

GCRA public hearing at 7:00 p.m. before council

Martin Livingstone from GCRA was present for the public hearing. The City will receive \$144,415 in CDBG funds and \$45,965 in Home funds.

**DRAFT
MINUTES
MAULDIN CITY COUNCIL
FEBRUARY 23, 2015
7:00 PM**

Members present were Mayor Dennis Raines, Council members Dale Black, Larry Goodson, Scott Crosby, Taft Matney, Bob Cook and Terry Merritt. City Administrator Trey Eubanks and City Attorney John Duggan were also present.

1. Call to order. – Mayor Raines

Mr. Merritt read a letter to the family of Jerry Knight, who was a former council member. Mr. Knight passed away Sunday.

- a. Invocation- Councilman Merritt
- b. Pledge of Allegiance- Councilman Merritt
- c. Welcome- Mayor Raines

2. Proclamations and Presentations- Mauldin Chamber

- a. Rotary proclamation- The proclamation was presented to Rotary member Janice Holcombe.
- b. Curtis Ingram- TMALDI- Mr. Ingram spoke to the council about the upcoming Get Smart program and thanked the City and staff for their support of the TMALDI mentoring program.

3. Reading and approval of minutes.- Council minutes January 20, 2015

Councilmember Cook made a motion to approve the minutes with Councilman Crosby seconding. The vote was unanimous (7-0).

4. Public Comment.- None

5. Report from City Administrator- Trey reported two Greenlink bus shelters have been installed and there will be one near Lion's Gate apartments. Greenlink would like to come to council around the summer time to talk about the program and ridership. The Veteran's Walk work continues. Signage adjustments will be made to complete the plaques that have been installed. Last month, council located a good place for Gabe Hunter's plaque. The city hall renovations are complete. There are a few minor things to do, but everything should be done in another month.

Councilman Black asked why the new entrance way sign at Forrester Drive does not say Welcome. It only says Mauldin. Trey said that is the design that was approved by council, but we can look at some options to change it if that is council's wish.

6. Reports from Standing Committees

a. Building Codes (Chairman Crosby)

i. Reports and Communications from Business and Development Services

Kim Hamel reported on permit activity and showed a power point presentation. Chairman Crosby read a letter from a business owner complimenting the department on its great customer service. Chairman Crosby then read a list he compiled on department priorities. Resume or continue with the chamber to work with the business community, corridor zoning, getting the new software up to speed, and tree and landscaping as well. Trey said the new chamber board President is happy with the lunch and learn that Kim will provide.

Councilman Goodson mentioned the business owner with the asphalt issues. He would like to see that issue have a higher priority. The owner is worried about expenses he may have. Trey said the City is working with him and is happy to meet with him again. Councilman Matney said he has had several people call him over the last few weeks echoing the customer service change in the Business and Development Services Department. Councilman Matney said we need to keep business friendly as a mindset.

b. Recreation (Chairman Matney)

i. Reports and Communications from Recreation Director

Director. – Van reported over 2500 participants in programs. There are 45 people participating in Biggest Loser at the Sports Center. Councilman Black asked Van how much Lacrosse is going to cost. Van said \$50.00 per player to start up. About 40 kids are signed up so far. Councilman Goodson asked about baseball and softball signups. Van said we have a little under 400 signed up now. We have enough for at least one softball team. A lacrosse meeting will be held on Sunday. Everyone is encouraged to attend. Van also reported that the recreation department

is working with the high school rugby team and may have a partnership with the football team in the works.

c. Public Safety (Chairman Cook)

- i. Reports and Communications from Police Chief – The report is on file. The calls for service have decreased a little. About 4000 calls came in to 911 for January. The hiring process continues for dispatchers and police officers.

Sgt. Chris McCord showed some pictures from the Explorer program competition. The team did very well. We hosted the Warrant Service event and one judge said it was the best he has ever seen. Chief Turner said we are bridging the gap between youth and the police department through youth court, youth academy and the Explorers. Chief said it is very easy for him to sign an employment packet for kids who have been through our programs.

- ii. Reports and Communications from Municipal Clerk of Court / Administrative Judge- Judge Martin was not in attendance. They reported jury trials will be this week. The next term is April 20-24th.

- iii. Reports and Communications from Fire Chief.- The response time for fire is 2.6 and 3 minutes for medical. The training on the new trucks is complete and they are both in service. Chairman Cook asked Chief Sapp to contact Chairman Taylor and Butch Kirven from County Council to invite them to come see our trucks.

d. Planning and Economic Development (Mayor Raines)

- i. Reports and Communications from the Economic Developer- John Gardner reported that seven responses were received for RFQs for the corridor study. 3 will be interviewed March 5th. There is interest in a commercial building that has been vacant for some time.

DOT is still being contacted about the street lighting at Old Bridges Road and 385. Encroachment permits have been

received for the signage on 385. Councilman Black asked if any progress had been made on the possibility of piggybacking for some lighting at the sports center. John said he will follow up on that.

ii. Office of Cultural Affairs report – George McLeer reported that there have been over 1800 participants at the center in January and over 200 events. The concert with Gabe Dixon went very well and Councilman Matney has received an email from a friend of Mr. Dixon’s complimenting the venue and the organization of the event. The public art submissions are due on Friday. BBQ registrations are open. Councilman Goodson asked about the floor. The floor has nothing left to sand. We are waiting on the contractor to come back with a suggestion on options. Councilman Merritt asked what the capacity of the auditorium was. George answered about 280.

e. Public Works (Chairman Goodson)

i. Reports and Communications from the PW Director- Mike Lambert showed a power point with repair number, trash and recycling numbers, and pictures of the new bus shelters and some park repairs. Councilman Black asked if there was any follow-up on the Brookbend asphalt. Mike said it will be repaved and he doesn’t know what is causing the problem. Councilman Matney asked how the equipment performed in the last ice event. Mike said the equipment is working well. The roads were salted and there were no major problems. We are ready for the next snow event that should hit this week. Trey mentioned that the roads were brined early to help mitigate the problems and it is a team effort between all departments. Councilman Cook told Mike thank you for catching up on the trash routes.

Chairman Goodson asked that committee start discussing 6 inch laterals and what we can provide opt the homeowner, sewer department salaries, and have committee meet at a separate meeting with Ron and Trey regarding sewer. Chairman Goodson asked if we could advertise on the side of our garbage trucks. Kim said maybe for special events. Councilman Matney said city signs can be on city property advertising city events and trucks are city property.

f. Finance and Policy (Chairman Black)

- i. Reports and Communications from Finance Director- Holly reported that property tax revenues are coming in around \$80,000 more than at this time last year. Business license revenues are steady and have risen in numbers from this time last year. Numbers will be given next month regarding the new business license 2% reduction for early payment.

7. Unfinished Business

- a. Consideration and action on amendment to ordinance regarding violations and fees (Building Codes)- Chairman Crosby made a motion to approve this ordinance on second reading. This amendment makes the fees for penalties on late business licenses and hospitality and accommodation tax fees consistent with other fees. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

- b. Consideration and action on wrecker ordinance amendment (Public Safety)- Chairman Cook made a motion to approve this ordinance on second reading. It reduces the wrecker insurance deductible requirement. Councilman Merritt seconded the motion. John Duggan pointed out a typo in subsection A, which will be corrected before the ordinance is signed. The vote was unanimous with the stipulation that the wording change will be made (7-0).

8. New Business

- a. Consideration and action CDBG resolution (Committee of the Whole)- Councilman Cook made a motion to accept this resolution with Councilman Black seconding. The vote was unanimous (7-0).

- b. Consideration and action on text amendment to establish to new residential infill Districts and a new conditional use standards section (Building Codes)- This reorganizes the zoning ordinance, establishes two new districts R8 and R6, and adds a conditional use standards section. Chairman Crosby made a motion to pass this on first reading with Councilman Cook

seconding.

Councilman Black mentioned this came through Planning Commission unanimously. The vote was unanimous (7-0).

- c. Consideration and action on rezoning request for property located off of East Butler Road from Office to C1. (Building Codes)- This is for two lots between Verdin Road and Ashby Park Lane before the CVS. They have asked for rezoning from Office to C1. Chairman Crosby made a motion to pass this on first reading. Councilman Black seconding the motion. Councilman Black mentioned that there was no opposition at the public hearing. The vote was unanimous (7-0).

- d. Consideration and action on communications grant (Public Safety)- Chairman Cook made a motion to approve this grant if the County pays this expense and send this to County Council. The City will pay out no money for this new radio equipment. If the County does not fund the grant, the grant will not be accepted. Chief Sapp said this equipment would help the County departments talk to each other on mutual aid calls. Greenville County would pay for the grant and pay for the implementation of the system so that the equipment will work. There are 31 departments that will participate. If the County does not fund the grant, the grant will not be accepted. There is no exposure to the City at all. Councilman Merritt asked if this is the first step in changing over all of our radios. Chief Sapp said no, we will keep our radios, these new radios are only for mutual aid call use. Councilman Matney seconded the motion and the vote was unanimous (7-0).

- e. Consideration and action on Veteran's memorial items (PW)- Chairman Goodson said the Veteran's walk can be connected to the other walkway at the amphitheater and a couple of new bump outs with benches can be installed for \$13,500. Chairman Goodson made a motion to appropriate up to \$13,500 for this project. The money will come from hospitality and accommodations. Councilman Merritt asked about the bump outs. They

will be located near the wall area closer to the plaques. Councilman Black seconded the motion and the vote was unanimous (7-0).

- f. Consideration and action on selection of engineering firm for sewer improvements (Committee of the Whole)- 15 firms responded to the RFQ. 4 firms were interviewed and Frazier Engineering came out on top. Councilman Merritt made a motion that this item be sent to the Public Works Committee. Councilman Black seconded the motion. Councilman Merritt said he has looked at this proposal as the new council member and asked questions. He thinks it is confusing and some of the other council members seem to be confused on some points as well. Councilman Merritt said he was disappointed that no member of the PW committee was a part of the selection process. He would like for it to go to committee for more clarification.

Councilman Goodson said he is starting to get a better understanding but wants to get out of the pigeon hole and receive some more information on this issue. He would like it to go to committee and come back to the March council meeting. Mayor Raines said the only action tonight is to select Frazier as the contractor. There is no money associated with this vote tonight. Chairman Goodson had every opportunity to sit on the selection committee but did not. Councilman Cook said there will be a contract drawn up at a later time with Frazier which will come to council and if council does not like the terms they will be changed. He does not want to go back and discuss all of this again. Frazier also did come back as the lowest bidder councilman Matney said maybe we should have sent out an RFP instead of an RFQ. There is a vast difference. Councilman Matney wants to defer to the PW Chair on this since this is part of his expertise and he deals with it on a daily basis. Councilman Cook said the motion here is to award the low bid to Frazier for the engineering but they are not going to tell us what they are going to do, we tell them what to do and we can change anything. Mayor Raines said this is just to approve Frazier as the firm to provide the services. There is no money on the table. All money matters have to come back to council.

Councilman Goodson said we have to move forward, but he doesn't like the fact that we are agreeing to Frazier but not to a contractor. The contract we have with Burdette on the ball field lighting is similar to this. The contractor runs the project. He said this will not be held in committee, but will be discussed and then brought to the March council meeting. We are awarding a bid without a contract and that concerns Councilman Goodson. Mayor Raines said any contract we have with them will have a not to exceed clause. Councilman Merritt said the reason he wants this to go back to committee, is there are some emails from last year with numbers, then an SSES study was done with things quantified that they want to do, that references a plan. Where is the plan? If you go back far enough, it is Frazier's plan. There is \$3.1 million in the bond. Councilman Merritt wants the PW committee to come out and make a determination to do something.

Councilman Cook said he has no problem sending this back to the committee but he wants an action plan. Something has to be done. Not go in there and trip up everything that has already been done. John Duggan said this is a RFQ, which is a request for their qualifications. This helps us pick the best engineering firm. John Duggan said we can negotiate a price with Frazier and he can go over the contract before a council vote.

Trey said there is a reason why this is based on qualifications and not price initially. At the end of the projects, the engineering firms submitted their unit prices. Frazier's prices were the lowest per unit. That finalized the recommendation of the selection committee that council is considering tonight. We have worked on this for over 2 years through public meetings, presentations, hearings, etc. There is a not to exceed cost on this project and the contract, whenever we get to that, will come to the city attorney for review and then come to council for approval. The firm will then be engaged to get a contractor to do the work. That also comes through council. There will be monthly progress meetings between the engineer, the contractor and the city. There will also be monthly status reports to council.

Ron Lawson pointed out that RFQs were sent out because we want to pick the best engineering firm. That firm will pick the contractor to do the work. The money will be saved not through the engineering work, but through the contractor's works. You do not want the cheapest engineer. Engineering is normally about 10% of the project. Ron said Frazier does have a draft contract. Staff will send out the draft contract for council to look at. John Duggan said he will have plenty of time to review the contract before council next month.

Councilman Matney said the sky will not fall if we hold this item for a couple of weeks and may make a superseding motion. Councilman Black said this is the first time he has seen some of this information. Councilman Black said some of the work could be done in house, and Frazier knows how much the sewer bond is for, of course that is what will be charged. Councilman Crosby asked Mr. Black if he would have enough time to look at this before the committee meeting. Councilman Black said no. He hasn't seen a dollar amount and this is a lot of information to read through.

John Duggan said you want to hire a professional. Would you want to pay a cheaper price for a doctor just out of school to do your heart surgery or do you want to pay a little more and get one that has been doing that for 10 years? You want someone with experience, who knows what they are doing.

Councilman Matney said he is thinking about making a motion to hold this item on the council floor while the item is addressed in committee. That guarantees that the item comes back to council. He did not make the motion.

The original motion is still on the floor to send this to the Public Works Committee. The vote was 6-1 with Mayor Raines opposing. He said he has done too much work on this issue.

g. Consideration and action on fraud policy (Finance)- Chairman Black said he

has not seen any action from the attorney on this and would like to send it back to committee to give the attorney some time to review it. Councilman Merritt seconded the motion. City Attorney Duggan said he would review the policy. Mayor Raines suggested a change to the wording. Councilman Goodson would like an inventory done to go along with the policy. John Duggan said that an audit is different from a policy. You adopt a policy that spells out what you are going to do if there is a problem. The audit is conducted afterwards. The vote was unanimous (7-0).

- h. Consideration and action on standing committee rules amendments (Finance)- Chairman Black explained several amendments that are proposed. One is that the committee meetings be held upstairs in the new conference room. The elevator shall be unlocked so the public can come upstairs. Also, the meetings should be held on Monday nights instead of Tuesday. That way, committees are on the first Monday of the month and the Council meetings are on the third Monday of the month. He would also like to keep the word verbatim in the format. The meetings will be advertised as to location and committees represented. The last addition is that if no agenda items are to be discussed, the chair can cancel the meeting. There is no need to meet if the committee has no action, so meeting "as needed" will be added to the wording. Councilman Goodson seconded the motion.

Councilman Crosby asked about the recording devices up there. We can have two recording devices for redundancy. Councilman Black said if there is a controversial item and there are a lot of people in attendance, the committee meetings can be moved to the courtroom.

Councilman Matney asked if individual motions could be made so they can be addressed separately. He doesn't want the committee meetings moved upstairs due to restricted access. A resident could accidentally go into the police department admin department instead of to the committee meeting.

Trey said there is going to be a door installed going to police administration so that won't happen, at least after a couple of months. The vote on the motion as it stands was 6-1 with Councilman Matney opposing.

- i. Consideration and action on Cultural Center fundraiser (Committee of the Whole)- Councilman Cook made a motion to enter an agreement for a fundraiser. Councilman Goodson seconded the motion. Councilman Black said he could not support this because this is the third time we have tried to get someone to do fundraising and it has nothing to do with the Company. Councilman Merritt said he has some heartburn but is willing to go along with the opportunity to raise funds for a pretty low cost. This will come out of the hospitality and accommodation funds tax. The vote was 6-1 with Councilman Black opposing.
- j. Consideration and action on FY 16 budget calendar (Committee of the Whole)- Councilman Black made a motion to adopt this budget calendar. Councilman Matney seconded the motion and the vote was unanimous (7-0).

9. Public Comment

- a. Jo Rae: In the past the City of Mauldin has graciously granted Jerry Smith permission to hold the National Day of Prayer on city grounds. He coordinated the event for many years with Peggy Robertson. Now, he has passed the coordination of the event along to me. The National Day of Prayer will be held on May 7th and I ask permission to be allowed to use the grounds of city hall for this event. I would also ask that we be allowed to use the cultural center in case of rain.

Mayor Raines: The City is happy to support this event and will do so again this year.

- b. Rollin Hyust: I live at 104 Swinton Drive. I have been a citizen since 1977. It has been a wonderful experience living in Mauldin. I am a transplanted Yankee. I have seen Mauldin change from two lanes to what we have now, so we have done a lot in Mauldin. Council has always cared about Mauldin. The tax base is great. Other cities are envious of our tax base and what we have done for our residents. I do see on the horizon that we are starting to get into speculation on how we are going to spend the money and that bothers me and a lot of my friends. I love the city and believe the council is for the taxpayers. You get the income from the taxpayers and are spending it judiciously. But you are getting in to real estate speculation. This is bothering me. People are building Lowe's, strip malls, and other things and tearing them down, but this has been private money. I don't want to see Mauldin funds being used for real estate speculation. If it was good, someone from New York would be down here looking at it. And they have, a lot of people have spent a lot of money in Mauldin. Please be judicious with the money. I want to thank you very much for what you have done. All of

you. The taxpayers know what you have done. It comes in our tax bills. Thank you.

- c. Jim Hardencourt: I live at 301 Poplar Springs Drive in Butler Station. May I save mine for a request? Oh. I am asking that we set a time and date for the Homeowners meetings to be rescheduled between us and the city regarding the Christmas lights, and the traffic issues that are caused.

Mayor Raines: I think Mr. Eubanks has been working on that.

Trey Eubanks: We are talking to the homeowners association of Butler Station to come up with another date and time that is convenient. I am talking with Jim Shiner, who is on your board. We have had some good conversation and want to include everyone in Butler Station. Chief Turner, Captain Tripp have put together detailed information on what we have looked at and done in the past. This is a prominent event and we want to support what we need to during the Christmas season. A meeting was set up and that got rescheduled because of the weather. Chief Turner will be going to FBI command college soon, but I want him to attend the meeting. Rest assured, we look forward to having the meeting, discussing the issues, and getting some ideas with good discussion. I am working directly with Mr. Shiner on that.

- d. David Buffalo: I live in Holly Tree. We know that there is a proposal for a high density home development across from Old Towne Way. We would like to have input on the effect of traffic on that road. There are 13 acres total there and I was talking to Teresa Kiser, but the density of the property is about four times the Holly Tree community. You were talking about sewer. If you look at the property, there is a 60 foot slope. You will have to deal with a lot of runoff. I did some spec work last time something was proposed near this property. The impact it will have could come to the other side of the street. Teresa and I are going to get with some of the property owners and we want to make sure that our concerns are met and that everyone is happy.

Mayor Raines: We haven't seen anything on this development. This is very early in the process.

Kim Hamel: It is just a planning commission review. You can call my office in April to see where we are in the process.

Trey Eubanks: The issues you mentioned will all have to meet regulations with storm water, sewer, traffic. We can make sure you know about the process and can reach out to you and keep you posted on the process.

- e. Tommy Shaleuly: I live at 961 Fargo Street. I disagree with my friend, Mr. Hyust. This council has spent a lot of money. \$3 million for sewer and money for park property. I hate to mention this, but I need to get it straight. Two months ago we weren't going to take a bid, but now we are. Who is involved? One city council man, this is his back door. Were they involved the process? Are you going to say you are qualified and you tell us how

much? He knows you have \$3 million dollars, so I am sure it will cost at least \$3 Million. With that said, I am going to sit down.

- f. Dean Kirkland: If we don't serve him and make a change, we are lost. A couple of things I want to talk about. I think we should have people come around with a drill for men and little old ladies who are not in the shape I am in. There is water that deep in those trash cans. I can tip them over, but some people can't. It takes a lot of strength. Why were they put out without holes?

Do you know what a majority is in the Bible? God plus 1. If you aren't on the right side, you need to reconsider. I am the author of a book called Mental Rape. I have been mentally raped many times in the City of Mauldin. We asked Tommy Shaluely and Danny Day to close the road. There are three accesses from Montclair, two from my neighborhood. There are two signs that say No Thru Traffic. The bastards come fast. They hurt my grandchild. I told RC Jones and he took care of it. We need the street closed at Danbury. We are asking please close it.

Trey, ask me something after the meeting. I don't want to forget. How much did you pay for the park property? No one knows?

Trey: \$439,365.

Dean Kirkland: Is that tax applied to low income people too? Everyone? Or only little ladies whose bastard husbands are going down there to screw other women? You do not do unjustly. That is from the Bible. I said how does this happen? We need to pray about it. We need to sell it back and put the money back in the coffers like RC Jones had. Does anyone care about Lacrosse? Is it right there is no soccer anymore? Why?

Councilman Matney: There was a whole host of reasons. CESA owns it all now primarily.

Dean Kirkland: Soccer is a good sport. We lost soccer. Ok. Does anyone know about the founder of Caterpillar? He gave 90% of his money away and gave 90% of benefits to his employees but still made millions. I am going to say something about what happened at my house. What comes to my coffers goes to God, I am not about money.

Mayor Raines: Can you wrap it up?

Dean Kirkland: I waited my turn. When you have been mentally raped by the Mauldin Police Department...you might want to talk too.

Mayor Raines: Can you wrap it up? These people here don't need to hear all of this.

Dean Kirkland: Are you going to wrap me up? I need to talk. When King David's son raped his sister Tamar, there were six or seven. Do you know

who killed that boy? David.

Three times the Mauldin Police have come to my house. My constitutional rights have ben violated. O'Shields took my grandchild and kidnapped him. They heard me say you don't come in my house. You don't know what has happened to me. One more thing, this book has changed my life. It takes two minutes a day to read.

10. Council requests. - None

11. Adjournment. – Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk