

**Minutes  
Mauldin City Council  
Called Session before Council Workshop  
May 9, 2007  
6: 30 PM**

**Members present were Mayor RC Jones, Council members Don Godbey, Bob Cook, Gabe Hunter, James Kennedy, Dale Black and Jerry Smith.**

1. Call to order.- Mayor Jones
  - a. Invocation- Mayor Jones
  - b. Pledge of Allegiance- Mayor Jones
  - c. Welcome- Mayor Jones
2. New Business
  - Committee of the Whole
    - a. Consideration and action on first reading for annexation of Oak and Pine Forests (the petition lumped the two neighborhoods together)

Chairman Hunter: Request to annex and rezone the Pine Forest and Oak Forest subdivisions and several abutting lots located between Forrester Drive and Miller Road from R-12 in the County to R-12 in the City. The homeowners have petitioned for annexation into the City so that they can benefit from City Services. Staff has verified that there are 264 signatures of the property owners of the effected 347 parcels, which constitutes 76.08 percent. State law requires a minimum of 75 percent of the owners.

The median home price in the subject area runs between \$95,000 and \$115,000 and the petitions contained the stipulation that "no City tax in any form shall be collected from the petitioning area for the year 2007". If annexed under this condition, we would not receive any tax revenue until December of 2008, although we would have to start providing services upon the effective date of the annexation.

Chairman Hunter made a motion to accept this on first reading with Councilman Cook seconding.

Councilman Cook: I thought I was hearing in our discussions that we were going to petition the County to start the taxes early. Is this going to affect that?

Mayor Jones: Mr. Cook, we found out that if we did a petition with that information and gotten it to Greenville County, we could have done that. We were a day late and a dollar short. We started this discussion last year. From now on until June 30<sup>th</sup> we can do that and then reverts over to a new year. We did have two months if we had known about it in time.

Councilman Cook: Do they have a cut off, Ms. White?

Lisa White: Actually, the cut off is December 31<sup>st</sup>, but the person at the county as a favor to the municipalities knowing that we start providing services, she will do her best to get it on to the tax rolls as long as we get it to her by June 30<sup>th</sup>. I think what the Mayor is saying that since we had already started discussion with these homeowners several months ago, we told them they would not pay 2007 taxes. In this case, it is just because we made an obligation to the home owners.

Councilman Cook: My next question is other annexations- have we petitioned to do them?

Lisa White: We can.

Councilman Cook: No, I said have we?

Mayor Jones: We don't have any more pending.

Councilman Cook: Butler Station?

Mayor Jones: That is already in the past.

Councilman Cook: Well, ok, but my question is why did we discuss it?

Mayor Jones: She found out about it from a lady at the County.

Councilman Cook: I understand that. Why if we can't do it, there is no reason to talk about it.

Mayor Jones: For the record, I guess. That is what I am getting. If you know something, you can always do something about it, but if you don't know something, you get blindsided. The lady told us it is really December 31<sup>st</sup>, but they would give us a break since you have to do six months' service. You have to have the petition and we didn't know about it in time. Really and truly it is December 31<sup>st</sup>. We have some expenses.

John Duggan: I talked with Lisa White and I did speak with the lady at the County to get clarification. What it involves is in order to get the tax notices out, they close out the new properties subject to city taxes during June and sometimes into July. What she said is going forward from now in if we will insert in all future annexations that it will be subject to property taxes in the current calendar year then at the time they close their books out, they will add city taxes for those new property owners effective the calendar year we do it in up until they have to close it out. I fashioned out the wording and emailed it to Cindy Miller so that Cindy will have it inserted in all future annexation ordinances we do. But, part of the problem was in answering representations to the property owners, up until recently, we have said you won't be taxes until the next year. There is sort of an understanding that they wouldn't be taxed during the calendar year 07. I have taken care of future situations so that all of you

should know in future negotiations with property owners, you should tell them they will be taxed in the calendar year in which their property is annexed.

Councilman Cook: I would have liked to have known that before I asked the question. Somebody should have informed me because I was under the impression that we were going to petition and get half the money. This is my thing. That's fine. I got it.

John Duggan: Mr. Cook, all I have to say is I may be slow but I am ahead of you on this one.

Councilman Cook: No, you're not.

Councilman Black: Where was he when we heard June 30<sup>th</sup>?

Councilman Cook: I was under the impression that we could file this year and that is what I am saying.

Mayor Jones: It is also good that you asked and that it is on the record.

Councilman Cook: I know. I was under that impression. Ok. Thank you.

Councilman Hunter: Is the only reason we can't do it in this instance the fact that we told them we wouldn't?

Mayor Jones: We didn't tell them, that is the thing. They asked all the details as to what they would have to pay like if they have a burglar alarm, they have to pay \$10, we went through everything. We didn't know about this. When Lisa found this out, it was sort of a gift to us. Once you make a commitment, it is hard to back out of. That is what it is.

The vote was unanimous (7-0).

Mayor Jones: Mr. Sapp, are you going to have everything ready for second reading by the 21<sup>st</sup>?

Russell Sapp: It has to go to the Planning Commission.

Councilman Black: We have got to get that changed.

Mayor Jones: When do they meet again?

Russell Sapp: June 26<sup>th</sup>.

Mayor Jones: That will be hard for us to do that and get it approved by July 1<sup>st</sup>. We should go back and look at this. Any established subdivision that comes into the city shouldn't go to the Planning Commission.

Councilman Godbey: Is it possible for the Planning Commission to have a called meeting?

Russell Sapp: I don't see why they couldn't.

Peter Nomikos: They would have to advertise it and I don't think we could do a meeting any sooner than that.

Russell Sapp: Is that because it is a public hearing?

Peter Nomikos: It is a public hearing. They have to give 30 days' notice.

John Duggan: That is correct.

Mayor Jones: I suppose we could tell the folks August 1<sup>st</sup> then.

Councilman Godbey: We can have second reading. We could have a council meeting because we have a workshop planned on the 26<sup>th</sup>. We could have the meeting after the Planning Commission.

Mayor Jones: Does council have a problem with a special called meeting after the Planning Commission meets?

Lisa White: Or you could reschedule your regular session from June 18<sup>th</sup> and postpone it to the 26<sup>th</sup>. I gave Mr. Sapp a calendar for the budget and if that is your second reading on the budget, that would make the first reading seven days earlier. You have to have two June meetings anyway.

Russell Sapp: June 18<sup>th</sup> is first reading and second reading on June 26<sup>th</sup>, which is the same night as the Planning Commission. Do second reading on annexation and budget.

Mayor Jones: Set it up for the 26<sup>th</sup>, we will follow them and get this behind us.

Councilman Godbey made a motion to go into executive session with a second by Councilman Hunter.

Leo Joyce: I was under the impression that zoning and planning meet every month.

Mayor Jones: They do but you have to have thirty days' notice.

Councilman Black: I would like to recognize Mr. Jimmy Whitesides. They might not know him, but know his work from the fields.

Mayor Jones: Jimmy Whitesides came to us and has been here two years. The parks looked bleak and bad and he has done a great job. We are going to have him do the streets, sidewalks and entranceways. We are giving him another crew. He is doing a wonderful job and we are glad to have you. If it is not clean, we know who to look for.

Jimmy Whitesides: That's right.

Council adjourned into executive session.

3. Executive session for contractual matter.
4. Executive session for personnel matter.- administrator position

Mayor Jones called the meeting back to order. The City will renegotiate on the contract. The personnel matter was discussed. No action was taken.

5. Adjournment.- Mayor Jones

Respectfully Submitted,

Cindy Miller  
Municipal Clerk