

**BUDGET PUBLIC HEARING AT 7:00 P.M. BEFORE COUNCIL MEETING- Trey went over the highlights of the budget. There is no tax or fee increase in this year's budget except for the sewer fee increase. The total budget for FY2015 is 6.34% larger than the current budget. No comments were made and the public hearing was closed.**

**MINUTES  
MAULDIN CITY COUNCIL  
JUNE 16, 2014  
7:00 PM**

1. Call to order. – Mayor Raines
  - a. Invocation- Councilman Matney
  - b. Pledge of Allegiance- Councilman Matney
  - c. Welcome- Mayor Raines
2. Proclamations and Presentations- Mauldin Chamber; Ten at the Top presentation; Swim proclamations

James Stewart and Pat Pomeroy were present from the Chamber. Mr. Stewart advised council of upcoming business after hours and ribbon cutting events.

Hank McCullough from Piedmont Natural Gas spoke about the Ten at the Top organization. It is the cities from the upstate banding together to be seen as a region. They are working on several different topics.

Mayor Raines presented the proclamations to two swimmers for their achievements.

3. Reading and approval of minutes.- May 19, 2014; Special called June 3, 2014
4. Public Comment.- None
5. Report from City Administrator

Trey reported to council that we were notified that we have been awarded the GFOA award for the 12<sup>th</sup> year in a row and our bond rating has improved from AA to AA+.

We are working to be more business friendly. Mauldin is meeting with Esurance tomorrow to talk to them about what we can do to help them succeed and to welcome them to our City. Kim and Josh provided a report on the lunch and learn series the chamber put on for new businesses regarding permitting and inspections.

The sign ordinance has been amended, we have a landscaping ordinance amendment and these amendments will make it easier for businesses to achieve the necessary standards. There is an ordinance tonight for consideration to reduce business license fees for businesses that are in good standing.

Olivia Vassey reported on renovations of entryway signs. These are underway and should be installed soon. We have applied for the sign permits. There will also be signs at 385 and Butler and 276 and 417.

She also said she is working on getting Greenlink bus shelters installed, but that project is pending the construction of Chick-fil-A because one of the sites is down there in the parking lot of Kmart and Chick-fil-A.

8 bids have been received for the upfit of the space at city hall and are being reviewed by the architect for the project. Information will be provided before the committee meetings are held.

Councilman Hunter asked if the signage was 6-8 weeks out. Olivia said that some permitting issues are being worked out now and she doesn't know exactly when it will be completed.

## 6. Reports from Standing Committees

### a. Public Works (Chairman Goodson)

#### i. Reports and Communications from the PW Director

Mike Lambert showed a presentation with activities from each division. He then showed pictures of some improvements that have been done at the cultural center. Councilman Black asked Mike what the procedure is for

sewer maintenance. Mike said that before Frazier Engineering smoke tests an area, door hangers are put out for residents telling them it is about to be done and what the homeowner needs to do before the testing can be performed. Smoke is blown throughout the system, and comes out in the house or in the yard, if there is a break in the line. Councilman Black asked what comes first, smoke testing or cameraing? Mike said smoke testing is completely separate from cleaning and cameraing. One is not more important than the other processes. Councilman Black said it is his understanding from Ron Lawson and Frazier that smoking should be the last procedure, after the lines are cleaned and cameraed.

Councilman Matney thanked Mike for following up on Old Hickory Point and addressing the homeowner's concerns. Councilman Matney also mentioned that 236 Devon has some curb damage and other areas have overspray of oil. Mike will look into this. Councilman Matney asked if there is a procedure to inform residents of disposal of yard waste, so that the waste does not get placed into the roadway, causing traffic issues. Mike said the department puts out door hangers if a violation is seen, but some kind of campaign can be looked into. Trey said something could be placed in the Gazette reminding citizens that debris has to be kept off of the roadway.

Councilman Cook said he doesn't think council should ask department heads questions they already know the answers to just to put them on the spot. He said it irritates him to corner the department heads when these can be answered by the administrator or by the department head during working hours.

Chairman Goodson asked Trey to recap the positive meeting that was held about the sewer. Over 1/3 of our sewer system has been smoke tested. Some of our sewer staff watched the smoke testing so they will be able to learn how to get it done quicker. Council supports the sewer staff and we expect more productivity. We are excited about the process and work plan and how these investments will benefit our sewer system and therefore our community.

Chairman Goodson said he has a concern about the curbing on Knollwood Drive where the road was resurfaced. There is about an 8 inch drop off. Mike said that it hasn't been backfilled yet.

Chairman Goodson asked about the situation in Miller Heights with the sink hole. The sinkhole is on private property. We did not know about street acceptance until recently. The City of Mauldin does own the streets and the drains.

Ron Lawson asked to clarify a point. If you know where the manholes are located, you smoke test first to check for leaks. Cameraing and cleaning are always done last, after any problems have been identified.

- b. Finance and Policy (Chairman Black)
  - i. Reports and Communications from Finance Director

Holly reported that property tax revenues are doing well. We are over \$196,000 over the budgeted revenue. The City did get a big payment from MASc for insurance. We just received the worker's comp and liability insurance rebates as well.

- c. Building Codes (Chairman Crosby)
  - i. Reports and Communications from Business and Development Services Director.

Kim reported permit activity is increasing, both commercial and residential. Tenant occupancy permits are the majority issued. ISO came in and did an evaluation of the department and the rating was 4 out of 10. This will be reflected in insurance savings from 2014 moving forward.

Councilman Goodson said 276 is 95% asphalt and he would like to see some language drafted to address this issue with landscaping standards.

Councilman Matney asked where we were on residential signage. Kim said there has been some language drafted. It will go to the planning commission and then come to committees.

Councilman Matney then asked what we could do to make an impact on people who are not keeping up their property. Trey said the property owner is notified by letter. He will have a report during the Public Safety committee on the violations that have been found.

Chairman Crosby thanked Kim for all the work she has done and the changes she has made.

d. Recreation (Chairman Matney)

i. Reports and Communications from Recreation Director

Van reported the Senior program had 2450 participants in May. The Trevor Booker basketball camp was held last week and was a success. The 4<sup>th</sup> annual wheelchair softball tournament will be this week. Three states are represented in the tournament.

e. Public Safety (Chairman Cook)

i. Reports and Communications from Police Chief

Chief Turner is on vacation. Trey reported on the Youth Academy, which is going on now. This is the seventh year of the academy. The boys will start their camp in July.

278 complaints on residential and 26 commercial complaints have been logged in to codes enforcement. The nature of the complaints is being tracked to fruition and a report will be sent to council. John Duggan said a property owner not in compliance is given plenty of notice and a reasonable time to comply, if they do not reply, we can place a lien on the property and

also summons them to court if needed.

The dates and nature of the complaint, inspections, are all noted in the police department so we are sure of the process. Chairman Cook asked if Council could have a copy.

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

The next jury trial session will be in August and has been scheduled through June, 2015. The last payment for the Setoff Debt Collection program is due at the end of the month and then Angela will be able to give council a report on how much was collected.

iii. Reports and Communications from Fire Chief.

The total calls for May are 222. The response time is 3 minutes, due to some medical calls not being responded to with lights and sirens. Some medical calls are not being responded to by EMS with lights and sirens, so the fire department does not either. This would be non-emergent calls.

f. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from the Economic Developer

John Gardner reported that he has spent a good deal of time with a NC developer looking for a site in the upstate. We are still waiting to hear something on Old Stage Road. It is currently in due diligence. Work is being done with the owner of the Old Mauldin Fine Foods building. The parcel has potential for a larger site, rather than two smaller buildings. DOT is going to come in with their contractor and finish East Butler Road at the high school.

Councilman Cook asked about a turn lane at Chick fil A. DOT is not recommending one at this time after the traffic study was done.

Councilman Crosby asked about the green arrow and green light at the main intersection at the right turn only. He thinks the green light should be removed, since it is a right turn only lane. John said he has asked and been told that is how DOT does the signalization.

Councilman Crosby asked if the light, knock down posts could be installed to prevent straight-through traffic from Laurens Road to West Butler. John said we could look into that.

ii. Office of Cultural Affairs report

George McLeer reported the cultural center is very busy and booked up for the next couple of months. 900 events have been held year to date with over 8000 participants. Relay for Life and the BBQ Cook-off are being worked on currently. The planning season will be held the next month and a half, when events are scheduled. We will have rights to broadcast Jazz events at the Lincoln Center in New York City and will build some of those into our calendar.

7. Unfinished Business

- a. Consideration and action on business license discount for early payment (Building Codes)- This is part of the business license incentive ordinance passed in March. This amendment reduces the eligibility requirements from five years to one for businesses to be in good standing. Chairman Crosby made a motion to accept this ordinance amendment. Councilman Goodson seconded the motion and the vote was unanimous (7-0).
- b. Consideration and action on sign ordinance amendment (Building Codes)- Chairman Crosby made a motion to pass this sign amendment to make large commercial site signage more business friendly. Councilman Hunter seconded the motion and the vote was unanimous (7-0).

- c. Consideration and action on FY15 budget (Committee of the Whole)- Councilman Hunter made a motion to approve the budget. Councilman Cook seconded. Councilman Black said he could not support the budget because of a few smaller items and the sewer fee increase. The vote was 5-2 to pass the budget with Councilman Black and Councilman Goodson dissenting.
- d. Consideration and action on inserting the International Property Maintenance Code into the Mauldin Municipal Code. (Committee of the Whole)- This reinstates the property maintenance code into our municipal code. Councilman Crosby made a motion to pass this ordinance on second reading with Councilman Hunter seconding. The vote was unanimous (7-0).

## 8. New Business

- a. Consideration and action on Veteran's Memorial walk (Public Works)- This will include a walkway and bump outs to honor our veterans. Chairman Goodson made a motion to spend up to \$12,500 for this project. There are also sponsorship opportunities. A bump out sponsorship would cost \$1600. PW will do large amount of the work on this project. Councilman Cook seconded the motion and the vote was unanimous (7-0).
- b. Consideration and action on flood ordinance revisions (Building Codes)- Chairman Crosby made a motion to adopt this ordinance on first reading. This ordinance maintains our eligibility for flood insurance grant money from FEMA. Councilman Hunter seconded the motion and the vote was unanimous (7-0).
- c. Consideration and action on Planning Commission and Zoning Board of Appeals appointments (Building Codes)- The two applications we received were from the two incumbents on the Zoning Board of Appeals. We will still take applications for the Planning Commission and consider them at a later date. We still have a quorum to continue with the Planning Commission. Laura McCullough and Patrick O'Shields were reappointed to the Zoning Board. Councilman Cook made a motion to accept these two appointments with Chairman Crosby seconding. The vote was unanimous (7-0).
- d. Consideration and action on way finding signage (PEDC)- Chairman Hunter made a motion to send the way finding signage out to bid with an expected price between \$12,000-15,000. Councilman Crosby seconded the motion and the vote was unanimous (7-0). Chairman Hunter made a motion to

accept the attached DOT resolution for the project Councilman Cook seconded the motion and the vote was unanimous (7-0).

- e. Consideration and action on rezoning of 325 Neely Ferry Road (Committee of the Whole)- Councilman Crosby made a motion to accept this rezoning on first reading. This is property along New Neely Ferry Road and 276 where the Awning Company used to be. There is a space shuttle on the property that the residents have asked not be removed. Councilman Hunter seconded the motion and the vote was unanimous (7-0).

## 9. Public Comment

- a. Ken Greskamp: I live at 604 Central Avenue and am concerned about cut-through traffic. I am coming here as a concerned parent. I have lived here for five years and for those years I have watched cars speed through. It is a cut through to 417. I live at the top of a hill and there are cars speeding through and, just guessing, some of them, are going 40-45 mph in a 25 mph. I have an 8 year old and I do not let him ride his bike near the road. If he does go to a neighbor's house, I watch him and make him stay on the side of the road. Last week, he did almost get hit by a car. He was down the road and a car came over the hill. I couldn't get word to him fast enough, but thank goodness the car had enough time to respond. We are just over the peak of the hill where there is a blind spot and it is very dangerous for him.

There are lots of people who walk on Central Avenue and that blind spot is dangerous with cars coming both ways. I have observed speeds probably 40-45 mph at times. Given that, I want to ask council to consider something. I think the traffic needs to be slowed down. I am asking council to consider two stop signs and a bump. If you are familiar with White and Pinecrest, it is a cut through as well and they have installed speed bumps and stop signs through that neighborhood, so there is precedence. I would like one stop sign at Mimosa, where there is a T in the road, and one at Sycamore. At the top of the crest of the road, I would like consideration of a bump there. I hope that will discourage some of the cut through traffic. That is what I wanted to say. I don't know what the procedure is.

Mayor Raines: Your neighbors have to agree. There are procedures.

Trey Eubanks: I would like to ask one of our police officers to meet with you. We have traffic calming policies that initiate in that department. We can do some traffic counts and checking of speeds and see where we go from there.

- b. Richard Unchurch: Good evening.

Mayor Raines: I want to remind you that you are a former employee. This is a personnel matter that you have come to speak about and in doing so, you are waiving your right to confidentiality. Do you understand that? I also ask that you protect our employees and yourself and not mention any other names.

Richard Upchurch: Yes, sir. Last month I was suspended for three days and they told me that if I resigned I could get my vacation pay. I refused to resign and felt that I would be pleading guilty. I was not doing what they said I was doing, and I didn't want to sign that. Now, I can't get my unemployment for 20 weeks. That is all I have to say. I didn't get my vacation pay. I have been here for seven years and no problems. I cannot get unemployment for 20 weeks. That's all.

- c. Danny Day: I live at 912 Fargo Street. I have two issues that I didn't realize I was going to talk about, but I thought it was a good idea since you brought up code enforcement. I run by Mr. Cook's house a lot, so if I see a tall blade of grass, I am going to call.

Councilman Cook: If I see you on Central, I am going to run you over.

Danny Day: We do run over there and there is a blind spot there. Most of you got an email from me with photos. I realize the majority of the sidewalks in the City are owned by SCDOT, but they are a city asset. I also know Mike and them do a good job with our sidewalks. Last year in the summer time, I lead a running group out of the Sports Center, so there are no roads I haven't been out on. The growth on 417 South got so bad, DOT had their bush hog come through. The manhole cover was busted for two days and finally did get fixed. The growth on the sidewalk was still high, and Mike and his guys came out and cut it. Then, last winter on Miller, a utility contractor pulled up the sidewalk. I ran into John Gardner and he chased down the company, who chased down the contractor, and they finally repaired it in the Spring.

The Taylor property has Pin Oaks. They are pretty, but they do lose their leaves. When they get wet, they are like glass. Running through there at night in the winter is like ice. I actually cleaned the sidewalk once myself. I called DOT and sent them a note with photos. The cultural center sidewalks are cream puffs compared to Bethel Drive. They have come out and marked it. We are losing the sidewalk there at the Taylor property. Senior Taylor used to clean the sidewalk, but his son is not doing it. I would propose that council authorize Public Works to come down there and clean the sidewalk. You are losing city assets even though it is DOT owned. Most citizens probably don't realize they are DOT owned.

I know the police department has two city code officers. We run up and down all the streets. We should be code enforcement. I know that several years ago we put GPS on the garbage trucks, and maybe that doesn't work anymore, but if we have two codes enforcement officers, it shouldn't take citizens calling all the time to complain about things. We have police officers all over the City all the time. I would like to see that get better so that neighbors don't have to complain about neighbors. I see code violations all the time. There is a guy up on Manchester who has built a lean-to at the road on the property line. There are things that we should let the codes enforcement people ride through and see. Please authorize Public Works, and Mike does a good job, to go ahead and maintain the sidewalks we have.

There are not that many. The one on Bethel, the high schoolers walk down there. I had one runner trip in the winter and fall in the street. I had to pull her out of the road. Thank goodness there was no traffic coming.

Second issue. I am shifting gears.

Mayor Raines: Your three minutes are up.

Danny Day: I didn't know it was three minutes. Is that something new? If you don't want input, just tell me. This is a follow-up from the June 3<sup>rd</sup> special called meeting. It provided no opportunity for public comment on the sewer fee. There is not an opportunity to question, correct, or challenge comments by council members and this was even more restricted at the special called meeting. There were statements made by council at the special called meeting in relation to my public comment from the council meeting in May that I believe were not only incorrect, but very misleading to anyone listening. First, it is misleading to suggest that a special tax subdistrict for Mauldin sewer could be ineffective for citizens that do not pay. The ability to place a property lien is as effective as the ability of Greenville Water to shut off someone's water. The City also has some exposure for the 1000 and something people who are billed by the City directly and not by Greenville Water.

Second, there was some suggestion that the general fund did not have the dollars available to use for this. Unless I misunderstood, whoever said that was saying that money did not exist. Revenues are up and strong. Did that money disappear? I don't think so.

Third, we do not have a precise number for labor and material costs and project scope, definitions, and contingency. For example, the revenue bond was \$3.1 million and then jumped back to \$3.4 million. We need some conciseness. I think that was 58% that ended up being 63%.

Fourth, regarding the May 19<sup>th</sup> unfinished business section, the alternatives were two things. One is third party billing and it is two dollars plus. You didn't discuss anything else that anyone put forward. It had the media hype that we would try to look at third-party vendors, but nothing else was discussed. The sewer tax sub-district was not discussed. If you truly want citizen input in council activities, at least demonstrate willingness to look into these issues, let us know if it can or can't be done, and if it can be done, why are you unwilling to do it.

Fifth, after all this, and great head shaking, a park will take root at West Washington Street. This is a part of Greenville Water System's redevelopment project that costs \$9 million and will wrap around the block. City officials hope this will spur more development. The Water System has quietly bought land around West Broad Street in anticipation of ground breaking in August. Taking up 9.8 acres and thirteen properties, there will be office space, amphitheater, water features, a parking garage, a Georgian revival building and trees planted down Washington Street.

Greenville Water must have joy in getting their billing fees paid by Mauldin City taxpayers. They haven't even had to raise water rates. We have given them \$100,000 per year and more like a million over the next few years. The City of Greenville has smart leadership. Nothing like cash flow. Hopefully our citizens can at least enjoy the new campus. Greenville City knows how to do good stewardship for their citizens.

I am not going to bring this sewer fee up again. You have done it and are comfortable with it. I am not and I never will be, because I think you did not explore all the options or try to see if there is a way to be precise on how much you have to have, and is there a way to gain revenue without giving some of it away in the process to some other entity. You are losing it to another municipality. Government is not like any other not for profit business. It is a constantly changing environment. I hope you can all reflect on this and look at different ways to get the revenue you need. The old model doesn't work and you are not getting the most out of your dollars. I don't mind if you need the money, because none of us want the infrastructure to fail. But we are also basically losing \$100,000. We could put that directly into the sewer. It is a hard road, but it is a road that you should take. I hear all the time you want input, but I didn't feel that I saw that in this case. I gave you a bunch of data and I did not hear at all that any of it was incorrect or you couldn't at least evaluate it.

I remember very clearly the City Attorney commenting on the Taylors Fire Sub District but I didn't hear anyone give instructions to look at that. There is no need to whine about this. My money is hard to come by and I want to make sure you can get everything you can out of it when I give it up and I am sure the other citizens feel the same way. I don't want you to feel like you have done something wrong. But, when someone gives you public comment, and I know you can't respond because of the rules you have, but under unfinished business you can say we can look into that.

Mayor Raines: We did.

Danny Day: No, you didn't. The attorney said he would recommend against that. What you did was have him look into a third party billing.

Mayor Raines: You weren't here. We had another attorney look into it.

Danny Day: Why didn't you tell me that?

John Duggan: The attorney said it could not be done. Council spent money to ask a tax attorney. This council took your comments seriously and asked me to look into it as a result of that. I regret you feel that way, but we did look into it and I followed up with this body. What you missed in my comments regarding the Taylors Special Purpose District was they at that time were funding with a tax millage that was completely district wide. We cannot do that in this City because we have people getting service from different providers. You cannot tax those people to pay for the system that only a few citizens are on. You cannot do it.

Danny Day: We did not hear this dialogue. If you go back if this meeting was recorded, your comments are...

John Duggan: I know what my comments were.

Danny Day: Your comments were Mauldin would have to consult a tax lawyer to pursue that.

John Duggan: That was for a sub-district, not for a city-wide tax.

Danny Day: I am willing to pull the recordings if you are. Let's get the recordings. This is not a court of law.

John Duggan: No, we are not going to waste time doing that.

Danny Day: But I am willing to. I am willing to waste time.

John Duggan: I am not going to sit here and listen to you accuse this Council of something they did. I am going to tell you I did the work and you are wrong.

Danny Day: I am not accusing them of anything. Let's pull videos and see.

John Duggan: I don't care to do that. I know what they did. I am proud of them.

Danny Day: I know what they did. I am proud of them too if they did that but I didn't know.

John Duggan: You are unhappy because it is not what you wanted.

Trey Eubanks: I can send you the email from the tax attorney stating...

Danny Day: You are telling me things that I have not heard.

- d. Randy Kuzniar: Do you have time? I will be brief. About twenty years ago I moved here from Dallas, Texas. What a change. We went from a 24 hour a day City to quiet. My wife picked out the house. We wanted something with trees and we love it. I didn't drive all around the city, I always came in from the other end. When I finally did go through, this intersection 20 years ago was really bad. Over the years, this town has improved a lot. We now have a cultural center and the streets are improved, we have super services-trash, police, no question. Second to none.

The limbs that are in the streets have become worse. I heard a comment from the community that you can move to Mauldin and throw your stuff in the street. I don't like to complain. If I have to, someone is not doing their job. Mr. Day said, runners see a lot...

Mayor Raines: Do you run with him?

Randy Kuzniar: No, but I have seen him. I do run a lot, and see things. On Gail Drive, there was a pile of limbs in the middle of the street. Everyone had to stop. His kid was playing in the pile with no one watching. I was going to the pool and saw this and said this is bad. Edgewood is also a bad street. Stuff piled in the street. It is down to one little lane. It scared me, because when I was a kid I would play in the leaves. If a kid does that now, it would be all over.

I have asked my colleagues from all over whether they are allowed in their cities to throw things in the street and they all said, we can't throw anything in the street. I am wondering why Mauldin would allow that. Why are we allowing trees, rubbish in the roads? Streets should be perfectly clean. This morning I saw two gutters that are designed to go down. People are putting grass right next to it. One gutter was covered with all kinds of garbage. How can this be? Is there an ordinance?

Mayor Raines: I thought I heard in the right of way.

Randy Kuzniar: Also, there is carpet. The City does not pick it up. A lot of people don't know or can't take care of it. I looked at carpet in eh street for a month. There is carpet on Knollwood now. They will leave it there until it is picked up. No one picks up grass that is not bagged. It goes around the drain and down the street. We have an issue with sewer maintenance. What is next? Storm water maintenance? On Father's Day, Forrester Woods was just as bad. I was in there riding bikes with my grandson. It was bad. Sad that they would allow that. Mr. Matney, thank you for bringing this issue up.

- e. Pat Taylor: Tonight there was a gentleman here from Ten At the Top. They have got to do with Agenda 21. Do you know what that is? Does anyone in this room know? I love Mauldin and my county and I love the United States. Obama has brought this bad stuff in. Agenda 21 is connected with the United Nations. The United Nations is pushing stuff you can see in Greenville, South Carolina, and the whole united States. I am not telling you what to do, but they are part of it. If you get involved in it, you are involved with something that is not good for our City.

Next thing, those six dogs next door to us that I can't do anything about have run along the fence so much that when it rains, the water stands. I have taken pictures of it. It runs like a river next to our driveway. What can I do about that? Can I make them bring dirt or do I have to get a lawyer.

John Duggan: Surface water in this state is known as a common enemy except when a property owner consciously concentrates the water and puts it on another's property like funneling it. If they are concentrating the water on your property, I recommend you contact a lawyer.

Pat Taylor: I just want to make sure I am not going to do something I am not supposed to. We already have a problem with those neighbors and I think I need to have someone send them a letter. They also have a pine tree near our carport, and if that thing falls it is going to be on our cars and carport. I think I am going to include it all in the letter.

John Duggan: A property owner has a duty if they have a tree that is unhealthy and it falls and causes damage, they are liable. If the tree is unhealthy, I would certainly document that with photographs. Have someone send a letter and put photographs with it.

Pat Taylor: You know how high bricks stand up, it is right up there that high.

10. Council requests.

11. Adjournment. – Mayor Raines adjourned the meeting at 9:50 p.m.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk