

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

August 28, 2007

**MEETING LOCATION: 1306 West Poinsett Street
Greer, SC 29650**

SPECIAL CALLED SESSION

6:00 PM

Greer City Council met in a Special Called Session with Mayor Rick Danner presiding. Council members present: Wryley Bettis, Wayne Griffin, Joseph Baldwin, Jay Arrowood and Belle Coxe Mercado. Councilwoman Sandra Anderson was absent. Also present: Ed Driggers, City Administrator, Tammela Duncan, Municipal Clerk, John Duggan, City Attorney and various other staff and media.

Mayor Danner called the Special Called Session to order at 6:05 p.m.

Mayor Danner stated an Executive Session was needed to receive information from City Attorney, John Duggan regarding a legal matter.

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

Motion unanimously carried 6-0.

Mayor Danner stated that Council had discussed one legal matter in Executive Session with no action needed.

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

Motion unanimously carried 6-0.

Special Called Session was adjourned at 6:30pm.

REGULAR SESSION

6:30 PM

Mayor Danner asked if any one would like to sign up for the Public Forum please do so now.

No one signed up for the Public Forum.

Greer City Council met in regular session with Mayor Rick Danner presiding. Council members present: Wryley Bettis, Wayne Griffin, Joseph Baldwin, Jay Arrowood and Belle Coxe Mercado. Councilwoman Sandra Anderson was absent. Also present: Ed Driggers, City Administrator, Tammela Duncan, Municipal Clerk and various other staff and media.

Mayor Danner called the Regular Session to order at 6:35 p.m.

Invocation was given by Councilman Wryley Bettis.

Mayor Danner recognized **Representative Joe Mahaffey**.

PUBLIC FORUM

No one signed up to speak.

MINUTES OF August 14, 2007

Councilman Bettis made a motion that the minutes of August 14, 2007 be received as written. Councilman Baldwin seconded the motion.

Councilman Griffin requested one correction be made on page three under the heading of "Runnin on Faith Track Club" – "All Star Track Club" Funding. Correction should read Motion carried 6-1 with Councilwoman Mercado voting in opposition.

Motion unanimously carried 6-0.

DEPARTMENTAL REPORTS

Building and Development Standards, Engineering and Storm Water, Finance Report, Fire Department, Court, Parks & Recreation, Police Department and Public Services July 2007 and the Planning Commission Report for August 20, 2007 were included in packet for informational purposes.

Fire Chief Chris Harvey informed Council the Fire Department was awarded a Thirty-Thousand dollar (\$30,000.) Hazardous Mitigation Grant from FEMA. This is to create a Hazardous Mitigation Plan (Ice Storm, snow, high winds, tornados, earthquake etc. plan). The grant has a twenty-five percent match which will require the City to provide approximately seventy-five hundred dollars (\$7500.) The FEMA dollars that came back to the City for reimbursement was to be designated to go toward this. Mr. Driggers stated; The FEMA dollars (reimbursement) were deposited into the general fund. The

revenue we received from the FEMA reimbursement is in excess of the amount required for this match. It is our recommendation that we match the grant with the twenty-five percent (25%) match (\$7500.) recognizing that it would be a transfer from our Fund Balance while acknowledging that those dollars came from our FEMA reimbursement. Hearing no objections from Council Mayor Danner instructed the City Administrator to move forward with this plan.

Mayor Danner read a proclamation from the Governor's Office recognizing August 2007 as **South Carolina Fire Fighters Appreciation Month.**

PRESENTATIONS

CREATIVE ADVANCEMENT CENTERS

Daniel Dudley

Mr. Dudley is seeking financial support from Council to assist with the after school program held at Victor Church Life Center.

MASTER PLAN FOR THE REVITALIZATION OF THE NEEDMORE COMMUNITY

**Greenville County Redevelopment Authority,
Executive Director Martin Livingston**

Mr. Livingston presented the Master Plan for the revitalization of the Needmore Community. (Information Attached)

Discussion followed.

Mayor Danner introduced Bob Bainbridge, he participated in the plan. Mr. Bainbridge spoke briefly.

PALMETTO PUBLIC AFFAIRS

Matthew Van Patton & Rebecca Ramos

Mr. Van Patton and Mrs. Ramos presented Council with their End of Session Legislative Report. (Information Attached)

ADMINISTRATOR'S REPORT
Ed Driggers

Calendar:

Employee Safety Breakfast – Friday, October 12th at 7:30am at First Presbyterian Church. Additional information will be sent at a later date.

Two Running Clubs – We are trying to assist the two running clubs but we are running into problems. We are trying to use CDBG funds for both of those groups but we are having difficulty in getting verification meeting the criteria of the HUD guidelines. If there is further direction from Council we would be glad to entertain how you would like for us to proceed with that but at this point we are notifying each group of the requirements of the CDBG funds and asking them to provide the documentation.

Administrative Change to Policy & Procedure Manual – This does not require the action of Council. A provision in our policy currently states “that to be eligible to receive compensation for a holiday the employee must be employed forty-five (45) days prior to the holiday.” We are finding that this is acting as a penalty to new employees that do not have the option to work the holiday. Therefore, they must take a day off without pay. I am administratively altering that. We think this is more equitable to the new hires. This does not have any financial impact to us.

Construction Update – Moving forward and we are ahead of schedule. **PD & Court Facility** – We should wrap up the steel erection by the end of next week. We are scheduled to pour concrete September 12th. **City Hall / Park** – Steel is being delivered to the City hall and Park site.

Local Media Exposure – We are continuing to receive good local exposure in the media. I hope you had the opportunity to see the Greenville News editorial.

Annual Report – Last week we had the roll out of our 2007 Annual Report. You should have received that in the mail by now. Mailed nine thousand (9000) to City residents. We also placed those throughout the community as well.

Introduction of New Staff Member – Communications Manager, Steve Owens. Steve spoke briefly.

Mr. Driggers stated he has no items to discuss in Executive Session.

OLD BUSINESS

**SECOND READING OF ORDINANCE NUMBER 21-2007
AN ORDINANCE TO REGULATE THE USE OF
SKATEBOARDS, ROLLER SKATES, IN-LINE SKATES AND
SIMILAR DEVICES**

Glenn Pace presented the ordinance.

Councilman Griffin made a motion that Second Reading of Ordinance Number 21-2007 be approved. Councilwoman Mercado seconded the motion.

Motion carried unanimously 6-0.

**SECOND READING OF ORDINANCE NUMBER 24-2007
AN ORDINANCE REGULATING TATTOO ESTABLISHMENTS AND
OPERATORS AND THEIR LOCATION IN THE CITY OF GREER**

Glenn Pace stated the request to amend the signage section has been done.

Councilman Bettis made a motion to approve Second reading of Ordinance number 24-2007. Councilman Griffin seconded the motion.

Discussion followed. Mayor Danner stated for the record "I find the regulations overbearing in regards to the whole thing. I do understand there is a need for some regulations."

Motion carried 4-2 with Councilman Jay Arrowood and Mayor Rick Danner voting in opposition.

**SECOND READING OF ORDINANCE NUMBER 28-2007
AN ORDINANCE ESTABLISHING STANDARDS FOR STORM
WATER MANAGEMENT AND SOIL EROSION AND
SEDIMENTATION CONTROL**

Lillian Hanley, Storm Water Engineer presented the ordinance and explained the modification she made. Don Holloman, City Engineer spoke briefly.

Discussion followed.

Councilwoman Mercado made a motion to approve Second Reading of Ordinance Number 28-2007. Councilman Bettis seconded the motion.

Motion carried 5-1 with Mayor Rick Danner voting in opposition.

SECOND READING OF ANNEXATION ORDINANCE NUMBER 29-2007
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY STEVE B. VAUGHN AND LOCATED ON
DILLARD DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO
ESTABLISH A ZONING CLASSIFICATION OF PD-R (PLANNED
DEVELOPMENT - RESIDENTIAL) FOR SAID PROPERTY

Glenn Pace presented the ordinance.

Councilwoman Mercado made a motion to approve Second Reading of Annexation Ordinance Number 29-2007. Councilman Bettis seconded the motion.

Motion unanimously carried 6-0.

SECOND READING OF ANNEXATION ORDINANCE NUMBER 30-2007
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY BRETT A. & LAURA K. BIERLY AND
LOCATED AT 321 HAMMETT BRIDGE ROAD BY ONE HUNDRED
PERCENT PETITION; AND TO ESTABLISH A ZONING
CLASSIFICATION OF PD-R (PLANNED DEVELOPMENT -
RESIDENTIAL) FOR SAID PROPERTY

Glenn Pace presented the ordinance.

Councilwoman Mercado made a motion to approve Second Reading of Annexation Ordinance Number 30-2007. Councilman Arrowood seconded the motion.

Motion unanimously carried 6-0.

SECOND READING OF ANNEXATION ORDINANCE NUMBER 31-2007
AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF
PROPERTY OWNED BY JACQUELYN V. BUTLER AND LOCATED ON
DILLARD DRIVE BY ONE HUNDRED PERCENT PETITION; AND TO
ESTABLISH A ZONING CLASSIFICATION OF PD-R (PLANNED
DEVELOPMENT - RESIDENTIAL) FOR SAID PROPERTY

Glenn Pace presented the ordinance.

Councilwoman Mercado made a motion to approve Second Reading of Annexation Ordinance Number 31-2007. Councilman Baldwin seconded the motion.

Motion unanimously carried 6-0.

NEW BUSINESS

ADD AN ITEM OF NEW BUSINESS TO THE AGENDA

Mayor Danner asked consideration of adding one item of New Business to the agenda regarding information obtained in Executive Session regarding a legal matter.

Councilman Bettis made a motion to add the above item of New Business to the agenda. Councilman Arrowood seconded the motion.

Motion carried unanimously 6-0.

GENERAL LIABILITY RIGHT OF WAY **Commission of Public Works**

Mr. Driggers presented the request. He stated Commission of Public Works is requesting a right of way allowing them to connect an existing sewer line adjacent to the Greer High School property, property we purchased from the High School several years ago. They need access to allow them to cross Gap Creek Road for a residential development in that area. We see no conflicts with this. We recommend to Council your consideration for approval of the right of way.

Councilman Bettis made a motion to approve the General Liability Right of Way request from Commission of Public Works. Councilman Griffin seconded the motion.

Motion unanimously carried 6-0.

HCD HOLDINGS, LLC QUIT CLAIM DEED

Mr. Driggers presented the request. He stated a piece of property on Fleming drive is having trouble closing because it cannot receive title insurance on the closing. It appears that some time between 1938 and now the road way was shifted in that area and when that occurred it has caused an excess in property adjacent to this identified piece of property against the roadway. The title insurance company needs the City to provide a quit claim deed indicating that we do not request any rights to that piece of property. It became confusing when the attorney came to me indicating a single piece of property and then sent over a deed requesting two pieces of property. The City Engineer and I would like to request Council allow us to issue a quit claim deed provided that the City has no interest in that property as a matter of right of way or for the utilities as we continue to review that property. We are asking for additional survey information. We leave this at your discretion.

Councilman Baldwin made a motion to approve the request for the Quit Claim Deed. Councilwoman Mercado seconded the motion.

Brief discussion followed.

Motion unanimously carried 6-0.

SKATEBOARD PARK
Requested by Councilman Joe Baldwin

Councilman Baldwin feels there is a need for a Skateboard Park in the City of Greer and requested to ask the Parks and Recreation Department to check into this request.

Discussion followed.

Mr. Driggers requested an understanding of this request. Council consensus was to allow the Parks and Recreation Department to proceed with their study of the recreational needs of the City not just the skateboard park.

Mr. Driggers stated one of the objectives of the Parks and Recreation Department in 2008 is to conduct a community survey regarding the desire for recreational opportunities, how we are meeting certain needs and what the community would like to see, then have the recreation board spend time evaluating that information and make recommendations for a master plan for recreational facilities in the future.

FIRST READING OF ORDINANCE NUMBER 33-2007
AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY PAM DURHAM, LOCATED AT 818 WEST POINSETT STREET FROM R-12 (RESIDENTIAL - SINGLE-FAMILY) TO C-2 (COMMERCIAL).

Glenn Pace presented the ordinance.

Neither the owner nor a representative was present.

Councilman Bettis made a motion to receive First Reading of Ordinance Number 33-2007. Councilwoman Mercado seconded the motion.

Motion unanimously carried 6-0.

FIRST READING OF ORDINANCE NUMBER 34-2007
AN ORDINANCE ADOPTING NEW STANDARDS FOR FLOOD DAMAGE PREVENTION AND RESCINDING THE FLOOD PROTECTIVE AREA PROVISIONS OF SECTION 5:12 OF THE ZONING ORDINANCE OF THE CITY OF GREER.

Glenn Pace presented the ordinance.

Councilman Griffin made a motion to receive First Reading of Ordinance Number 34-2007. Councilman Bettis seconded the motion.

Motion unanimously carried 6-0.

ITEM ADDED TO THE AGENDA

Councilman Bettis made a motion to authorize the Mayor to enter into negotiations for the purchase of land. Councilwoman Mercado seconded the motion.

Discussion followed.

Councilman Bettis revised his motion to reflect "authorizing the Mayor to enter into negotiations for settlement of a condemnation matter". Councilwoman Mercado revised her second.

Motion carried unanimously 6-0.

CODE OF ORDINANCE

Mr. Driggers informed Council the recodification of the Code of Ordinance was available for their review tonight. Each Council person will be assigned their own ordinance book and informed Council as ordinances are passed in the future they will periodically receive from Mrs. Duncan updates to that book. It will be Council's responsibility to update their book. First Reading of the codifying ordinance will appear on the next agenda and second reading will appear on the following agenda. We do not intend to go through each change but do understand that the enacting ordinance that you will be asked to consider for first reading is enacting the ordinance book in its entirety. What we have attempted to do in the last several years is to go through the ordinances line by line and to the best of our ability we made sure the ordinance book is in compliance with state statute, federal regulations, we have removed obsolete items and we have made modifications to adapt to the way we do business today. We have not made changes to ordinances based on policy. Ordinances we have passed since June 26th are not in this book. Updates will be sent quarterly. The code of ordinance on the website will be completely up to date. Everyone will have a consistent unified Code of Ordinance.

Brief discussion followed.

EXECUTIVE SESSION

Mayor Danner stated an Executive Session was not needed.

The meeting adjourned at 9:32 p.m.

Richard W. Danner, Mayor

Tammela Duncan, Municipal Clerk