

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

August 14, 2007

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

**REGULAR SESSION
6:30 PM**

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 arrived at 6:40. 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 Mayor Rick Danner.

PUBLIC FORUM

Barry Foremen, Riverwood Farms – Thanked Council for their support of the Solid Waste Ordinance.

Leona & Mike Crouch, No Name Skate Park, 1524 Roper Mountain Rd – Informed Council of the location of their skate park and offered assistance if the City decides to build a skate park.

MINUTES OF July 24, 2007

Councilman Bettis made a motion that the minutes of July 24, 2007 be received as written. Councilwoman Mercado seconded the motion.

Motion unanimously carried 7-0.

SPECIAL REGOGNITION

The Greater Greer Chamber of Commerce's 70th Anniversary

John Kimbrell, President /CEO of the Chamber of Commerce accepted the resolution. Other members of the board were present. Mr. Kimbrell stated the Chamber currently had five hundred and seventy-five (575) members.

SPECIAL REGOGNITION

**Miss Greater Greer 2007, Nancy Elizabeth Bethea and
Miss Greater Greer Teen 2007, Lauren Haley Cabaniss**

In recognition of the accomplishment of Miss Greater Greer 2007, Nancy Elizabeth Bethea and Miss Greater Greer Teen 2007, Lauren Haley Cabaniss, Mayor Danner proclaimed September 7, 2007 as Miss Greater Greer and Miss Greater Greer Teen Day. They each received a proclamation.

DEPARTMENTAL REPORTS

Kirsten Pressley, Clerk of Court presented her annual report to Council.

PETITIONER

Reverend Kathy Sandlin, International Cathedral of Prayer

Mayor Danner asked Reverend Sandlin to present her update on the progress of the auditorium later in the meeting.

PETITIONER

Johnny Nesbitt – Greer All Star Track Club

Mr. Nesbitt requested funding assistance from City Council to take twenty-one members of the track team to Philadelphia for a national track meet.

Brief discussion followed.

Councilman Griffin complimented Mr. Nesbitt on the outstanding job he does.

Mayor Danner stated Mr. Nesbitt would be advised of his request at a later time.

PETITIONER

Shominik Jeter, Resident Services Coordinator, Oakland Place Apartments

Mrs. Jeter requested funding from City Council to take approximately thirty to forty children from Oakland Place Apartments to Atlanta to visit the MLK, Jr. Historic site and the Aquarium October 6th.

Councilman Griffin complimented Mrs. Jeter on her work during National Night Out and thanked the Police Department for their participation.

Mr. Driggers informed Council regarding a similar request (donation – Runnin on Faith Track Club) for funding from CDBG (Community Development Block Grant)

funds through GCRA (Greenville County Redevelopment Authority). Executive Director, GCRA Martin Livingston replied to the request and stated the requested was denied because it was not submitted during the application process and the funds have already been allotted. This project would have qualified otherwise.

Mr. Driggers recommended requesting the funding through the Community Development Block Grant funds because it is an eligible use of those funds. Then it is just a matter of where we would take those funds, to either replenish a deficit to the Needmore Summer Program or recognize we may run a one thousand dollar (\$1,000.00) deficit this year.

Runnin on Faith Track Club and All-star Track Club Funding

Councilman Griffin made a motion in regards to “Runnin on Faith Track Club” and “Greer All-star Track Club” to seek a reallocation of funding under the Greenville County Redevelopment Authority Funds knowing up front that we may encounter a deficit on the summer program funding of one thousand dollars (\$1,000.00) “Runnin on Faith Track Club five hundred dollars (\$500.00) and Greer All-star Track Club five hundred dollars (\$500.00). Councilwoman Anderson seconded the motion.

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

Oakland Place Apartments Funding

Mayor Danner stated unless someone has a more appropriate idea, I ask that Councilman Griffin and I and staff try to seek some alternative funding source. It does not qualify for GCRA funding.

Council agreed.

PRESENTATIONS

Air Quality Improvement Efforts in Upstate South Carolina John Owings, Greenville County Department of Planning

John Owings presented information to educate the community regarding Air Quality in Upstate South Carolina.

PRESENTATIONS

Fast Trac Business Development Kim Williams

Kim Williams provided educational information to assist local entrepreneurs.

ADMINISTRATOR'S REPORT Ed Driggers

Construction Update – PD & Court Facility – Moving forward with steel erection. We are ahead of schedule and under budget. **City Hall / Park** – We have done demolition on the Depot Street parking lot. We are moving forward with resurfacing that area. We anticipate being there about three more weeks. Steel should arrive tomorrow for the City Hall building. Three of the walls are formed and all footings are in place. We are still ahead of schedule and under budget. We are trying to schedule some time for site visits. We will schedule once the steel is erected. At any time if you would like to come on site please let us know.

Calendar:

Municipal Elections – Filings for Municipal Elections ends tomorrow at noon.

Events:

Special Visitors - This Thursday, August 16th at 8:00 am our Fire Department is hosting a Town Hall Meeting with Senator Jim DeMint in the bay area. Also, we will be receiving some local, regional and national attention Presidential candidate Mitt Romney will be in our community doing a press conference Thursday morning in the downtown area as well.

Greer Relief – will host their second annual Wing Fling in downtown Greer on Thursday, August 16th in the evening.

Operations Center (Old Associated Packaging Bldg) – Next week we will have two opportunities for you to see how we have proceeded with our Operation Center. We have relocated our administrative offices from the Recreation Department to the Operation Center on Pennsylvania Avenue. There is a pre-opening for members of City Council to see that work. Tuesday evening of next week, this was done particularly because we have a community open house schedule for Thursday evening. We scheduled two open houses because some of you will be attending the Spartanburg County Municipal Association Meeting next Thursday.

Inquiries – I have had several inquiries regarding a problem we are having downtown – flooding. This is at the intersection of Miller Street and Poinsett Street affecting the First Baptist Church. We have been working consistently with First Baptist Church, SCDOT and with our engineering and storm water offices as well. We are looking at a number of issues there. We have worked very closely with Representative Shoopman who happens to be a member of that church and he has become a very good resource for us working with SCDOT. Most importantly I wanted you to know we are working very closely with the Church, SCDOT, CPW and interdepartmentally. We have made a number of improvements in that area but one of the things we were impacted most about is the rain event that has been recorded is the major concern to the church and that area. This has been recorded as an eighty year rain event. Our storm system nor any storm system that are designed for municipal standards is not designed for eighty

year rain events. When you put that much water on the ground in a very short period of time no system is designed to handle all of that at one time. We have discovered some problems and have gone in and made corrections. We hope to get quick resolution to that problem and one that all parties can ultimately be satisfied with.

Mr. Driggers stated he has three personnel matters, one contractual matter and one legal matter to discuss in Executive Session.

Appointment to Board & Commissions **Board of Zoning Appeals**

Mayor Danner nominated Marvin E. Robinson, Jr. for consideration to the At-Large seat on the Board of Zoning Appeals.

Councilman Bettis made a motion to appoint Marvin E. Robinson, Jr. to serve on the At-Large seat of the Board of Zoning Appeals replacing Rob Lopez who resigned June 4, 2007. Councilman Arrowood seconded the motion.

Motion unanimously carried 7-0.

OLD BUSINESS

BLUE RIDGE PLANTATION TRAFFIC STUDY

City Engineer, Don Holloman stated the conditions on Hidden Springs Lane (Blue Ridge Plantation) do not meet the basic requirements for the installation of physical speed control devices.

Councilman Bettis made a motion to accept staffs recommendation of denial. Councilwoman Mercado seconded the motion.

Motion unanimously carried 7-0.

INTERNATIONAL CATHEDRAL OF PRAYER LEASE AGREEMENT

Mayor Danner asked Reverend Sandlin to give Council and update on the progress of the project.

Reverend Sandlin disseminated a written update (Attached) to Council.

Reverend Sandlin stated on behalf of the International Cathedral of Prayer she would like to make a donation to Oakland Place Apartments in the amount of five hundred dollars (\$500.00) for what ever there need is.

Reverend Sandlin thanked Council for allowing her to speak. She requested the stop work order be lifted. She stated since last week all of the donations needed have been received. She also requested ten (10) months to complete the project.

Phil Rhoads stated he will need a letter from the General Contractor stating why work was stopped and a time frame for completion. The permits can then be reissued after fees are paid.

Councilman Arrowood stated "he wanted it made clear the City did not issue a stop work order, the permit was allowed to expire because the contractor had not made any requests for inspections so inactivity caused the permit to expire. What we did as Council was if they come back and request a reapplication do not issue it at this point. Work cannot continue because they must reapply at this point."

Councilman Baldwin stated "I just want to be assured that if there is any delay at all that it is not because of a lack of funding." Reverend Sandlin stated "There would not be a lack of funding; I assure you there will not be a lack of funding."

Lengthy discussion followed.

Councilman Arrowood made a motion to rewrite the lease.

Mr. Driggers stated if there are parts of the lease you want to have altered we could serve notice to ICOP that based on the existing lease, it is in default and that we will extend the lease based on certain conditions and if the conditions are not met then the lease is in default.

Discussion followed.

Councilman Arrowood rescinded his motion.

Councilman Bettis made a motion to serve notice to the International Cathedral of Prayer that the current lease agreement is in default and they have until September 1, 2008 to achieve a complete Certificate of Occupancy. Councilman Griffin seconded the motion.

Motion unanimously carried 7-0.

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

Mr. Driggers presented the ordinance and requested one revision. Add to Section 19-109 sub-paragraph (2) during organized events.

Discussion followed.

Councilman Griffin made a motion that First Reading of Ordinance Number 21-2007 be approved with the following changes; Section 19-109 (2) during organized events. Councilwoman Mercado seconded the motion.

Motion carried unanimously 7-0.

SECOND READING OF ORDINANCE NUMBER 25-2007

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY CECIL TURNER, LOCATED AT 101 NORTHVIEW DRIVE FROM RM-2 (RESIDENTIAL – MULTI FAMILY) TO C-3 (HIGHWAY COMMERCIAL).

Glenn Pace stated the ordinance stands as is.

Councilman Bettis made a motion to approve Second Reading of Ordinance Number 25-2007. Councilman Griffin seconded the motion.

Motion unanimously carried 7-0.

SECOND READING OF ORDINANCE NUMBER 26-2007

AN ORDINANCE TO CHANGE THE ZONING CLASSIFICATION OF PROPERTY OWNED BY ERIC ABRAHAM, LOCATED ON NORTH JOHN STREET FROM R-15 (RESIDENTIAL) TO C-2 (COMMERCIAL).

Councilwoman Anderson made a motion to approve Second Reading of Ordinance Number 26-2007. Councilman Griffin seconded the motion.

Motion unanimously carried 7-0.

Mayor Danner stated Council would take a five minute Break 9:26 pm. Council reconvened at 9:36 pm.

NEW BUSINESS

2008 PROPOSED ROAD PAVING LIST

Mr. Driggers disseminated an updated 2008 proposed road paving list and explained the process. (Attached) Mr. Driggers stated the Spartanburg County list has been submitted in No Priority Order, the Greenville County list has been submitted in Priority Order. Mr. Driggers recommended once Spartanburg County has made a decision which roads if any they are going to pave we then recommend the funds we have available from Spartanburg County Road Maintenance Fee we apply those funds to these roads that do not make the list. We would then ask them to allow us to piggy back on their contract. If we do the match program with Greenville County the first three hundred thousand

dollars (\$300,000.) will go down the list from items one down until we have used all of the money (C Fund). We also have Greenville County Road Maintenance money to be used on Greenville County Roads as well. The County has requested that we partner with them on Mt. Vernon Road to Highway 29 and South Buncombe Rd to Poplar Drive Extension out of County Road Maintenance monies. If we have funds remaining in our funds we recommend we use as much of that to go further down the list. This is our recommendation.

Discussion followed.

City Engineer, Don Holloman updated Council on our Road Maintenance Program. Mr. Holloman is creating a master list of roads. We have approximately 470,000 linear feet of roadway, almost eighty miles of roadway.

Brief discussion followed.

Councilman Baldwin made a motion to accept the 2008 Proposed Road Paving List. Councilman Arrowood seconded the motion.

Motion unanimously carried 7-0.

**CITY OF GREER AND GREENVILLE COUNTY LEGISLATIVE DELEGATION
TRANSPORTATION COMMITTEE ROAD RESURFACING MATCH PROGRAM**

Mr. Driggers presented the program and recommended approval.

Councilman Arrowood made a motion to approve the City of Greer and Greenville County Legislative Delegation Transportation Committee Road Resurfacing match program. Councilwoman Mercado seconded the motion.

Motion unanimously carried 7-0.

DEPARTMENT OF JUVENILE JUSTICE 2007-2008 MEMO OF AGREEMENT

Mr. Driggers presented the agreement and recommended approval.

Councilman Bettis made a motion to approve the Department of Juvenile Justice 2007-2008 Memo of Agreement. Councilman Griffin seconded the motion.

Motion unanimously carried 7-0.

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

Glenn Pace presented the revised (Revisions by Attorney John Duggan) ordinance.

Discussion followed.

Councilman Bettis recommended one modification; Number 5 (e) and business name.

Councilwoman Mercado made a motion to approve first reading of Revised Ordinance number 24-2007. Councilwoman Anderson seconded the motion.

Councilwoman Mercado amended her motion to include modification; Number 5 (e) and business name. Councilwoman Anderson amended her second.

Motion carried 6-1 with Mayor Rick Danner voting in opposition.

FIRST 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. She stated this ordinance will bring us into compliance. Mrs. Handley stated there were several changes she would like to make before bringing this back to Council for Second Reading.

Lengthy discussion followed.

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

Motion carried 6-1 with Mayor Rick Danner voting in opposition.

FIRST 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. Neither the owner nor a representative was present.

Brief discussion followed.

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

Motion unanimously carried 7-0.

**FIRST 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. Neither the owner nor a representative was present.

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

Motion unanimously carried 7-0.

**FIRST 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. Neither the owner nor a representative was present.

Councilwoman Mercado made a motion to approve First Reading of Annexation Ordinance Number 31-2007. Councilwoman Anderson seconded the motion.

Motion unanimously carried 7-0.

SKATEBOARD PARK

Councilman Baldwin requested this item be placed on the next agenda.

EXECUTIVE SESSION

Mayor Danner stated an Executive Session was needed to discuss three personnel matters, one contractual matter and one legal matter.

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

Motion carried 6-1 with Councilman Baldwin voting in opposition.

Mayor Danner stated that Council had discussed three personnel matters, one contractual matter and one legal matter in Executive Session with no action needed.

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

Motion carried unanimously 7-0.

Mr. Driggers disseminated information to Council on new employee hiring's and employee terminations.

The meeting adjourned at 11:00 p.m.

Richard W. Danner, Mayor

Tammela Duncan, Municipal Clerk