have something different from the last time?"

DAVID PEEL "Yes, I do, and I think I will have for several months to come. I don't think that you have enough time for me to get it out in one meeting."

MAYOR NICHOLSON "Well, you could just call and come by the office so that we can sit down and talk about it, Mr. Peel."

DAVID PEEL "Well, you know, I may entertain that, but the last time I had e-mailed to you, Mr. Mayor, you did not return my e-mail."

MAYOR NICHOLSON "I know I didn't. I left a message for you to call or come to my office."

DAVID PEEL "Well, I hear you. Thank you."

MAYOR NICHOLSON "Yes."

DAVID PEEL "Tonight, I want to talk about the current conditions of the storm drain system within the City limits. Some of the residents of our neighborhood have investigated the current conditions of the storm drains within the immediate area of the Greenwood Village Neighborhood. We found a number of issues that causes us great concern. I shared some of our concerns with you last month, and you had no response. Now, I'm not sure if this is a forum for that response, but I would like to get a response, if that is possible tonight, or any time. I would like to get a response, but I hope that my presentation will be posted on the web-site soon, because I think it will generate some interest, and I think we'll have more people come out that have experienced some of the same problems that we have. And maybe, if enough residents respond, perhaps the City will respond.

Well, we continue to investigate our problems further, and we continue to find more problems, and they alarm us. For instance, we believe that the excessive water drainage onto our property, that is the odd number houses on the 200 block of Jennings Avenue, is caused by an under-designed, or overburdened, or failed storm system drain, or system, on Grace Street. Also, the storm drain at the intersection of East Cambridge and Blyth is failed, and has been for years. And when I talked to someone about this problem, I said, 'Well, all they have to do is get a vacuum truck and we can vacuum out that drain.', and they said, 'No, it's been there for so long, it's like concrete.' So perhaps the vacuum truck won't work for that, but I believe this causes unnecessary flooding, and is a potential safety issue. And we have done our part, I believe. We conducted

investigations. We had spent hours upon hours seeking legal help. We installed steel beams under our homes at thousands of dollars spent to residents. And more recently, we installed a fence around that property that is a particular concern to us.

I had the fortunate opportunity to get some training from General Perry Smith, and he told me sometimes a person has to be outraged, and I'm outraged at the City, City Council, and some City officials, the people representing the City. I'm outraged, and I think I have a right to be. I don't believe we should be conducting these investigations and finding problems with the drainage system. I think this is the responsibility of the City. If I am wrong, I wish someone will tell me that, but I read in the previous minutes about ownership of drainage systems and the maintenance of those drainage systems. I think it's in some literature that's published by the City."

MAYOR NICHOLSON

"Well, would you like for me to respond to the status of our storm drainage system?"

DAVID PEEL

"Yes, sir, I would."

MAYOR NICHOLSON

"We have contracted with Davis & Floyd Engineers to map the entire storm drainage system in the City of Greenwood. We budgeted this last December, and they are in the process of doing that now. They are starting with the area at Rocky Creek, and then they are going to Jennings, Blyth, and Cambridge."

DAVID PEEL

"Thank you. I appreciate this. Is there a time line for that?"

MAYOR NICHOLSON

"No. They are in the process of getting started now."

DAVID PEEL

"I believe there was \$50,000 budgeted for that process?"

MAYOR NICHOLSON

"Yes."

DAVID PEEL

"And the motive for that was to meet the EPA regulations, am I correct on that?"

MAYOR NICHOLSON

"Yes, that's correct, and to see if there are any problems that we're having. So it serves dual purposes."

DAVID PEEL

"It is dual purpose?"

MAYOR NICHOLSON

"Yes."

DAVID PEEL

"Okay, thank you for that response. This is very important to us, and especially to us, the residents of Greenwood Village, because we..."

MAYOR NICHOLSON

"I think it's important to all the residents of the City of Greenwood, because we have problems in other areas."

DAVID PEEL

“And thank you for that comment, and if I may continue?”

I think these issues are especially important to the residents of the Greenwood Village. We have witnessed the damage that’s caused by failed drain pipes, and we have a constant reminder. I don’t believe the rest of the residents of the City has that constant reminder, unless the scores and the hundreds of people that drive by and stop and pick up flyers and walk up to the hole. Now those people probably have a reminder, or some sort of picture in their mind of that, but the people who live in that neighborhood, we see it constantly.

And it’s also important to us because we have witnessed what the City has done to rectify this kind of drainage problem. What had concerned me the most is the response from the City Council, and the City Manager, and the City Attorney.

Last month, I talked about the facts concerning drainage pipe failure. I want to talk about the truths tonight. I want to talk about what the truth is and honesty. (applause from the audience) Thank you. It was Thomas Jefferson that said, ‘The art of government consists at the art of being honest.’, and I think full disclosure about this issue is very important, and honesty goes to the heart of this problem.

Now, I want to talk about what I know to be the truth, and please correct me if I’m wrong, anyone, especially you, John (McCravy), or Steve (Brown). Feel free to respond, but it was Steve Brown that responded to a drainpipe failure and assured the residents that he would take care of this problem. It was Steve Brown that assured these residents on more than a couple occasions that he would take care of the problem, and that he had the authority to do so...”

MAYOR NICHOLSON

“But this is what you said last month. I thought you had something additional tonight, Mr. Peel.”

DAVID PEEL

“No, I don’t. I have my minutes. I’ll be glad to share those minutes with you.”

JOHNNY WILLIAMS

“It sounds like the same thing to me what you said last month.”

DAVID PEEL

“Please bear with me.”

JOHNNY WILLIAMS

“I’m not bearing much more.”

DAVID PEEL

“Do I have the right to...”

MAYOR NICHOLSON

“Yeah, we just don’t want a duplication of last time.”

DAVID PEEL

“Okay. This is not. It’s very similar, but not the same.”

JOHNNY WILLIAMS

“Well, first of all, this is not the place to stand here and degrade

Mr. Brown. He has done an excellent job for the City of Greenwood for years, and I can assure you that he will work with the people in any way, shape, or form he could. They filed the law suit, now it's in the hands of the lawyers. It's out of our hands."

DAVID PEEL

"May I continue?"

MAYOR NICHOLSON

"Okay. Go ahead."

DAVID PEEL

"Thank you for your remarks."

HERBERT VAUGHN

"Mr. Peel, do you have an engineering background?"

DAVID PEEL

"Yes I do. I am an engineer. I'm an engineer manager. I have 30 years experience."

HERBERT VAUGHN

"Okay. I wanted to know that because you were talking about how you have surveyed this, and I just wanted to make sure you were an engineer."

DAVID PEEL

"May I ask you a question, Mr. Vaughn?"

HERBERT VAUGHN

"Yes sir?"

DAVID PEEL

"Do you have an engineering background?"

HERBERT VAUGHN

"No, sir, I don't. That's why I asked you."

MAYOR NICHOLSON

"Would you like to continue, Mr. Peel?"

DAVID PEEL

"I'm going to start this sentence over. That's where I was interrupted.

Steve Brown assured the residents that he would take care of this problem, and that he had the authority to do so, and he did not have to consult the City Council. Steve Brown admitted he made these statements to the residents at a working meeting. At that working meeting, he changed his commitment, however. He said that if we fix this problem, we'll have to fix all these type problems, and I agree. Yeah, we should. John McCravy said that the City offered to fix this failed drainpipe, and the residents refused. And that the office of the City Manager said that that information did not come out of his office, but John McCravy says that he's gonna stand by his statement that the City did make that commitment. And I'm asking the City Council tonight, the City Attorney, the City Manager, please talk to each other and get the facts straight. Or better yet, explain to us why these statement were made to help us understand. We deserve to know.

We can talk about a pending law suit, but the facts will not change the outcome of the lawsuit. If the facts are facts, we can talk

about it, but we have a feeling that, if this happens to us, that the City will react in a similar manner. We will fear that we will receive a letter in the mail threatening to criminally prosecute us that, if we don't fix the drainage, the City drainage, within 120 days, we're going to be prosecuted, and that our property will be demolished at our expense. And we know this to be true because that letter has been sent and received by one of our residents.

We know what you're capable of. We fear the City will abandon the very same people they swore to serve. So will you please help us? Will you please find some reason, or reasons, to take some pro-active steps to repair the drainage system in our neighborhood? Now, you told me tonight that we're second on the list. I hope that we have a good motive for that, too. So will you come to our aid? We need your help. This could happen to any one of us and, what must we do? Now you made an offer to me, Mayor, to come to your office and sit down. I'm gonna take you up on that offer."

MAYOR NICHOLSON

"You are welcome to call anytime and schedule an appointment."

DAVID PEEL

"Is there a response?"

MAYOR NICHOLSON

"Yes, I'll give you a response, Mr. Peel. I want to make a response on behalf of the City Attorney, City Manager, and Council.

First and foremost, I'd like to go on the record in saying that the City Council, and everyone, empathize with the property owners at 218 Jennings Avenue. That's first and foremost. This has not been a pleasure for any of us serving on Council, or in any capacity with the City. However, we do not apologize, but acknowledge our obligation to protect property owners within the City of Greenwood by taking into consideration the burdens placed upon the decisions that we make. Our jobs as elected officials would be much easier if we had enough funds to fix all of the requests that come into our office. The truth about the whole problem is we must make decisions based on what's best in the interest for the citizens, property owners, and the individuals in the City of Greenwood.

I know it's very obvious that you disagree with the decision that we made. That's your right to do so, and we respect your right. You appeared before us last month, and we listened to you, and treated you with dignity. Now, the reality about the thing is, the accusations that you're making have not been supported by any documentation. A lot of it might be just hearsay. We are in a position that we have to allow you the freedom to say whatever you want to say. Our hands are tied to a certain extent, but when we act, we're acting upon the best interest for all of the citizens of the City of Greenwood. We can say that our attorney has been in

touch with their attorney, and we're trying to do whatever we can to resolve the problem. We're concerned about it. We have it at our heart. But we're just doing what's in the best interest of the City, and we're hoping that we can come to a closure on this matter."

DAVID PEEL

"May I respond?"

MAYOR NICHOLSON

"I thought you wanted a response."

DAVID PEEL

"May I respond to yours?"

MAYOR NICHOLSON

"This will be the end, okay?"

DAVID PEEL

"I can bring you proof, if we can get proof by asking the people if they made those statements. Those people were here. If it was just an issue of acting in the best interest of the citizens of the City, then I clearly understand that, but we have been given too many misinformations. We've been told that, 'Well, we don't own that. Someone else owns it.', and that changed to you making a statement to me that the reason we're not going to fix it because there was an addition on top of the pipe. It wasn't that because anyone owned it, or didn't own it. Now, I know I'd bet you said that because I have my notes, and I have them with me, and I'll refer back to that. That was a conversation that you and I had on a Sunday night; a telephone conversation. And also, Ron Powell said that was the reason. Ron Powell also said that is the reason why we won't fix that particular pipe. So it changed from 'who owns it' to 'Well, that's an addition on the house...' But I was also told by Mr. Brown that there's no proof of ownership who owns that pipe. Now, if you put that all together with all the misinformation that has been in the paper, so when you want to get some evidence, I'm gonna bring it. I'm gonna come, and get it right out of the newspaper. So I think that that's evidence also."

MAYOR NICHOLSON

"Okay."

DAVID PEEL

"So I will do that, so...and I'll bring it, and I'll have it on a big board next week. I think I'll bring an easel-type board, and I'll blow it up so that we can all see that."

MAYOR NICHOLSON

"Okay. Thank you, Mr. Peel."

DAVID PEEL

"Thank you."

Recognize Kathryn Park-Barrett of the Greenwood Village Neighborhood Association.

The Mayor read the title of the second item, recognized Ms. Kathryn Park-Barrett, and asked her to state her name and address for the record.

KATHRYN PARK-  
BARRETT

“Kathryn Park-Barrett, 211 Jennings Avenue.

This is different than this issue. I just want to thank everybody for letting me speak tonight. As most of you know, Greenwood Village has been wanting to get on the National Register of Historic Places. This is no longer a want. This is actually happening. We have the photographs that's been taken. The paperwork has been done. Two men from Columbia came out in June, and they set the boundaries, and everything is going before the board September 2<sup>nd</sup>, and then it will go to Washington, DC. Not only are we going to have state recognition as a historical district, but we will have federal recognition.

So many of you know we've had some unfortunate situations in our neighborhood recently, and really within the last 15 years. We've had several old homes torn down. We've have several homes turned into apartments. We've had several houses turned into commercial buildings, and this is something that really needs to stop. It's important that we preserve the area, and this continuing to happen, is not doing that.

Well, I'm sure all of you are aware that right now there is an ordinance that they're trying to get passed, this historical zoning ordinance that they've been trying to get passed, and it's important that it gets done because the two of these combined is really gonna make a huge difference, not only for our neighborhood, but for the City as a whole. I do believe that. I really encourage you to think about this because our neighborhood is not only gonna be able to benefit from this in financial ways, but the City will as well. We will be eligible for grants and, in fact, federal credits. There's going to be several things that it's really going to help everybody as a whole. I do believe that.

As it stands right now, 1/3 of Greenwood Village is rental property, which we don't really have a problem with, but the majority of it is not maintained, as well as the neighborhood. And we, as a neighborhood, are concerned and feel the City should be too. After all, we are the oldest neighborhood in Greenwood, and these homes need to be preserved.

South Carolina has many neighborhoods of older historic homes, from mill villages in parts of the Upstate, to antebellum homes in Charleston. Countless homeowners have invested hundreds of hours and thousands of dollars to maintain and restore their homes. In many communities, local laws have helped home owners protect their investments by maintaining the historical

appeal of their neighborhoods. Over 30 communities across South Carolina, from Anderson to Beaufort, have helped protect their historic areas by adopting preservation ordinances. The other State studies have found that the impact of local historic designation had an impact on the home sales. The economic value of this protection far outweighs the negative value of any use, maintenance, or other restrictions placed by the ordinances. It has been proven in other areas the value jump is both economically and statistically significant.

Historic designation places a seal of approval on the historic nature of the individual properties within the district. Greenwood Village will become a publically recognized, 'true' historic district. In other words, Greenwood Village will be a museum that people can walk and drive through on a daily basis. Greenwood County's potential as a year-round tourist and visitors designation can be put on a whole different level with Greenwood Village being on the national registry. Our neighborhood home tour last June tripled its ticket sales. We more than tripled our money from the year before, and it's obvious that we have regional interest in the area. Imagine what national recognition will do for the City of Greenwood and our area.

We are going to be able to promote this on a completely different level than it's ever been promoted before. There are magazines that come out on a monthly basis for the national registry that we can promote any of the events in Greenwood because we can tie our neighborhood into it. The City business owners would reap the financial benefits of it. They would have more people coming into town, so obviously, more people shopping, more people going out to eat, which would create more jobs for people in the City, too, which everybody knows that there's quite a few unemployed people here that need jobs.

South Carolina states have shown evidence nationwide that local historic districts have not only positive financial rewards for the homeowners, but the entire City as a whole. If Greenwood County becomes one of the more than 30 communities in South Carolina that have adopted a historic preservation ordinance, it could provide property owners and local officials compelling economic incentives, including federal tax credits, new businesses, grants (state and federal), and low interest home loans for people who want to fix their homes up.

In conclusion, the Greenwood area as a whole could benefit from Greenwood Village becoming a national registered district. Greenwood Village is a tangible link to Greenwood's past and contributes to our understanding of the history of our community, our state, and our nation; all of which are irreplaceable cultural resources. I hope that all of you think long and hard about what I've said tonight, and just letting this area, and others like it, continue to deteriorate, is not only hurting those areas and the people that live in them, but the City as a whole. I want to see it

preserved for the future, and I think that everybody else does.

I know that the City has been wanting to get tourism in here and I think this is the ticket. I honestly believe that. If you look at Abbeville, people are not going to Abbeville to go to Super Wal-Mart. The people are going to Abbeville because it has a very quaint, historical area. I do believe that this could be the ticket for Greenwood to have people coming in.

Does anybody have any questions?"

MAYOR NICHOLSON

"I have one question. What area will entail the historic district?"

KATHRYN PARK-  
BARRETT

"Basically, we will be from Sprotts down to Workman's; from Sprotts down to Reynolds Street; from Reynolds down to Moore Street; and then the entire area which consists of Moore, Lites, Jennings, Blyth, Cothran, Elm, Pressley, Baily Circle, and East Cambridge."

MAYOR NICHOLSON

"Niki?"

NIKI HUTTO

"I think you're preaching to the choir. We wholeheartedly support historic districting and zoning. I worked over five years ago on the Comprehensive Plan of Greenwood County which outlines the various areas of historic merit, but it's not only the Greenwood Village area that has potential to bring us to this point. I think it's highly commendable of the residents of Greenwood Village that they've taken the initiative, time, money, and effort to get national historic recognition, but there are other areas that already have the national historic recognition here in Greenwood and should not be forgotten.

We have to think of places not only of historic merit because of their architecture and beauty, but also of who lived in those places, and how they contributed to Greenwood as a whole. In the Comprehensive Plan, I think you'll notice that there are several areas within the County, as well as the City. I think the City would most benefit from this area, but I really think that this Council, through the efforts they had made with the community in designing the new zoning ordinance with the historic overlays, has really done their part. We're asking for you to come out and support the new zoning regulations that would enact those new historic districts that include your neighborhood and neighborhoods like Dargan, with Sunnyside, which is the oldest, constantly inhabited, property in the City of Greenwood. It would also include county residences like the Stoney Point Mansion that almost got torn down, Cokesbury College, Greenwood Mill Villages, which actually encompasses an entire way of life, including the mill itself, and the railroad industry that was important to us.

So I think you're preaching to the choir because I think this

Council empathize, knows this issue, and has been fighting for the zoning to be adopted for the last two years. Hopefully that zoning will be passed tonight, and from there, you can do your maps and historic districting. Actually, your houses will still be torn down with the National Historic Register. It is the actual ordinances with historic districting that will protect your properties. So, does the Historic National Register help support the fact that these historic districts are worth while? Absolutely. We have to work on those kind of things in conjunction with this, and it has to be a county-wide acceptance, not just for small areas. I think you're right that there's value in this.

Now, the number one industry in South Carolina is tourism. Is Greenwood getting any of it? No. Would historic designation and historic districts help us? Yes. But does it have to be both commercial, private sector, and institutional like the Federal Building? Yes. It has to be a concerted effort, and it should be an unifying effort in the County, not a separating quality. Do you see where I'm going?"

KATHRYN PARK-  
BARRETT

"Actually, I know, and I'm not getting into details. I know the opposition; the problem has been with getting this passed. I realize that it's more of a County issue than a City issue."

NIKI HUTTO

"Well, its an everybody issue. I think what you're telling to this Council is something this Council really truly understands the value of. We've been fighting for it for at least six years, starting with the Comprehensive Plan, which outlines all the areas that we feel have historic significance that can bring federal grants and money to people who own rental property, to give them the incentive to rehab and get low income housing. I've brought stuff back from the Municipal Association meeting, that I'm going to share at a work session, where they actually design plans to fit in these neighborhood that only cost \$75,000. They are historically certified plans that they can actually give loans to people in order to have affordable housing in historic districts.

So are there benefits? Absolutely. Do I think the Council really values that? Absolutely. So I really think that working with Council, we can get more than just Greenwood Village, but a whole sense of community about historic preservation in Greenwood."

KATHRYN PARK-  
BARRETT

"Well, I do have a question, and this is regarding just the way that our area, in particular, has been neglected. I mean, not only the storm drain system, the sidewalks, the streets. I mean there are several issues with our area right now."

NIKI HUTTO

"There are several issues with every area in every part of the City."

MAYOR NICHOLSON

"I don't think your area has been neglected."

NIKI HUTTO

"I can take you in areas where the rental housing ordinance was step one. You don't realize the heat we took for the Rental Housing Ordinance from landlords and the harassment we got, but it was a good thing. A lot of junk has been removed, and things have been torn down that would've been nice to save, but economically speaking, we have to look at the entire burden on the entire tax payers. We did not raise the City tax this year because we knew people were unemployed and that the County was raising taxes for school. We have to be very conscientious about how and where money is spent. We are always fighting for dollars.

Now, this EPA Storm Water Regulation and mapping situation all came down long before this issue on Jennings came, and we allocated money to do so. This is going to cost a pile of money, and somebody's going to have to pay for it. It's going to be the citizens of the City of Greenwood. So whenever we consider doing anything, it's going to cost money, and it's gonna have to come from somewhere. It's gonna have to eventually come from the citizens from Greenwood, because that's our only source of revenue. So, yes..."

KATHRYN PARK-  
BARRETT

"And if things continue..."

NIKI HUTTO

"If we have the support from the public and the public says, 'Yes, we're willing to pay.', that's what we need from the residents of Greenwood."

MAYOR NICHOLSON

"It comes at a cost. Is there anything else?"

KATHRYN PARK-  
BARRETT

"Well, I guess I was going to say, too, is that it's not just coming down to us willing to pay. I mean, I work. Our neighborhood right now, the situation that we have, we're going to pay one way or another. Either we're going to lose money on our houses if we try to sell them, or our taxes are going to be increased. We're gonna lose money either way. We know that right now."

MAYOR NICHOLSON

"Let's get back to the point right now. Is there anything else about the historic district?"

KATHRYN PARK-  
BARRETT

"Nope. It should be done by the first of the year."

MAYOR NICHOLSON

"Okay. Thank you for sharing that with us."

Ordinance Authorizing

The Mayor read the title of the third item and said, "If you look on

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.

the overhead, you can see pictures of the property that Main Street United Methodist Church wants to acquire to make improvements. Do we have anyone here to speak in favor of this? Anyone opposing? Alright, seeing and hearing none, we will close the public hearing.”

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

The Mayor read the title of the fourth item and asked, “Is there anyone here to speak in favor of this? Anyone opposing?”

MIKE KERNELLS

“Hello. My name is Mike Kernells, and I live at 6201 Highway 25 North. I’ll admit up-front that I do not live in the City, but the reason I have concern is this, in my understanding, was to be a joint City/County ordinance. It had a lot of recommendations and appreciations from different associations in the state that recommended it be followed by other cities and municipalities.

But my concern is, not because I run a junkyard, but Planning Commission calls me a junkyard. As it is written, I’m required to put up a six foot fence around all existing five or more vehicles that I have. There’s no differentiation in it that says that it must be an unregistered, unlicensed vehicle, as I read it. A lot of other things in it says five or more vehicles, items of repair, or construction equipment.

Now, I’ve been told that the fencing requirement was deleted, but it’s still in the wording of the text. My understanding is that all new junk yards, landscape, primary schools, and technical schools, if it exists around a residential area, must still have a six foot fence against it. Now if I stand wrong, correct me, but I went back to the old ordinance of 2000, and compared it to the new revision, 200 pages that you have in Section Three, Chapter Three, Chapter Five, and Chapter Ten. It’s word for word of the original 2000 ordinance in most situations.

I find that this municipal code web page says that there are two ordinances numbered 130. One of these is dealing with parking meters, and the other is dealing with zoning. Now, I understand most assuredly, you’re going to repeal the zoning, but just for the sake of clarity, there is another concerning parking meters. I don’t think there’s any parking meters in Greenwood now, but again, the reason why I’m here, is for an odd-end reason.

If the stuff is to be grandfathered, would you define grandfathered, and include it in the definition section of the ordinance? Would you differentiate, for me, in the nonconforming chapter, Chapter 10, the existing structures that may be continued until removed or, on the next page, be continued into perpetuity. To me, there's a conflict. In different areas, I see conflicts of where one thing is required. Maybe it's in the different districts, but in one place it's required, and in the other place, it's not required, but the wording in the original ordinance, is the same as in this revision. Included in your ordinance is agricultural FA (Forest Agricultural), SA (Suburban Agricultural), and SAM (Suburban Agricultural for Manufactured Housing). I would ask that you delete the wording of the fencing for the SA and the SAM area. I'd also ask that you reduce the minimum acreage from a 3 acre minimum for a residence or a trailer home, down to 1 acre, and continue the minimal requirement for commercial use."

JOHNNY WILLIAMS

"That's County."

MIKE KERNELLS

"Now, it's in your ordinance, though."

JOHNNY WILLIAMS

"Yeah, but we don't have that in our City."

MIKE KERNELLS

"Well, it's still in your ordinance. Again, what I'm saying is what y'all passed. The County could and might follow suit. My question also is, in certain places it says, '...non-conformities cannot be changed from one hand to the other...', if I run a wrecker service on Main Street, or a repair shop, a lawnmower shop, or whatever, behind my house, and I sell it or either I give it to my grandchildren, will they be able to continue that use as a nonconformity, or will it be ended at that point? That would be in the City or in the County, as the wording in it is found.

I don't live in the City, but it says fences must be used around all green boxes, except in core commercial. In certain areas it says civil uses does not require pavement, and in a lot of other places it requires paving of everything in pervious sections. Does the Comprehensive Plan allow the cities and the counties to exempt certain areas or districts, including those that are exempt?

The Board of Zoning Appeals recently granted a variance of two years for a nonconforming use to be restructured, or replaced, instead of the 180 day requirement that's in the new ordinance and present ordinance. Can you extend that time into the new ordinance for all of us to 24 months? Will you consider preparing a form that all grandfathered, or existing places at the time, can sign or fill out so that everyone, City and County-wide, will know if we are grandfathered or if we must meet the new requirements for the sake of y'all and the County of not having to say, 'Well, he was there.' or 'No, he wasn't there.', but just for the clarity. If all the places in the City are gonna be grandfathered from the

fencing requirement and some of the other things, can you please fill out a form that we could sign? On the joint City/County ordinance, how much has the County agreed ...?"

JOHNNY WILLIAMS

"All the City can do is what's inside the City. We can't tell the County what to do."

MIKE KERNELLS

"Well, I understand that, but I'm saying that the wording in the ordinance that you're passing includes FA, SA, and SAM..."

JOHNNY WILLIAMS

"We can pass this ordinance and the County can pass a different one all together."

MIKE KERNELLS

"Please reduce it to one acre."

MAYOR NICHOLSON

"Phil, can you respond to some of this?"

PHIL LINDLER

"Yes. I can do it now."

MAYOR NICHOLSON

"Will you come up quickly?"

PHIL LINDLER

"Which item would you like me to start off with?"

JOHNNY WILLIAMS

"The fencing...I thought we deleted it?"

PHIL LINDLER

"The fencing of...?"

JOHNNY WILLIAMS

"Around the areas; all but the garbage containers?"

PHIL LINDLER

"Garbage containers, or...?"

JOHNNY WILLIAMS

"We said they'd be grandfathered except the new ones. All the rest of them were deleted, right?"

PHIL LINDLER

"For any existing businesses. If you have any kind of repair business that comes in after the ordinance is enacted, we'll describe the swing standards with the applicant when they come in. But if you currently have a business like that, there's no retroactive standards that go into effect."

JOHNNY WILLIAMS

"It's already like that."

NIKI HUTTO

"And wouldn't the business licenses be the record of which companies would be grandfathered?"

PHIL LINDLER

"Yes."

NIKI HUTTO

"So the business license that they apply for in the City limits would basically tell what kind of use and how long they've been in business. We would then have a track record through their business licenses as to what those kind of uses would be,

correct?"

PHIL LINDLER

"That's correct."

NIKI HUTTO

"So having a form would be a duplication?"

PHIL LINDLER

"To some extent, yes. We're going to have a list on the day the maps are enacted that will list all the property owners and what kind of use that's located on the property, based on the Tax Assessor's records for the City limits. Then, we will also use that form here until the next time the City comes around with another ordinance. So we can go back and say, 'This is what was on that property on August 18, 2003, and this was the type of use.' So we'll have a record that we will maintain."

MAYOR NICHOLSON

"Okay. Is there anything else?"

PHIL LINDLER

"Thank you."

MAYOR NICHOLSON

"Okay. Is there anyone else to speak in reference to the new set of zoning standards, the zoning rewrite? Okay, seeing and hearing none, we will close that public hearing."

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

The Mayor read the title of the last item and asked, "Is there anyone here to speak in reference to this ordinance change, for or against? Alright, seeing and hearing none, we will close the public hearing and move into the business part of our meeting."

There being no further business, the public hearing was adjourned at 6:20 p.m.

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Floyd Nicholson, Mayor

Attest:

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City Clerk and Treasurer