

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

May 12, 2009

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

REGULAR SESSION

Greer City Council met in regular session with Mayor Rick Danner presiding. Council members present: Jay Arrowood, Wayne Griffin, Lee Dumas, Wryley Bettis and Belle Coxe Mercado. Councilwoman Sandra Anderson arrived at 6:41 p.m. 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 Danner called the Regular Session to order at 6:37 p.m.

INVOCATION

Invocation was given by Councilman Wryley Bettis.

PUBLIC FORUM

No one signed up to speak.

MINUTES OF April 28, 2009

Councilman Lee Dumas made a motion that the minutes of **April 28, 2009** be received as written. Councilman Jay Arrowood seconded the motion.

Motion carried unanimously 6-0.

SPECIAL RECOGNITION

Mr. Jerry Hammond

Mayor Danner recognized Mr. Jerry Hammond of 2346 N. Highway 101, Greer for his assistance to Janice Satterthwaite and her students from Hampton University in Hampton, Virginia. The group experienced vehicle problems and Mr. Hammonds assisted them allowing them to meet the remainder of their schedule. He was presented with a gift from Ms. Satterthwaite and her students.

PETITIONER

James Elmore

312 Pennsylvania Avenue, Greer, SC 29650

Mr. Elmore stated last year he tried to sell a truck he had parked on Highway 29 and received a violation for parking in the right-of-way. He stated there was a twenty foot right-of-way on both sides of Highway 29. He also stated he believed he was given the only one then and since then. He stated there were over one hundred (100) or two hundred (200) cars parked in that right-of-way on Wade Hampton Blvd (Highway 29). He continued to state his aunt owned some property on Highway 29 and he was going to try to sell a truck up there again. He hopes he doesn't receive a violation or get it towed off of the property. Mr. Elmore left a copy of the violation for Council with the clerk.

ADMINISTRATOR'S REPORT

Ed Driggers, City Administrator

Calendar Reminder:

Budget Workshop Schedule – Tuesday, May 19th at 4:00 p.m. dealing with expenses review, Tuesday, May 26th at 6:30 p.m. working on the revenue projections, Tuesday, June 2nd at 6:30 p.m., Tuesday, June 9th at 6:30 p.m. and a Special Called Meeting/Public Hearing/ Second Reading on Tuesday, June 16th at 6:30 p.m.

Information:

Amnesty Day – Mr. Driggers stated Amnesty Day was held Saturday, May 9th from 9:00am until 2:00 pm at the prior public services location on Buncombe Street and the results will be in the Public Services monthly report at the end of the month.

Commission of Public Works Runoff Election – Held Tuesday, May 5th two (2) candidates participated, results as follows: Leland Burch received 451 votes and Perry Williams received 504 votes.

Spartanburg County Community Development Block Grant Issuance and Application Letter – As part of the three years re-qualification process the County must notify those locations that are "split places" of their options for exclusion from or participation in an Urban County program. The City may elect to #1 be excluded from all urban counties, #2 be entirely included in one urban county and excluded from all other urban counties or #3 to participate as part of more than one of the urban counties in which it is partially located provided that a single portion of the split place cannot be included in more that one entitled urban county at a time and all parts of the split place are included in the urban counties. Spartanburg County must be notified by May 21st. As a matter of reminder we are in a contractual arrangement with Greenville County Redevelopment Authority concerning the dispersement of Community Development Block Grant Funds. We have another two years remaining on that contract if it is our intent at the conclusion of that that we would choose to exercise any of these three (3) options then it would be appropriate at this time that we would notify Spartanburg County of our intent as we move forward. Otherwise we would continue to by contract receive all of our funding through one urban county contracting that with Greenville County through the Greenville County Redevelopment Authority.

Discussion followed.

Council requested additional information.

Recycling Program Report – Our records from 2007 to 2009 indicated variation, percent of change up 15%, down 14%, up 18%, down 16%, up 19%, down 7%, we do see fluctuations but we are not seeing any fluctuations that would, from the data make us believe that something extremely unusual was happening. Example, we do not see is that some portion of the waste stream is disappearing or that there is some portion of waste stream that is being introduced into our municipal solid waste. We've inquired of our carrier how they do process that, what they've indicated back to us is that for the most part recyclable material can best be dealt with in large volume and where we will see the recycling go up and down on a month to month basis is it typically because they are storing that on an off site location waiting to get enough tonnage, typically forty (40) tons or more before that would take that to a recycling center. When it is in storage there is no weight being calculated for that. Now, could there be occasions where recyclable material is entering into the waste stream, absolutely. I have every reason to believe anytime you deal with humans, a process where someone can choose either to put it here or put it there, is it possible they dispose of it incorrectly, improperly that opportunity certainly exists. We are not seeing financially that there is any noticeable increased cost to us. Mr. Driggers asked if staff needed to pursue this further and Councilman Arrowood stated it was sufficient for him. Councilwoman Mercado stated she gets a lot of questions about what we recycle; there is some confusion about why we don't recycle what others recycle. She requested increased education on what we do accept and look into other items. Mr. Driggers stated we provided a flyer to our carrier that indicated what we do pick up and what we do not; if there is material at the curb that we do not collect they are supposed to place a flyer with that material that states why it wasn't collected. We are currently negotiating with Ace Environmental to operate a recycling center in the City with a drop off location, all recycling materials would be collected at that site.

Mr. Driggers stated he and the Mayor had one economic development item for consideration during **Executive Session**.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Recreation Association Board of Trustees

District 3

No nominations were made for the District 3 seat.

OLD BUSINESS

FIRST READING OF ORDINANCE NUMBER 11-2009

AN ORDINANCE TO AMEND THE CITY OF GREER CODE OF ORDINANCE, CHAPTER 10, ANIMALS, ARTICLE IV DOGS BY AMENDING SECTION 10-107(a)(1)(3)(4) MINIMUM STANDARDS REQUIRED FOR KEEPING THREE OR MORE DOGS AND 10-108 PERMIT.

Request was made by staff to table; additional information is being requested from DHEC.

Council had no objection.

SECOND AND FINAL READING OF ORDINANCE NUMBER 9-2009
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY ACPS, LLC AND LOCATED AT 1200 WOODS CHAPEL ROAD BY ONE HUNDRED PERCENT PETITION; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1 (INDUSTRIAL) FOR SAID PROPERTY

No new or additional information was provided.

Councilman Bettis made a motion to receive Second and Final Reading of Ordinance Number 12-2009. Councilman Arrowood seconded the motion.

Motion carried unanimously 7-0.

NEW BUSINESS

Application for Federal Assistance
Captain Jolene Vancil, Greer Police Department

Captain Vancil presented the following Grant application: "Recovery Act Edwards Burns Memorial Justice Assistance Grant" or JAG.

Council had no questions and Mayor Danner indicated approval.

AT & T South Carolina
Application for State Issued Certificate of Franchise Authority
Jim Thomas, Regional Director for AT & T External & Legislative Affairs
512 Thornhill Drive, Spartanburg

Jim Thomas, Regional Director for AT & T External & Legislative Affairs presented the application request.

Discussion followed.

Mr. Driggers requested direction on the response to the Secretary of State's office.

Councilman Bettis made a motion to accept without objection the AT & T South Carolina application for State Issued Certificate of Franchise Authority. Councilman Arrowood seconded the motion.

Motion carried 6-1 with Councilwoman Bell Mercado voting in opposition.

First and Final Reading of Resolution Number 9-2009
**RESOLUTION AUTHORIZING PARTICIPATION IN THE SOUTH
CAROLINA OTHER RETIREMENT BENEFITS EMPLOYER PROGRAM**

David Seifert, Director of Finance presented the resolution.

Councilman Bettis made a motion to receive First and Final Reading of Resolution Number 9-2009. Councilman Arrowood seconded the motion.

Motion carried unanimously 7-0.

First Reading of Ordinance Number 14-2009
**A EIGHTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE
ISSUANCE AND SALE OF CITY OF GREER, SOUTH CAROLINA,
COMBINED UTILITY SYSTEM REFUNDING REVENUE BOND, SERIES
2009, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING
\$25,000,000; DELEGATING THE AUTHORITY TO THE MAYOR AND
CITY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS WITH
RESPECT TO THE BOND; PRESCRIBING THE FORM AND DETAILS OF
SUCH BOND; AND OTHER MATTERS RELATING THERETO.**

Chuck Reynolds, Finance Manager for Commission of Public Works presented the resolution.

Councilwoman Mercado made a motion to receive First Reading of Ordinance Number 14-2009. Councilman Bettis seconded the motion.

Motion carried unanimously 7-0.

EXECUTIVE SESSION

Mayor Danner stated an Executive Session was needed to discuss one Economic Development (Hospital System - Allen Bennett Hospital Campus) matter.

Councilwoman Mercado made a motion to go into Executive Session to discuss the matter as stated by the Mayor. Councilman Bettis seconded the motion.

Motion carried unanimously 6-0. (7:30 p.m.)

Mayor Danner stated during Executive Session they considered one Economic Development matter and they will take no action.

Councilwoman Mercado made a motion to come out of Executive Session. Councilman Bettis seconded the motion.

Motion carried unanimously 6-0. (8:42 p.m.)

The meeting adjourned at 8:43 p.m.

Richard W. Danner, Mayor

Tammela Duncan, Municipal Clerk