

**Minutes
Mauldin City Council
Informal Session
January 22, 2007
7:00 PM**

Members present were Mayor RC Jones, Council members Gabe Hunter, James Kennedy, Don Godbey, Bob Cook, and Dale Black. City Attorney Andrew Culbreath and Interim City Administrator Russell Sapp were also present.

1. Call to order.- Mayor Jones

- a. Invocation- Councilman Godbey
- b. Pledge of Allegiance- Mayor Jones
- c. Welcome- Mayor Jones
- d. Proclamations and Presentations

Presentation of street sign to Dr. Michelle Meekins- Mayor Jones

2. Reports from Standing Committees

a. Finance and Policy (Chairman Black)

i. Reports and communications from Finance Director.

Lisa White: Thank you, Mr. Black, Mayor and Council. One of the reasons we wanted to go at the end was most of the issues we are going to discuss in Finance, the item we are buying needs to be discussed before we move any money. We thought it would be less confusing. We were considering having Finance be last, but I don't know which one of you said it, but it is like the cart before the horse. That is why we are last. In your packet is the financial report for December. We have gotten about 25% of our revenue. Last year we had 22%. Most of the revenues come from tax revenue. Most of the expenditure line items look reasonable. I wanted to take this opportunity to talk about what we will talk about later. One of these issues is possibly issuing debt for property. We can issue debt, but it is hard to do if we don't know if we are going to buy the property. What we can do is a reimbursement resolution. We will write a resolution that we are intending to issue debt, but not obligated to. We would issue this document and if council decides to buy the piece of property, we can go ahead and issue the debt and pay for it out of our fund balance then reimburse ourselves. It would cost about \$10,000 in attorney's fees. The interest rate is about 4%. I prepared for the Finance committee a packet explaining the amortization tables. It would cost \$80-100,000. Our legal debt limit has \$2.4 million remaining.

Councilman Kennedy: Where you have parks maintenance overtime. You have a minus left?

Lisa White: That is what is left to be spent.

Councilman Kennedy: Thank you.

ii. Discussion of bond reimbursement resolution.

Chairman Black: Council will be considering the purchase of a new public works facility. One method of financing this new property would be the issuance of general obligation bonds. However, it generally takes over 60 days to issue bonds. If the city decided to purchase the property it will need to begin the purchase immediately and would therefore have to utilize fund balance. The council may adopt the attached resolution stating its intention of issuing bonds and if the purchase is made the city could issue the bonds and then subsequently reimburse fund balance from issuance proceeds.

This issue was discussed in executive session on January 10, 2007. All council members were given a packet with details concerning this issue and the city's current debt status. Some of these details include the following information: Bonds can be issued for any length of time; recommended maturity would be 10 years or less. Expected Interest rate – 4% (if for 10 years or more). The bonds can be callable. The city currently has \$2,740,000 in bonded debt outstanding. This leaves \$2,495,000 in debt limit capacity remaining. This resolution does not bind the city to issue bonds if the city does not purchase the property or if the council wishes to use fund balance in lieu of issuing bonds.

The financial impact is possible issuance of \$875,000 of General Obligation bonds. Issuance Costs- \$10,000 to bond attorney. Paid out of closing. (Included in the above \$875,000). Proposed bond issuance estimate includes: New Land and Building; Fence at new location; improvements at Jenkins location, new building at Springfield Park; debt issuance fees and attorney costs.

Chairman Black moved this item to the formal agenda.

ii. Discussion of budget amendment for sports center staff.

Chairman Black: The budget needs to be amended. This will amend the budget to pay for sports center staff salaries. Ms. White has put together the funding. She suggested we take \$28,915 out of longevity salary adjustments that council voted from last year and also we had some under runs in the COLA budget. She is proposing \$8,085 dollars out of that which brings the total to \$37,000 for the sports center salaries. I would like to move this to the formal agenda.

- iii. Discussion of budget amendment for new position from police to judicial.

Chairman Black: The police/court committee forwarded this item to council to request a new position for court. It has been requested that the position be funded from the police department's line item that will have remaining monies from the police captain's position that will be replaced by a line officer. The recommendation is that we do this, but some of the proposed funding from the under run in the salary in the police department, that would be \$17,333 for the remainder of this year for this proposal.

Chairman Black moved this item to the formal agenda.

- iv. Discussion of budget amendment for lawnmower monies from sanitation to street.

Chairman Black: The last item we have is another budget amendment for Public Works. Mr. Kennedy discussed this in this report. The budget needs to be reallocated for capital outlay funds that have been erroneously budgeted in the sanitation department to the street department for the purchase of a mower. We just want to move it from one department to another. We are going to move it out of sanitation and put it in the street to purchase a zero turn mower for a \$7200 figure. This will move \$10,000.

This item was moved to the formal agenda.

- b. Fire (Chairman Godbey)

- i. Reports and Communications from Fire Chief

Captain Brown: Our average response time for December is 2.8 minutes. There were 60 fire calls and 112 medical calls inside the city along with 39 fire and 35 medical in the fire service area. All the city employees are being taught CPR. There is one class tomorrow and one Thursday. They begin at 10:00 a.m and we will have some make up classes for people who have missed the earlier ones.

Councilman Godbey: City council members are eligible to take the CPR course?

Captain Brown: Yes, they are and it will be great to see you.

Councilman Cook: They have to give me CPR.

Councilman Godbey: I would encourage council to participate. I found it to be very informative. There are a few new wrinkles and it would be good for each of us to do.

Captain Brown: It has changed tremendously.

Chief Sapp: Captain Brown, give the total fire calls for the year.

Captain Brown: Fire was 99 and medical was 147.

Chief Sapp: Total year to date.

Captain Brown: 2220 calls. 788 fire and 1284 medical calls. Last year, we had a total of 1932.

Councilman Black: I would like to commend Phillip and the staff for their work in the absence of the chief. He has been wearing two hats and I would like to commend you on a job well done. You are a real good organization down there.

Mayor Jones: I think you will find every member of council feels that way. You are doing a good job.

Councilman Godbey: Andy McAbee, Brian McHone, Rick Casey, Tommy Nicholson, and Jimmy Crawford have completed a managing Fire and Rescue service course. This is a 24 hour class and they have Contributed to the success of the class and accomplished credentials. I do encourage every council member to take the CPR class that is available as city employees.

Councilman Black: Isn't there something about defibrillators?

Councilman Godbey: Yes. We have five or six of them.

Captain Brown: This is the Heartsaver AED class so the defibrillator is a major part of that.

Mayor Jones: A good example of that is the basketball player that had the problem, and if we hadn't had that, it would be a sad tale. Thank you.

Captain Brown: Steven Woods' grandfather passed away. The Services will be tomorrow at Antioch Baptist Church on 221 and the graveside will be at Cannon's in Fountain Inn.

c. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chief Turner: We are trying to push through some things and work through some issues we have in the PD. We are trying to represent the City of Mauldin well. There is mention in your notes of a statewide campaign we participated in. You should have a memo with the stats from our campaign. You will see this in the future. Although the primary concentration is on DUI, other practices are also looked at-running stop signs and lights. This will also be in the paper. We are trying to be proactive. For the month of December, we wrote 364 warning citations as opposed to 54 this time last year. One good thing, the total motor vehicle accidents for this time last year was up. December is always a tough month for law enforcement. I would like to call your attention to something. This number is going to change. For

December, 2006, calls for service 2448 as opposed to last year, 1862. I am not saying that those numbers are inaccurate, but our reporting system is going to change. Expect those numbers to change. If the calls for service drop, that may mean that we are actually recording calls, not when dispatch picks up a telephone. So that number may drop but that doesn't mean that we are not doing the job. We will be actually reporting the information to you. Nicholson Business Systems will be in here Friday to do the preliminary installation on the records management system you approved last month. That will go on all desktops and laptops. Also, the server system we are going to try to utilize.

The security enhancement for the building is going well. You can see some work going on with the various doors. It was installed as late as today. Our city ids, we will be getting with council and department heads on the design and those should come out in the month of February. In December, we had officer Jason Peterson come back to the police department. He has been with us a week and a half.

Judge Cooper administered the oath of office to Jason Peterson.

Councilman Godbey: Chief was able to get down to the Golden Strip Center. I saw him briefly between visits. He has become familiar with that resource and I expect that relationship will grow. I appreciate your being down there today.

Councilman Kennedy: I would like to comment on your New Year's drunk driving and speeding. You did a fantastic job- I read the report. That was very good. You have escalated your force and made sure the city is safe during that time of year. I would like to commend you on that. Thanks a lot.

ii. Reports and Communications from Municipal Clerk of Court /
Administrative Judge

Angela Cooper: Good evening. I have a brief report. We had 501 new cases filed in the month of December. We have pretrial scheduled for Friday, the 26ht. We are going to put a jury trial docket together. The trials will be scheduled February 26th -March 2nd.

Chairman Cook: We appreciate what you have done and how you have pulled the department up with the proper reports. I doubt they were all getting done before.

iii. Discussion on new position in Judicial Department.

Chairman Cook: For the last couple of years, Angela and her staff have been working overtime and taking work home with them. We also, a lot of reporting that is required. We recommend the hiring of an Assistant Court Clerk in that. The Chief has done some reassignment in the police department and we are taking that salary and letting Ms. Cooper hire an assistant clerk for the rest of the year. Next year, that will come in Judicial's budget. I saw some figures- is that \$17,000 from now to June?

Chairman Cook moved this item to the formal agenda.

d. Recreation (Mr. Black)

i. Reports and Communications from Recreation Director.

Van Brannon: Mayor and Council, it has been a very busy month. We finally got most of the stuff out of the senior center. They have put a new coat of paint in some areas and are getting things better organized than they were when we were all there together. Things seem to be going well.

Our basketball program is thriving. We are probably going to have to move them back to the Senior Center. For baseball and softball, we are getting ready to sign up next month. Jimmy Whitesides and his crew have done a great job on our infields and outfields. They look the best I have seen them. They are doing a great job. They have been working hard.

We are opening the doors to our members at the sports center on Monday. We originally wanted to do that this Monday but we had some problems with shipping on our equipment and we thought we were rushing a little too much. Our ribbon cutting ceremony is taking place on Friday. I hope everyone will be able to attend. We will have food and drinks and let everyone mingle around and take a tour. We have had issues with the retention pond. The lights are scheduled to be here tomorrow. I hope that will be finished by the end of the week. We have 403 members of the sports center- that is just packages so we probably have over 500 members. 70 of those are employees, so they have taken advantage of that benefit. I hope we will make you proud.

Councilman Black: The sign?

Van Brannon: The sign should be up and running.

Councilman Godbey: The software for the cards and the photo id?

Van Brannon: The cards are here. All should be up and running by opening.

Councilman Cook: The lady that is over the advertisement- is she doing the membership drive?

Van Brannon: Yes. She has met with Pat and has scheduled a business after hours.

Councilman Cook: This might not be the appropriate place and I am not appropriate anyhow. Is she part time or full time?

Van Brannon: Part time right now. Hopefully in a little while, she will be full time.

Councilman Cook: I don't want to take advantage of the good things. She is the right person. That is great. I think you will double that after people come in here. All I have heard is good comments. Everyone is saying Wow!

Mayor Jones: Back to Jimmy Whitesides. Tell him we appreciate the job they are doing. It looks great.

Councilman Black: The entire Recreation department.

ii. Discussion on sports center staffing needs.

Councilman Black: When the original budget was done for the Mauldin Sports Center \$43,680 was included for staffing. This staffing included two full time positions and two full time equivalent positions

When current Sports Center Staff was hired they were asked to project money needed to staff Sports Center. This staffing included instructors, front desk workers, rock wall staff and current staff. As this was done, looking at hours of operations and staff needed to provide adequate staffing for a first class health club the amount in the current budget was not enough. The additional amount needed to meet our current needs for the remainder of this budget year is \$37,000. I would like to move this to the formal session. It is approximately 90-100 hours that the sports center would be opened.

Councilman Cook: I agree, it needs to be staffed properly with the right people. My question is, is that staffing going to be with that girl full time? would like, and Mr. Hunter, your committee to look at that position and see if we can intertwine all of the publicity for the City with that. When we have something, she handles that publicity for us and gets it out into the Tribune and the papers. I don't know if that will work or not.

Councilman Black: We need to recognize our employees for the good work they are doing. They don't get enough recognition.

Mayor Jones: Absolutely.

e. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Administrator.

Peter Nomikos: The only thing I have this evening is the Planning Commission meeting tomorrow night. They will review the text amendment to allow on street parking on newly adopted city streets and also reviewing the Bethel Greene annexation. There will be an annexation meeting on Wednesday at 12:00 pm and a Building and Zoning Board of Appeals meeting on Wednesday at 5:00 pm.

ii. Discussion on Bed Store business license

Chairman Hunter: On October 21, 2006, Hope Ellwanger of the Bed Store was arrested and charged with financial transaction card fraud. This offense occurred at the Bed Store, which is owned by Keith Ellwanger. Section 10-15 (E) of the Mauldin Business License Ordinance states that a business license may be suspended or revoked if the licensee has engaged in any unlawful activity or nuisance related to the business.

At the December 4 meeting, the Planning and Economic Development Committee voted to forward this item to Council for a formal hearing, and the business owner has been notified by hand delivered notice of the hearing and pending suspension, and of his right to testify as to why his license should not be revoked.

At the December 18, 2006 Council meeting, Mr. Ellwanger and his attorney appeared before Council. At that time, testimony was presented that Hope Ellwanger was not legally married to Keith Ellwanger at the time the offense occurred, and that Mr. Ellwanger had filled for an annulment and was making restitution to the victims. Council tabled the matter so that a signed copy of the annulment order could be produced. Staff has reviewed the signed copy and recommends dismissal of the revocation action.

Chairman Hunter moved this item to the formal agenda.

iii. Discussion on Tree Removal request for "Vinings at Brookfield" Apartments.

Chairman Hunter: Request to remove "Historic Trees" at the proposed "Vinings at Brookfield" apartment complex on East Butler Road between Crescentwood Village and Millport Circle.

Easlan Capital, through their engineers at Site Design, had requested permission to remove 5 trees which range in size from 30 inches to 35 inches in diameter.

Section 42-8 of the Mauldin Municipal Code states: "Any tree which has a trunk of 30 inches or more in diameter at 4 ½ feet above the ground, or if horticultural or ornamental, of ten inches in diameter at 4 ½ feet above the ground, or if of special historical significance, is herewith designated a tree of historical value". The applicants have obtained the opinion of James D. Walters, Jr. of the South Carolina Forestry Commission regarding the condition of these trees. His comments are included in the third paragraph of the letter from Site Design. The last sentence of the paragraph says that "Mr. Walters stated in summary, it is either not practical to try to save these trees, or if they are preserved, they would become serious liabilities within a few years after development".

Chairman Hunter made a motion to send this item to the formal session.

- iv. Discussion on amendment to Zoning Ordinance to allow a third sign for freestanding commercial businesses located on corner lots

Chairman Hunter: Construction of the Spinx gas station at the corner of South Main Street and West Butler Road began in November of 1998. A Certificate of Occupancy was issued and the store opened for business in May of 1999. In April of 1999 Howard Graphics, representing Spinx, applied to the Mauldin Board of Zoning Appeals (docket M 1999-8 BA) for a variance to increase the sign height of the freestanding sign on the West Butler Road frontage from 25 feet to 35 feet. The Board of Appeals unanimously voted to deny the request on May 27, 1999. On December 9, 2004, Enloe Aluminum obtained permits to install a new fascia on the existing gasoline island canopy as part of the re-branding from an Amoco to a BP station. As part of the re-branding, the upper cabinets of the two freestanding signs were re-faced without permits having been issued. After receipt of the citation by Spinx, the sign contractor came in to get the sign permits for the work that had been performed without a permit. At that time Spinx and Enloe were informed that the store had more signs than the sign regulations allowed and that one of the three signs would have to be removed. Spinx chose to remove the wall mounted Spinx oval over the door and keep the two freestanding signs located on opposite corner of the property. In October of 2005, Rainbow Signs, representing Spinx, applied to the Mauldin Building and Zoning Board of Appeals (docket M 2005-14 BA) for a variance to allow a third sign at this station so that they could put the Spinx oval wall sign back up. On November 30, 2005, the Board voted to deny the requested variance. On or about April 10, 2006, a sign contractor for Spinx erected the wall sign without a sign permit and in violation of the sign ordinance and the order of the Board. An ordinance summons ticket was issued for the April 19, 2006 court date, at which time Judge Stillwell found Spinx guilty of violating the sign regulations and fined them \$200. The Spinx oval was removed a few days thereafter. Masstar Signs, on or about December 13, 2006, inquired about a new sign package for the Spinx station. The proposed package consists of removing the two

freestanding signs at opposite corners of the property, and replacing them with three signs, including a 30 foot tall freestanding sign with electronic message board, the Spinx oval over the door, and a Spinx sign on the gasoline island canopy. Since the sign ordinance currently allows only two signs for a freestanding business located in a commercial district, and the Board of Zoning Appeals has already denied a request for a third sign, the sign contractor was advised that the only way they could get a third sign is if the sign regulations of the Mauldin Zoning Ordinance were amended.

The recommendation of committee was to forward it to full council with a denial of the request for the third sign.

Councilman Cook: I have, I know the two corner signs and I know what our sign ordinance says, but to me, and I don't guess we ever have, that sign over his door- all businesses have a sign where you enter that door. I guess that is called a sign but I have problems with that where they can't put a sign over the entrance of the door. The only way we can do that is amend the ordinance, correct? The reason I am saying that is the Zoning Board turned it down and we can't overrule their ruling.

Peter Nomikos: If council chose to amend the ordinance, they wouldn't be overruling the decision.

Councilman Cook: I know that, that is what I am saying. That is the avenue we have.

Councilman Godbey: I sat in on the meeting and listened to the history of this. Clearly they can put a sign over the door, they just have to choose to take another one down, it allows for two signs. Also, we have an ordinance that has been in place and the Zoning Board has ruled against it several times. If we do anything but endorse what Mr. Hunter has made a motion on, we are undercutting the ZBOA authority and I wouldn't be in favor of that.

Councilman Cook: If we amend the ordinance, we wouldn't be undercutting the ZBOA authority. I know we can't change what they are doing. We can amend the ordinance.

Councilman Black: Mr. Nomikos, maybe I don't understand the ordinance, by it being a corner lot, they are allowed three signs?

Peter Nomikos: Commercial buildings are only allowed two signs. If the amendment were passed, that would allow a third on a corner lot.

Councilman Black: Something else I saw, if the lettering did not advertise a product or event, it is not considered a sign.

Mayor Jones: That is correct.

Peter Nomikos: The problem is the name of the company is a registered trademark, and under the definition of signs, it is considered a sign.

Councilman Black: If it does not advertise, Coca-Cola, Marlboro, I can see that, but it says as long as the lettering does not advertise a product or event, then that was allowed.

Peter Nomikos: There is an exception if the sign is under five square feet.

Councilman Black: What about some of our own city signs? Are we in compliance with our own ordinance?

Mayor Jones: The Sports Center, for example.

Peter Nomikos: I believe that is in compliance.

Mayor Jones: We either have to take ours down or let them put theirs up. I have some comments. Go ahead.

Councilman Black: This is coming up more and more and some of this sign ordinance has been around for a while. Maybe we do need to revisit it. I don't like a bunch of signs, but we are doing an injustice to some of our business people by not letting them have the proper signage. I know we have rules and regulations, but some of this has been in effect for years. I think we need to readdress the whole sign thing. The business people have the right to advertise. Mr. Hunter's committee met with the Chamber and did an excellent job, but we still have some questions on whether we did the right thing on the banners. We are getting some feedback from some people on the cost and things of that nature. I think we need to revisit the whole sign ordinance.

Councilman Cook: If we passed that ordinance and I know what it looks like, that is not just for Spinx. That is for any corner lot.

Peter Nomikos: Any commercially zoned corner lot.

Mayor Jones: Mr. Nomikos, let me tell you the problem I have with this. Catty corner across from the Spinx is Eckerd's. They have 12 signs on the building and one out front. You go down to Palmetto Bank. They have one at the corner of Ashmore Bridge, one at Butler, and another one. At the Sports Center, there is one on Murray, one on Butler, and two on the building. We have to be consistent. We can't do ourselves differently. This sign we are talking about is not advertising anything, it is the name of the business. The name is not advertising a product. If it was your business you would have your name up there. I am going to vote against this. You push to get people to advertise in town and bring their money here. If you can't advertise your wares, you can't stay there. I will vote to let the man put the sign up. There is nothing on the front, it is absolutely bare. Eckerd Drugs has 12. I counted them and they are

straight across the street.

Councilman Black: I think with our current rules, what legal rights as a council do we have to overturn the ZBOA?

Andrew Culbreath: I would have to look at that. The changing of the ordinance... If there is another appellate level as there is in a dispute where you can have a trial here. That is an option that may give you one more administrative step.

Councilman Cook: The only option Spinx has got is civil court.

Councilman Godbey: The motion before us tonight is not amending the ordinance. The motion is whether to endorse the denial of the PEDC Committee. Short of that, we can't do anything. It is worthy to discuss amending the ordinance, but that is not what we are discussing tonight.

Councilman Godbey: The motion on the floor right now is not to table.

Councilman Cook: I am going to have a hard time voting against the ZBOA. I would like us to change the ordinance and come up with a new one instead of voting this up or down. I have problems with overruling the ZBOA on this particular one. Is there any way we can amend the motion to table it or hold it until we come out with a new ordinance? What would be the proper way to do it?

Councilman Kennedy: With the inconsistencies the Mayor has seen, it is going to be hard to validate anything that is or credence. We need to be in compliance throughout the city and the best way to do this is, I don't like to go above the Board of Appeals, but we need to think about amending the ordinance. That would give us some leverage. The inconsistencies now are going to create a problem. We are in violation too. I think we need to scrutinize this and look at it. We don't want inconsistencies.

Mayor Jones: It will be up to Mr. Hunter: It is up to him if he wants to amend it. It is up to him.

Chairman Hunter: Mr. Mayor, I have no problem rescinding the motion and tabling the issue to give us an opportunity to discuss it further.

Councilman Godbey seconded the motion.

Chairman Hunter made the motion to table with Councilman Godbey seconding. The vote was unanimous (6-0).

f. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director.

Dennis Raines: I would like to thank Ms. White for not making me go last tonight. First off, the Enoree Landfill is still accepting normal household garbage. The last estimate we have from them is that it would be full in mid February. They have stopped us from bringing in yard waste and brush. Our best time so far with time down and back at the new landfill is a little over two hours. You see the problem we are having.

Councilman Godbey: How long did it take us to get to Enoree?

Dennis Raines: Probably half that.

Mayor Jones: Has Fennell given us permission to dump there for the time being?

Dennis Raines: Yes. We talked with the folks at Greenville County Solid Waste and they want to give us a 3-6 month trial basis for using them as a transfer station. We received confirmation today. As soon as Enoree shuts down, we are going to do that. That is about six minutes.

Mayor Jones: They can't be sure that is all Mauldin's garbage, is that correct?

Dennis Raines: We are going to work through that. They will send us a tonnage. Greenville County can also use that information to verify the garbage going in.

Councilman Cook: My suggestion is that you check it yourself and be sure they are in compliance. If they get one or two things mixed, you know what is going to happen.

Dennis Raines: Simpsonville is going to get in on that also.

Councilman Cook: Are they going to put Simpsonville and Mauldin together?

Dennis Raines: Together. But weighed individually.

Councilman Cook: That may be a problem.

Dennis Raines: Solid waste will be watching very closely. On sewer, Mr. Lawson from Caliber Engineering is going to submit our work plan to the sewer authority for approval. On the street side, we have finished paving all of the streets. We have estimates. We do have the actual invoices now.

Councilman Black: I hate to put you on the spot. You have an item for a mower. Did we not vote in last year's budget to hire three additional

personnel strictly for the purpose of streets and sidewalks? I thought I was correct. Mr. Raines said we had one person so far. I thought we budgeted three people to have inmates to go with them as a foreman. We would cut the town in three sections and each would be responsible for a section. When you mentioned one today, I thought it was three.

Dennis Raines: We do have two CDL Driver positions and one laborer position. We are having problems getting inmates. We used to get about 25, but our average for the last couple of weeks has been 14. This has hampered us severely. Perry doesn't have them. There are two bays of empty beds.

Mayor Jones: Do we have equipment for three crews?

Dennis Raines: We are backing up with one crew. I think we have enough equipment.

ii. Discussion on purchase of Zero-turn mower for sidewalk crew.

Chairman Kennedy: This crew will keep the thoroughfares and walkways clean. One CDL Driver and one general laborer and one inmate. We will change that. Equipment needed for this project is identified. We are looking for a CDL driver, we have a laborer. The only major piece of equipment needed is a zero turn mower. The mower will be purchased through state contract for \$7, 432.03. It was budgeted under department 432, Sanitation, but should be in Street, 431. This will move \$10,000 to the street capital outlay. This will have to be transferred. The recommendation is council approval for \$7,432.03.

Mayor Jones: Are you saying your motion is to move the money from Sanitation to Street?

Councilman Godbey: Amend the budget.

Lisa White: That will be done in Finance.

The item was forwarded to the formal session.

g. Committee of the Whole

i. Discussion on executive session for a contractual matter.

Mayor Jones: We have to discuss a matter. We just got a letter in a few minutes ago and we have to add a few personnel.

Councilman Cook made a motion for executive session with Councilman Black seconding. The vote was unanimous (6-0).

3. Adjournment.- Mayor Jones

There will be a 10 minute break before the formal session to allow those present wishing to address City Council an opportunity to sign the speaker's log.

**Minutes
Mauldin City Council
Regular Formal Session
January 22, 2007
7:00 pm**

1. Call to Order- Mayor Jones
2. Reading and Approval of minutes- Informal and Formal sessions- December 18 20, 2006. Special called minutes January 9, 2007.

Councilman Black made a motion to approve the minutes from December 18th with Councilman Hunter seconding. The vote was unanimous (6-0). Councilman Cook made a motion to approve the January 9th minutes with Councilman Godbey seconding. The vote was unanimous (6-0).

3. Public Comment on items appearing on the agenda.- None
4. Reports and Communications from city officers.
 - a. City Administrator- Russell Sapp reported that the council goal setting session would be February 8th at 6:30 pm.
5. Reports from standing committees.
 - a. Finance and Policy (Mr. Black)
 - b. Fire (Mr. Godbey)
 - c. Police (Mr. Cook)
 - d. Recreation (Mr. Black)
 - e. Planning and Economic Development (Mr. Hunter)
 - f. Public Works Committee (Mr. Kennedy)
6. Reports from special committees.
7. Unfinished Business
8. New Business
 - Finance and Policy Committee (Mr. Black)
 - a. Consideration and action on bond reimbursement resolution.

Chairman Black made a motion to adopt all 3 budget amendments and the budget reimbursement resolution in one vote with Councilman Cook seconding. The vote was unanimous (6-0).

- b. Consideration and action on budget amendment for sports center staff.
- c. Consideration and action on budget amendment for new position in judicial from police.
- d. Consideration and action on budget amendment for lawnmower monies from sanitation to street.
- Police Committee (Mr. Cook)
 - e. Consideration and action on new position for Judicial.

Chairman Cook made a motion to add a new position in judicial with Councilman Godbey seconding. The vote was unanimous (6-0).

Mayor Jones: Just one question, what happens with Tammy?

Angela Cooper: She will go back to Public Works.

- Recreation Committee (Mr. Black)
 - f. Consideration and action on Sports Center staffing needs.

Chairman Black made a motion to adopt the funding for the sports center. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- Planning and Economic Development Committee (Mr. Hunter)
 - g. Consideration and action on Bed Store business license.

Chairman Hunter made a motion to not revoke the business license for the Bed Store with Councilman Godbey seconding. The vote was unanimous (6-0).

- h. Consideration and action on tree removal request for "Vinings at Brookfield" Apartments.

Chairman Hunter made a motion to approve the removal of 4 trees with Councilman Cook seconding. The vote was unanimous (6-0).

- i. Consideration and action on amendment to Zoning Ordinance to allow a third sign for freestanding commercial businesses located on corner lots

Chairman Hunter made a motion to table this item and reconsider it next month. Councilman Godbey seconded the motion. The vote was unanimous (6-0).

Mayor Jones: Mr. Hunter, I appreciate your taking this back and looking at it again. We are not trying to make it hard on the business people by no means and it is just one of those things.

- Public Works (Chairman Kennedy)
 - j. Consideration and action on purchase of Zero-turn mower for sidewalk crew.

Chairman Kennedy made a motion to approve the purchase of the zero turn mower. Councilman Cook seconded the motion and the vote was unanimous (6-0).

- Committee of the Whole
 - k. Executive session for a contractual matter.

Councilman Godbey made a motion to go into executive session for a contractual matter. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

Councilman Black reported that no action was taken in executive session.

- 9. Public Comment on Items not on agenda.- None
- 10. Council requests.
- 11. Adjournment. – Mayor Jones adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk