

**MINUTES OF THE MEETING OF CITY COUNCIL  
OF THE CITY OF GREER  
SOUTH CAROLINA**

**November 11, 2008**

**MEETING LOCATION: 301 East Poinsett Street  
Greer, SC 29651**

**REGULAR SESSION**

Greer City Council met in regular session with Mayor Pro Tem Wryley Bettis presiding. Council members present: Jay Arrowood, Wayne Griffin, Sandra Anderson, Joe Baldwin and Belle Coxe Mercado. Mayor Rick Danner was attending a conference. Also present: Ed Driggers, City Administrator, Tammela Duncan, Municipal Clerk, Steve Owens, Communications Manager and various other staff and media. Mike Sell, Assistant City Administrator was absent.

Mayor Pro Tem Bettis called the Regular Session to order at 6:32 p.m.

Mayor Pro Tem Bettis recognized Boy Scout Troop 747 and their leader Glenn Williams, they lead everyone in the Pledge of Allegiance.

**INVOCATION**

Invocation was given by Councilwoman Belle Coxe Mercado.

**PUBLIC FORUM**

No one spoke during the Public Forum Session.

**MINUTES OF October 28, 2008**

Councilman Wayne Griffin made a motion that the minutes of **October 28, 2008** be received as written. Councilman Jay Arrowood seconded the motion.

Motion carried unanimously 6-0.

**PETITIONER**

**Lawrence McGarity**

Mr. McGarity did not appear.

## **PRESENTATION**

### **Strategic Plan Update**

Mike Sell, Assistant City Administrator

Due to illness Mike Sell was not present. The Strategic Plan update will be presented at the November 25, 2008 Council Meeting.

## **ADMINISTRATOR'S REPORT**

**Ed Driggers, City Administrator**

### **Information:**

**Budget** – We are continuing to monitor our budget situation. We are being very, very, cautious as we continue through our fiscal year 2008-2009. I did have the opportunity to meet with the department heads yesterday and we are initiating a process with our employees that we are again going through our budget line item by line item and we are looking for opportunities, if there is anywhere that we can possibly look at any savings in this fiscal year we are taking this opportunity to do that. We recognize that the economy being slower, construction is down, we are not panicking by any means at this point but we are concerned and we are continuing to monitor that. We will continue to bring you information but right now we just wanted to make you aware that we are involving our employees in that process. We believe that is a top down and bottom up process. We are looking at every expenditure that we have between now and June 30<sup>th</sup> and if there is anything that we can do or anything we can recommend for your consideration that we should do we will certainly be bringing that to you in the future. As employees do, they bring wonderful ideas to the table on how to better manage and better operate and to look for efficiencies in the organization. As we go through this process you may hear about it and they may share with you some of their ideas or concerns and I wanted you to be aware of what we are doing internally.

**Election Update** – We wanted to bring you some information on the Special Election that will be necessary for us as you are aware one of our own has been officially elected and now certified to County Council and has submitted his irrevocable letter of resignation to the City. As a matter of state statute that puts the wheels in motion for us to find a replacement through Special Election for City Council Seat in District 4. We have started that process already. Mrs. Duncan is the person taking lead responsibility on the election and is working with our Election Commission and also with the County Election Commission but because it is a special election we have the opportunity to combine some of our precincts, again this is not a decision coming from the city this decision is being brought forward to us from the Greenville County Election Commission. The Special Election will be Tuesday, February 3, 2009 and as part of that we will be combining Frohawk, O'Neal and Sandy Flat precincts. Each of these precincts will be voting at Grace United Methodist Church on Taylors Road. Also, we will be combining Tyger River and Arlington precincts and they will be voting at the J. Harley Bonds Career Center (Old Greer High School). This information will be sent through the County Election Commission Office to notify the voters. The filing period for those interested will begin Friday November 21<sup>st</sup> at Noon (12:00) and will close Monday, December 1<sup>st</sup> at Noon (12:00). This filing will take place with the Municipal Clerk, Mrs. Duncan. We will

be required to publish the details of the Election a couple of times in our local newspaper. The Deadline for voters to register for this Election will be January 3, 2009. Polling Site operations will be at the normal time from 7:00 am until 7:00 pm again on Tuesday, February 3, 2009. The Municipal Elections Commission will meet two days following that on Thursday, February 5<sup>th</sup> to hear any challenged ballots and certify the Election. If a run-off is needed that will take place Tuesday, February 17, 2009. This is a non-partisan election and is based on majority.

**Veterans Day** – We had an opportunity today to celebrate Veteran’s Day with many of our employees. It was a great opportunity and we appreciate you allowing us to do that.

**Christmas Decorations** - You will see Christmas decorations starting to appear in town. It takes us about two weeks to get all of those up so we’ve started that process now.

### **Calendar Reminders:**

**12/5/2008** - Official Tree Lighting Ceremony will take place on Friday, December 5<sup>th</sup> at 6:00 pm in the Park in the amphitheater. The Christmas Tree will be located at the corner of Poinsett Street and Cannon Street.

**12/6/2008** – Breakfast with Santa will be held here at 8:00 am, 9:30 am and 11:00 am. Parents will be able to take personal photos with Santa.

**12/7/2008** – Annual Christmas Parade on Sunday at 3:00 pm on the usual parade route on Poinsett Street and Trade Street.

**12/12/2008** – Annual Employee Appreciation Breakfast. It will be held here at 7:30 am.

Brief discussion followed on State Aid and Charter Cable.

Mr. Driggers stated he had no items for discussion in **Executive Session**.

## **APPOINTMENTS TO BOARDS AND COMMISSIONS** **Board of Zoning Appeals**

District 3 – Thomas McAbee’s term expires December 31, 2008. District 6 – Dewey Tarwater’s term expires December 31, 2008.

No nominations were made. Councilwoman Mercado and Councilwoman Anderson stated they would be prepared to have nominations for the Board of Zoning Appeals at the next meeting.

## Recreation Association Board of Trustees

District 1 – Scott Dacus's term expires December 31, 2008, District 3 – Miles Nason's term expires December 31, 2008, District 5 – Jan Garland's term expires December 31, 2008 and At-Large – Traci Farrington's term expires December 31, 2008.

No nominations were made. Mayor Pro Tem Bettis asked Council to be prepared to have nominations for the Recreation Association Board of Trustees at the next meeting.

### OLD BUSINESS

#### Greer Heritage Museum Lease Agreement Joda Hiatt, Director

Mr. Driggers stated he met with Ms. Hiatt and the Chairman of their board electronically (by conference call) and reviewed each item they presented to us asking for some consideration as related to the proposed lease agreement. Ms. Hiatt thanked Council from her board for providing the building. She also thanked them for providing their interest and support. Mr. Driggers presented Council with recommendations (in memo form) for the current lease. (Attached)

Lengthy discussion followed.

Councilwoman Mercado made a motion to accept the negotiated changes presented in the memo. (#2 Term of lease to be changed to twenty (20) years, #7 No changes to language. Note: Tenant will be responsible for stormwater fee assessed to this property. However, the city will only impose the fee for that portion of the property actually used by the museum. The rear parking area used by the police department will be removed. #8 No changes to language. Note: The city currently provides funding for the general operations of the museum. In FY 2008-2009 the city appropriated five thousand dollars (\$5000.00) from the Hospitality Fund for this purpose. Beginning in FY 2009-2010 the city will increase that funding to ten thousand dollars (\$10,000.00). #12(f) Paragraph modified to reflect that the tenant will be responsible for the first one thousand dollars (\$1,000.00) per occurrence for any repair to a major structural system, including HVAC. The balance to be paid by the city after presentation to council and appropriation. #14 Amend to twenty (20) years. #22 Amend paragraph to reflect that any posting for sale, for rent, or for lease will only be done one year prior to the end of the lease. #25 Amend hold over lease amount to five hundred dollars (\$500.00). #32 Amend paragraph to reflect that the premises will be inspected by a building code official and will meet building code standards. **Other:** We will add a section for Lawn Maintenance and indicate that the Landlord will be responsible for maintenance of the exterior lawn.) Councilman Baldwin seconded the motion.

Motion carried unanimously 6-0.

**Second and Final Reading of Ordinance Number 39-2008**  
**AN ORDINANCE TO APPROVE THE REVISED STATEMENT OF  
INTENT AND PLANS FOR THE PLANNED DEVELOPMENT KNOWN AS  
CHARTWELL ESTATES**

Mr. Driggers stated there was no new information.

Councilman Wayne Griffin made a motion to approve Second and Final Reading of Ordinance Number 39-2008. Councilman Joe Baldwin seconded the motion.

Motion carried 4-2 with Councilman Wryley Bettis and Councilwoman Belle Coxe Mercado voting in opposition.

**SECOND AND FINAL READING OF ORDINANCE NUMBER 47-2008**  
**AN ORDINANCE TO AMEND THE CITY OF GREER CODE OF  
ORDINANCE, CHAPTER 10, ANIMALS BY ADDING SECTION 10-6 AND  
SECTION 10-7, AMENDING SECTION 10-31(c), REPEALING AND  
REPLACING SECTION 10-64, AMENDING SECTION 10-102,  
REPEALING AND REPLACING SECTION 10-104, AMENDING SECTION  
10-107(a)(1), ADDING SECTION 10-116 AND AMENDING SECTION  
10-214.**

Captain Jolene Vancil stated she had no new information. Mr. Driggers stated he had one request from Parks and Recreation to add language to Section 10-6 paragraph 1 "to be in a public park when there is organized play and/or practice".

Lengthy discussion followed.

Councilwoman Mercado requested changes be made to Section 10-102 Leashing required. After discussion it was decided striking through the word "an adult" and adding the words "a person", and striking through "If the dog is less than 20 pounds in weight, the leash may be held by a person who is competent to handle the dog and is over the age of 12."

Councilman Griffin requested changes be made to Section 10-64 Tethering (2) "Animals may be tethered for no more than nine hours total in a twenty four hour period under the following conditions." And e. "No animal under the age of six (6) months may be tethered in any fashion at any time." Council went into lengthy discussion and requests were held over until next meeting

Councilman Arrowood requested changes be made to Section 10-64 (1) by striking through "Permanent stationary confinement by tethering is deemed and considered to be inhuman and a threat to the safety of the confined dog, other animals and humans by the Humane Society of the United States."

Councilwoman Sandra Anderson made a motion to adopt the amendments as discussed and bring back November 25, 2008 for second reading. Councilman Wayne Griffin seconded the motion.

Motion carried unanimously 6-0.

## NEW BUSINESS

### 2008-2009 Paving Program Presented by Don Holloman, City Engineer

Don Holloman, City Engineer stated during the past year he conducted a more formal assessment of our roadways. He compiled an inventory of roads, conditions and responsible parties. He then went on every road in our inventory and made an assessment of the road. He stated if the below roads could be paved all road in the City would have a sixty-five (65) or greater rating. This year he is proposing the below list be sent to each County for the paving program.

Discussion followed.

**2009 List of Needs** - The following list is recommended for Greenville County.

STREET NAME	SUBDIVISION	Zone	COUNTY	LENGTH OF ROAD	BEGINNING	ENDING POINT	WIDTH	Rating
					POINT			
HEYWARD AVE	Beverly Area	19B	GREENVILLE	400	CALVARY ST	FORD ST	18	0.0
ROTAN ST	Carey St	29	GREENVILLE	375	TRADE ST	S LINE ST	14	40.0
Bolder Creek Way	Oak Creek	10	Greenville	350	Shady Lane	Cul-de-sac	24	40.2
SHADY LANE	Pinebrook	10	GREENVILLE	180	Memorial Dr	DEAD END	26	40.2
WILDWOOD DR	Northview	12	GREENVILLE	1580	N MAIN ST	HWY 29	18	44.4
DANIEL AVE	Davenport	19E	GREENVILLE	670	PARK ST	TRADE ST	30	50.0
PARKER ST	Greer Mill Village	19F	GREENVILLE	545	Stewart	Gallivan		50.0
CLAUDIA ST	None	10	GREENVILLE	560	N TRYON ST	HOLLY CIRCLE EXT	24	51.2
CENTER ST	Northview	12	GREENVILLE	1100	COUNTY LINE	N MAIN ST	20	54.1
BUNCOMBE ST	NM Cannon	28	GREENVILLE	1560	S MAIN ST	BRUSHY CREEK RD	30	57.0
PARIS ST	Franklin Mills	19C	GREENVILLE	260	HUBERT ST	MCCALL ST	16	58.0
Oakland Avenue	W Poinsett	20A	GREENVILLE	250	Tryon St	CHESTERFIELD ST	26	58.0
EXECUTIVE DR	Chandler Creek	11	GREENVILLE	730	MEMORIAL DR	VILLAGE DR	27.5	58.1
BROCKMAN ST	Lancaster	19H	GREENVILLE	760	Lancaster	OVERBROOK DR	30	60.0
HUNT ST	Lancaster	19H	GREENVILLE	990	W POINSETT ST	DEAD END	24	60.0
CHESTERFIELD AV	W Poinsett	20A	GREENVILLE	1490	W POINSETT ST	TRYON ST	18	60.0
Annandale Ct	Mount Vernon Est	10	Greenville	1250	Leesburg Peak	End	28	63.3
BELLAMY CLOSE	BURGESS HILLS	10	GREENVILLE	700	MT VERNON RD	CUL-DE-SAC	28	63.4
Oakland Avenue	W Poinsett	20B	GREENVILLE	1960	FOREST ST	Tryon St	26	64.0
FOXRUN CIRCLE	Hunters Place	11	GREENVILLE	2600	TAYLOR RD	A COMPLETE CIRCLE	24	64.4

The following list is recommended for Spartanburg County.

STREET NAME	SUBDIVISION	Zone	COUNTY	LENGTH	BEGINNING	ENDING POINT	WIDTH	Rating
				OF ROAD	POINT			
Victor Court		23C	Spartanburg	1450	Prince St	Prince St		42.0
East Ave		31	Spartanburg	2800	Moore Street Ex	11th St	20	56.0
Faye Court	Heartwood Place		Spartanburg	1250	Brockman	Heart	24	60.0
Trevor Court	Heartwood Place	38	Spartanburg	250	Faye Ct	Cul-de-sac	24	62.0
Gilbert St		23E	Spartanburg	1050	Broadus St	End	22	68.0
Chad Drive	Heartwood Place	38	Spartanburg	480	Faye Ct	Faye Ct	24	75.0

Councilman Jay Arrowood made a motion to approve the staff recommendation of the 2009 List of Needs. Councilwoman Belle Coxe Mercado seconded the motion.

Motion carried unanimously 6-0.

**Business License Penalty Appeal**  
**Requested by Carrie Medlin of**  
**Diversified Systems, Inc.**

Ms. Medlin was unable to appear this request has been moved to the November 25, 2008 Agenda.

**First Reading of Ordinance Number 48-2008**  
**AN ORDINANCE AUTHORIZING A PROPERTY TAX CREDIT**  
**TO TAXPAYERS WITHIN THE CORPORATE LIMITS OF THE**  
**CITY OF GREER FOR INSTALLATION OF FIRE SPRINKLER**  
**SYSTEMS IN COMPLIANCE WITH S.C. CODE ANN. §12-6-**  
**3622**

Fire Chief Chris Harvey presented the ordinance.

Discussion followed.

Councilwoman Belle Coxe Mercado made a motion to table Ordinance Number 48-2008. Councilman Wayne Griffin seconded the motion.

Motion carried 5-1 with Councilman Joe Baldwin in opposition.

**First Reading of Ordinance Number 49-2008**  
**AN ORDINANCE TO REQUIRE MAINTENANCE**  
**AND REPAIR OF STORMWATER MANAGEMENT**  
**SYSTEMS AND/OR WATER QUALITY DEVICES**

Don Holloman, City Engineer presented the ordinance

Brief discussion followed.

Councilwoman Belle Coxe Mercado made a motion to approve First Reading of Ordinance Number 49-2008. Councilman Wayne Griffin seconded the motion.

Motion carried unanimously 6-0.

### **Greer City Council 2009 Meeting Schedule**

Councilman Jay Arrowood made a motion to approve the Greer City Council 2009 Meeting Schedule as presented. Councilwoman Belle Coxe Mercado seconded the motion.

Motion carried unanimously 6-0.

### **EXECUTIVE SESSION**

Mayor Pro Tem Wryley Bettis stated an Executive Session was not needed.

The meeting adjourned at 8:05 p.m.

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Richard W. Danner, Mayor

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Tammela Duncan, Municipal Clerk