

**Minutes
Public Safety Committee
October 1, 2018
6:00 PM
5th committee meeting**

Members present were Chairman Scott Crosby, Committee members Taft Matney and Larry Goodson. Police Chief Bryan Turner and Fire Chief Bill Stewart were also present.

1. Call to order.- Chairman Crosby
2. Public comment.

Robbie Kellett: I am assuming you are talking about the clubs. I am glad to enlighten you on anything you may have question-wise. These are the issues and I know you have a noise ordinance on the agenda. We **are** having other issues that only happen a few hours a night four to five times a week. I am sure most of you are in bed, but at 11:30 at night on Tuesday, you are parking anywhere from 6 to 8 to 100 cars. If anyone is aware of how towing works, most of the time people will move their cars because they know it is coming. People flood the lots and start moving their stuff. If you come to my business at 11:30 on a Saturday night and I have towed three cars out of my parking lot, that gives you an idea of how many cars are parking here.

The problem is not only the parking, it is because we find used tampons, condoms, bags of reefer, cigars, rolling papers, you name it, chicken bones, women's underwear, that issue and we have that issue as well as damage to property- going down the sides of cars, scratching cars, driving over the barriers to get to the grass, so they are breaking the curbing driving over the top of it. Those are the issues in my life. There have been shots fired. The police department has come out because of the shots fired. There has been a fight on Facebook Live in my parking lot. Glass bottles, that sort of thing. I am glad to provide council, if this goes to council, of my full information request from last week. Cindy left this week but I think the Chief has it. I am glad to show you pictures from the parking lot on things I found. I believe going forward there is a way to find some middle ground here. It is happening in my parking lot at my

business. The car insurance agency has blocked their lot off. It is happening across the street at World Auto, who has now spent money on a fence to keep people from parking in there. Green Light auto is the same way. Tire Exchange parks cars in front of their building to keep people from driving to the back of their building. Each business has done what they can to offset this.

My problem is it is an expense. When I get there on Sunday morning, someone has thrown up on my front door. I don't think as a city and police department you can't police that, but I shouldn't have to spend money to gate my property off or spend time towing cars on a nightly basis and say from 11pm-3am making sure the towing company is towing the correct cars out of my parking lot. It is a nuisance.

I know you have a nuisance problem with sound, but there is a nuisance with other instances going on. I appreciate you looking at the noise ordinance but I think there are other things to look at too. I don't know how to approach it and don't know what you are able to do, but I have had conversations with the business owner on how to handle this situation and right now, nothing is going on and that is where we are at.

I will take any advice on how to handle this or what we can do to stop this.

Bonnie Carter: I will say, I am Bonnie Carter from Carter Insurance Agency and I have had the exact same problems that Robbie has. I have to clean up throw up, poop, glass bottles are broken in my parking lot. Even though we tow, it continues. Just as having a paper trail, I have talked to the owners. If you watched it, you would be surprised. If I looked at it, I would think long and hard on whether I wanted to be in the City of Mauldin. It is more of their marketing is out there, but you would think they are trafficking children and having sex parties. From what I have seen, they probably are. You would think there is a lot of illegal stuff going on. It is all over the website.

Ann Henderson: I am Ann Henderson. Henderson Center at 505 North Main Street I am across and next to Carter. I don't think this is the type of picture I thought we want in Mauldin. It seems like there is absolutely no respect with businesses and neighbors. I think we are all trying to do the right thing and communicate with the police department. I have been there several times so it can be documented and tried to follow their instructions. I don't know what I would do without Robbie Kellett because I don't feel safe going up on Saturday at 11:30 at night. He has gone out and put up signs that people have taken back down off the property. I am in the process of updating the shopping center because it needs to desperately, but I am waiting for something to happen before I spend the money to do that because I don't know what- it seems like to me it is getting worse and I don't know how long it has been going on.

One of my tenants, Deb Tidmarsh at Mauldin Pharmacy- this is the text I got- "I came in last Monday morning to a bunch of trash in the parking lot. I took pictures. It took me 15-20 minutes to clean up before I could start working. Chicken wing bones in my planters by my front door, and to-go boxes on the concrete bench at my door near the awnings. Also, jello shot containers in the parking lot in front of my pharmacy." I thought it was illegal to sell those to go. I have pictures. I have tons of pictures of probably 50 cars in the parking lot in the middle of the night.

We need some help. It is just, I mean, I don't know what to do. We don't know what to do. We are trying to go through the proper channels. So, the only thing that I have- I thought nobody is thinking of something to do and one thing I can do with my early childhood education/ counseling degree is think of something to do about this. If the last time we had a tenant that could not get a permit to open up their space before we did a parking lot and describe every single tenant I have and what their business required and the number of parking places we had drawn out and they could not get there and open their business until we did that, then are these people in some kind of violation of that and could their license not be revoked? I am just throw it out there.

Robbie Kellett: I am going to piggyback on what she said and Chief, you might not be aware, a funny story. I don't want to cast, I know you are a recording, but I have probably been inebriated before in my life. I am not sure I want to go into how often, but I could remember where I parked at. This past weekend my son was home from the Marines and I was trying to spend some time with him before he left. The last weekend on Saturday night, we towed 12 cars. The Mauldin Police Department called me at 3:00 pm on Sunday afternoon and said we have a lady here that says you towed her car. I said ok. I said we didn't tow any cars, JR Towing did, call them. They said she has already been up there, they don't have her car, but her car was towed. I said well let me call. He told me what kind of car it was, I said I was there all night to make sure they didn't tow anything they were not supposed to. He said it was a Toyota Sequoia. I said let me call. I called and they said they didn't have it. I said I didn't see y'all tow a Sequoia and I was there all night. I called back to the police department and talked to someone else. I told them I am telling you we didn't tow that car.

Later that night, Sam Harrell called and said the lady is still looking for her car. She says you towed it, they towed it. We are going to turn it in as a stolen vehicle because we can't find it. She parked it at the Carter Insurance Agency. I said we didn't tow anything from Carter so it has to either be stolen or repo'd. We are talking about hours of time from 10 a.m. He texted me back later and said, oh, we found the car. It was parked at Ann Henderson's place around back. She must have forget where she parked it.

I am like, I don't want to call any names in this room, but I have been inebriated before and I could figure out where I parked at. I promise you by 4:00 p.m. the next day, I figured it out. This is the type of problem I am wondering about and trying to figure out what is going on. To piggyback on what Ann is saying, my issue is that my liability insurance has stated that once the police department has notified me there is a problem going on in my parking lot from next door, I am labile for it and they are not liable unless I have done everything I can do to offset the problem. In other words, I have to take cars every weekend in order to prove I am trying to steer off what is happening in my parking lot or I will be liable for it. That is where my issue is. It is not that I like staying there with this, it is that I

have to stay there in order to prove that if someone gets shot in my parking lot six months from now I can show that I talked to the police department, I have come to city hall, I have talked to council, towed cars, everything we can do to offset the problem so that my liability insurance will kick in and take care of what happened. I don't know if that is standard, but that is what was told to me by my agent that if I don't do something about it and continue to do something about it, liability will not cover it. That is where I am at. I believe that is where Ann is at too.

Ann Henderson: How long has this been going on, Robbie?

Robbie Kellett: It has been going on... when Motown on Main was there, there was issues with parking but not to this degree. We did not have the amount of trash and other issues. We had people parking there and we knew that, but no damage except one time someone backed off the road and into my sign which cost about \$2500 to fix the sign and exterior lights. Other than that, we were able to overlook it. At this point, eventually someone is going to run into gas pumps, set the building on fire, and there will be 15 fire trucks out there trying to put it out with a propane tank sitting out there with 500 gallons of fuel. We have those issues. We've got people crossing the road at 2:00 in the morning. There is a lot of traffic at 2:00 in the morning.

Ann Henderson: I couldn't believe it.

Robbie Kellett: Those are some of the issues you are encountering.

Bonnie Carter: If they are drinking so much they are throwing up, they don't need to be on the road.

Robbie Kellett: That is more of a micro issue, but that is what we are having. If there is something you can do to direct us in the right path, by all means, tell us how to move forward.

Chairman Crosby: Thank y'all. We will be getting back to this as a matter on the agenda. This is your time to talk. Anyone else?

Councilwoman King: Just briefly because I live in Knollwood. Mr. Matney and I have discussed this. About every other Sunday, he was commenting on the trash and I said yeah, it is there all the time and we have to pick it up. I sent him a picture and it was beer cans and bottles. I can't say that it all comes from across the street, but over the years, over the last year, it has become worse. Not this past weekend but the weekend before, my neighbor stated, and I didn't see this so I can't say for sure, but I do know I came in from the barbecue festival kind of late on a Friday and they were already lined up at the side of the road.

Robbie Kellett: They were parked up and down Knollwood Drive.

Councilwoman King: That is what I was getting to, a neighbor told me they were coming in at 2:38 a.m. and there were cars all lined up in the neighborhood.

Robbie Kellett: We didn't tow any of those cars.

Councilwoman King: He said there were tow trucks and blue lights towing, but I don't know anything about that.

Robbie Kellett: Something else may have happened over there but we were only towing over off Ann's lot and my lot.

Councilwoman King: My point to that is Devon residential is right there. If it happened weekend before last it will keep happening. The problem is spreading.

Ann Henderson: It's going to be at city hall before you know it and I wonder what is going to happen then.

Councilman Goodson: Robbie, Ann, and Ms. Graham, is this a nuisance to you, is it just discomforting to you, or do deem this dangerous scenario to the property you are on?

Ms. Graham: I think it is a dangerous scenario and it is just a matter of time that someone will get seriously hurt because of that club. I know about development, but if we don't get this under control fast... I called Mary Ann Knight who owns the building and had a nice conversation with her, she is a nice old lady and I suggested several things she could do like rent some property and valet the people back and forth. She said that is a good idea, could you get me a number? I got her the number of the shopping center and several vacant lots there. I said you might even call Enterprise. Now, what she did, I don't know. There are signs up that they are valeting. Obviously there is a problem. I think we are going to have legal problems. It is more than a nuisance. It is an irritation. I had a fine tenant call me and said Carol, we were thinking about buying the building, but now we are having second thoughts. It is very serious.

Robbie Kellett: The liability is the biggest problem to me. We are a small business and someone suing us of that nature it would be over with. If it a gunshot or someone getting run over in eh parking lot. Whatever happens there will come back on me. Even if they got drunk and hit the gas pumps and caught the building on fire, it still comes back on me. That is the nature of it in today's world. There is no personal responsibility. I believe it is a nuisance and it is an issue for me. Cleaning up the parking lot a couple of days a week is a nuisance.

I hear stories. Tire Exchange called us and asked us to come and move a car that was parked in front of the building in front of the bay doors. They couldn't get into the bay doors to get the cars out. They thought it was a customer's car and they just wanted us to move it. We went down there to move the car and in the meantime while we were in transit, and it is right there, at 10:00 a.m. the lady comes and gets in her car and drives off. He said it was someone, she was dressed at 10 in the morning like she had just been in the club. He said she just got in the car and drove out. We are having things like that that most people don't know what is happening. When something like that happens, we are on the edge trying to figure it out. Those are the kinds of things and they are small issues. They don't have someone parking there like that every weekend, but things like that happen. They are nuisance problems and make me mad. They irritate me, but the liability side is our biggest worry.

Ms. Graham: Jason from Tire Exchange called me and said one day they came in and found a bag of crack in the parking lot. They picked it up and threw it in the trash can. That is going on.

Dana Greer: 318 North Main Street. The thing on Facebook in the summer with 10-11pm the lights were going to go out and it would be a baby-making session, I don't think this is what people outside need to think of Mauldin.

Resident: Ms. Greer, you should look to see what is there for Halloween. It looks like strip club or a porn shop. That is what it looks like.

Chairman Crosby: I know you shouldn't have to, but do any of you have cameras recording outside your business?

Ms. Henderson: The pharmacy does.

Chairman Crosby: I am just curious. It ought to show some interesting stories.

Councilman Goodson: Do you have videos, Robbie?

Robbie Kellett: Yeah, I have all kinds of pictures. I am glad to let you look at them and see.

Councilman Matney: When are we going to get in a discussion about this? I am kinda sitting here biting my tongue.

Ms. Henderson: I did call the police Sunday afternoon.

Robbie Kellett: This is just one. I have got... Let me find a better one. Here is my throw up picture at the front door. Bag of pot in the parking lot. I have a report from that. Here's a picture of Miss Ann Henderson's parking lot at 2:00 a.m.

Chairman Crosby: I didn't know you did all that business at 2:00 in the morning.

Robbie Kellett: The Mexican restaurant that is now closed down.

Business owner: They have driven through their chains. Driven through them.

Chairman Crosby: We need to move on. There will be a second comment section afterwards. Again, I do thank you for raising these issues. If anything further needs to be said at the end, you can do that.

3. Reading and approval of minutes. –July 2, 2018

Councilman Matney made a motion to approve the minutes with Councilman Goodson seconding. The vote was unanimous (3-0).

4. Reports or communications from city officers.- Chief Stewart reported budgets were doing well. Chief Turner said police is 4% to the good with their budgets. The judicial budget is doing well and no large expenses are noted.

a. Discussion on residential/ businesses concerns over nightclub-

Chief Turner: I have sent out a brief and wanted to give you a rundown on what is going on. You have been provided information on Club Epic, Mauldin Liquors, and Truth Grill and Chill which all occupy that same area. The information I relayed in the brief is some you have heard tonight. You do have problems with parking, there are problems with litter, we have found narcotics and there have been reports of narcotics that were disposed of before we got there. So, yeah, we have all that stuff. Chances are, more likely than not, it comes from the patrons of those two establishments- the liquor store and one of the clubs. One club closes earlier than the other.

If you go back a couple of years, there was a club in that building, a club before, and a club before that. There wasn't always another club on the other end of the building. Before I got here it was a grill. It was open mainly during the day. Sometimes at night for parties. Parking was an issue front and back.

There is a parking issue no doubt. The fact that we have people spilling over into Knollwood is a result of parking and a result of lots that were open before being closed, cars being towed out of certain lots and so they decide to park other places. I sent a brief to council several months ago outlining what our role is as a city with parking problems on private property. And yes, we can enforce those. I want council to realize, to enforce them there is a lot of stuff we have to do on state law. We have to observe the violator park the vehicle, watch them go into a place, we are not going to go in and bring someone out, so we will have to wait for them to come out, and then cite them for parking.

There are opportunities for private owners to control parking on their lot when it is not warranted. One of those things is they can have vehicles towed. We do have cars parked on the edge of the roadway. We do not have cars parked on 276, though we did have that at one time. Those cars were immediately removed because that it is a US Highway. We do not as a city have any restrictions on on-street parking which means that as long as they are parked on the side of the road, that is allowed because we do not have an ordinance that it is not allowed. I have heard discussion on maybe we should not allow parking on the street. If that is the direction Council wants to go, that's fine, but that affects every street, every location and we have events here in the City we would have to consider. You can't have it some time and not all the time.

I have been to Bonnie's place and talked to her. I have been to Robbie's place numerous times. But, he is correct. It is about 18 months ago, and the new owner took over in February. About two years ago, it was known as Club Epic. 6-8 years ago, it was Motown on Main. The parking has increased. I understand that. Our population has increased. People who are going to clubs has increased maybe. Maybe this type of club brings in extra people and this appeals to certain types and that is fine. We have had reporting incidents there. You have those. I understand the issues. If I was a business owner and I had a business there, how would I feel? I understand completely. The best thing for Robbie to do would be shut his gates off, but he can't do that, because his business does not run 9am-5pm. He leaves his pumps on so people can get gas at 4:00 a.m. like I have done before. He needs to be able to have gas in the

pumps so when people come at 6:00 a.m. they have gas. I understand that. I don't know what the solution for this is. I really don't.

I've tried 5-6 times in the last two years and I have been successful each time to talk to the property owner to discuss the issues. Sometimes she came to me thinking we were looking at the club. People were getting nervous because the police were there all the time. We weren't. We can sit across the street and make sure things are ok, but we don't watch it unnecessarily. I have brought these things to her and sat down with her and said, hey, I have talked to several business owners and they want answers. Some of the responsibility falls on the property owners. I don't know if you can take someone's business license because they don't have enough parking for the license and they haven't added any. One thing I do not mind doing again is reaching out to the property owner to see if she has any suggestions, but I don't know what kind of solutions she may have. Maybe she can go to the establishment and talk to them about issues. We can't censor what someone puts on Facebook. I may not agree with it. I don't agree with everything I see on the internet. When someone called and asked what is a baby making session, we went down there and asked. What we thought of is exactly what everybody else thought of, but we were told what it was a little different. The officers listened and take their reports when they go out.

We have many instances where we have been called out. You saw that in your briefs. We have been called out many times for noise complaints. 7% of all the noise complaints have been for that place. That is not a high percentage. The Arbors is probably more than that, but it is one location. Of those complaints issued, there has only really been one violation. There are a lot of complaints. I can as the Chief talk to the property owner and I can go talk to the guy that is running the club. He is right. His job is to have a successful business and bring people in. He is not making money with people sitting in the parking lot. We have talked to him about that before. At that point they hired people that manage the gate because they are not making money when people are hanging out in the parking lot. We have seen a reduction.

I don't have a clear cut answer. There may be Council thoughts. I encourage you to look at what I provided. This is not my first time hearing from the business owners. I have been on the phone with each of them in reference to what is going on with the business or in reference to the business they had before. I don't have an answer based on our codes or what we are allowed to do by state law. I think it starts with the property owner to engage that person to see what we can do. There has been a lot of things said about what is going on in the club. I can tell you from when we have been in there for compliance checks for fire safety, it has been normal. They are at normal occupancy. We do fire checks for places in the City like Friar's Tavern, Pub, and Turtle Shell. We we get a call for service from the location and we go out there because someone has had too much to drink, that is not a club issue, that is a person issue. They have drank in excess and are puking in the bushes and you don't want to get up when the police come, you want to play a game on your phone. That is a personal issue, not a club issue.

I know we have had calls for service. I have outlined the majority. I urge council to realize these are businesses we have a good tracking history on and you are limited in your options and maybe you want legal council to look at something you want to draft. If you look at other cities' problems with parking, they make it privatized. If you are at Myrtle Beach at a club parked where you are not supposed to, they tow it. We have to respond to calls for service and while I understand and sympathize with everything Robbie said, everything Miss Bonnie said, I don't know what other options people have. We can't go in assuming people are doing the wrong thing even though patrons may or may not be. I think that is kind of where we are at.

Councilman Goodson: What is the occupancy?

Chief Stewart: It was actually reduced because the building is not sprinkled. It is 299 and they have not been anywhere near that when we have checked. Any inspections done during the day time have been normal. The owners has been very cooperative and has made repairs or corrections in a timely manner.

Chairman Crosby: Are you biting your tongue?

Councilman Matney: I am. Tell me when I can stop.

Councilman Goodson: Start or stop? Start.

Councilman Matney: You asked Robbie if he thought this was a nuisance or a safety issue. I think it is irrelevant if it is a nuisance issue. When your actions infringe on my rights, that is when we have a problem. What is going on at the club is infringing on his rights as a property owner. On Ms. Graham's rights, on Ms. Henderson's rights as a property owner.

I have known Robbie for a long time and he has always looked tired but I haven't seen him look this tired. He shouldn't have to sit there until 3 or 4 in the morning to police his property. He shouldn't have to call tow trucks. He shouldn't have to pick up used condoms or used underwear. He shouldn't have to pick up all the other things he has to. This is a real issue. I am all for business and free enterprise, but when we have a club whose patrons are disrespecting this City, and I will be perfectly honest, I would love to talk with the city attorney and find a way to close this down. That is what I would like to see. This shouldn't be going on. If we can't do that, as the parking spills into neighborhoods, do we start building zoning classifications that require permits for residents or guest parking on certain streets so the police can get rid of the cars parked on the side of the road at 3 in the morning.

Ms. King should not have to go on Sunday morning before church and fill up a trash bag with the garbage she is finding. We can talk about the noise, but it is not just about that with the decibels and how loud it is. When you start talking about the vibrations and the bass, that is not necessarily going to factor into decibels, but there are meters we can buy to measure bass levels. If you have shaking residences because of the thump of the speakers, we should be able to address that.

Again, I would love to shut them down. I think that what is creeping in to our neighborhoods and the adjoining properties, not only is it something we don't want, it is causing a danger. It causes an environment that has violence, drugs, sex, and stuff that is on tv that you wouldn't be able to watch unless it was on cable after midnight. We don't need that on the streets on Mauldin. And I will shut up for now.

Councilman Goodson: I made a Sunday repair at Ms. Henderson's building because I had to cut the water off and I found three .38 shells in her parking lot. I didn't tell you that.

Ms. Henderson: No you didn't. I already was on the phone with police because I wanted them to know I was there. They were very nice and asked if I wanted them to send a car. I said no, but if you happen to be riding by, I am in the shopping center. You never know if there is someone that didn't like the sign about being towed or whatever.

Councilman Goodson: I don't fathom why you empty the gun and throw the shells in the parking lot. It is scary. Someone had a gun and I don't know where it came from.

Chief Turner : I am not aware of a shooting in the business. There was an incident where we believe patrons were going there close to closing time and they pulled up on the side of Hwy 276 and fired shots in the air. The night club guys called it in and we stopped a car matching the description at QT, but it wasn't the right car. They didn't have a gun. We shut the road down and couldn't find any shells in the road. It was a Honda Accord and we had the wrong one. There have been no shootings in the club. We have had a couple of fights between people that work in the club and patrons. We have made arrests. Don't get me wrong, I am not trying to downplay. I am trying to be realistic with the options. I know you have concerns.

Councilman Goodson: If you live or are involved in something that is out of your comfort zone, it is nice to be able to call for help. If you call and help is limited in

what they can do, it is frustrating. Frustrations build and I notice in your report that out of 19 complaints, 17 were from the same guy. I don't see that is a man calling wolf, I see that as a desperate man trying to make something happen for his family. If he is making up stuff, that is bad. But the man that came up at the last council meeting was concerned. I don't see how it is going to stop. There is no magic wand until someone gets hurt. I don't want to see Robbie get hurt. Or his business damaged because someone got mad and drove a car through it because their car got towed. I don't see an upside to this. Not at all. I don't have a problem seeking legal advice to do this. The City has done before.

Dana Greer: Mauldin is so concerned about trees and setback lines, but this can hurt a City.

Bud Greer: I can provide some additional parking space too.

Councilman Goodson: Hush, Bud. Dana, get him under control.

Robbie Kellett: The Chief has been very cordial. I have seen him several times and talked to him about several situations. I told the officers we are going to start calling them and letting them know about the situation. They have always checked on me. Even on this past Saturday night while my son was here, but a blond headed lady in a black Charger was...

Chief Turner: Jen? Jen Ryan?

Robbie Kellett: Jen Ryan. She was there. The officers have been good. There have been multiple ones that have come up here when we are towing cars. We do not tow cars every single weekend. It is too much for me to stay up all night Friday and Saturday night. We took 12 this weekend, 20 two weekends before that, 16 the weekend before that and on and on. Our thing was we will tow two or three and they will get the message. I would even go to the club and say we are going to start towing cars and the bouncer will look me in the eyes and say tow every single one of them because we have told everyone who walks in the door do not park next door. I have talked to the bartenders who say they

announce it every couple of songs. They have learned how to park so they don't get towed. If I tow 12 it is because the snatch trucks can't get to the other ones. We only tow for an hour and a half because we don't want them to come out of the club and then we have an issue. Chief has always come and talked to me.

Councilman Goodson: I know last month when I talked to Robbie he had this look on his face and said I can't do it anymore. I am done.

Ms. Henderson: What time do they close?

Chief Turner: 2.

Ms. Henderson: Then what do they do? Go to the parking lot and have a party?

Chief Turner: They don't really hang around. They probably ate their chicken before they got there. I don't know. He mentioned they stay until 4 in the morning. I don't think that is right. They cut their stuff off. I think they probably do last call around 1:45 a.m. and start turning on some lights. People start walking out and in the winter, there is not a reason to stand in the parking lot.

Robbie Kellett: Unless they are wandering around in the parking lot looking for their car.

Chairman Crosby: I am sure you have cases where someone leaves with someone else and you are left with their car.

Robbie Kellett: That has happened at Tire Exchange and at our place.

Chief Turner: This morning I was going somewhere, I saw a vehicle behind a club. I thought that must have been a really rough night if the vehicle stayed there from Saturday night. I don't know if it was broken down, but I make the assumption. You can make an assumption. No one is at the pharmacy at 10:00 a.m. on Sunday. No one is buying insurance from Bonnie at 10:00 a.m. on

Sunday. I do not mind reaching out to the property owner again and saying this is what council is looking at, what are your plans?

Councilman Goodson: After listening to everybody and you, Chief, and these people, it is obvious everyone has done what they can do and now it is council's time.

Councilman Matney: I hate to say executive session, because we have them all the time, but I would like to have an executive session to receive legal advice from the city attorney on what our legal options are, because the residential and commercial impact should not be what it is. They shouldn't find what they are finding and worry for their own safety and the noise and vibration shouldn't impact the quality of life of the residential areas. I would like us to talk to the city attorney about it.

Chairman Crosby: I want to make a statement and then we will move on. I don't want anyone to take my silence as not caring. I totally agree with what Taft said. I have the highest sympathy for the business owners. I didn't want to be a business owner because I am not about to put in 60 hours a week in normal business hours. Robbie, now you have to babysit your property additional hours. I could not do that. I could not do that. If I did, my mood would be such that I would probably do something that would get me in trouble with this guy whether I am on council or not. It would be a bad choice. You know what I mean. You have my strongest sympathy. Beyond that, this is not over. It wouldn't be over whether you hear about it or not. You have made your point and everyone on council has heard this. This is not the Mauldin face we want and it is not going to be. We have to do something. We do have to be careful what we do. We obviously don't want for the neighborhoods that your visitors cannot park in the street. By the same token, if I lived in Knollwood and had 8 year old kids, I would be scared to death to have them out at that time of day. When I was 8 years old, I was out at that time of day. With parents' permission, but I was.

Councilman Goodson: At 1:00 in the morning?

Chairman Crosby: I would hang out with two neighbors a two houses down and we would go camping in sleeping bags in the back yard and we knew their father would get up 15 minutes after he went to bed to go to the bathroom and he would look at us and then he would go down. We knew when the light was out he would be asleep and we would be gone and a mile away. This was when I was twelve. My wife likes to say she was glad she didn't have a child like me. The children aren't as crazy as I was, but you don't want them to be outside. The sound bothers me. I know decibel readings don't register the lower bass. Something needs to be used to measure that and these are all issues that need to be addressed. I will request an executive session for the agenda and we can discuss this with legal counsel before we make a next step.

5. Old business

6. New business

a. Fire ventilation system grant- Chief Stewart said this ventilation system would get rid of diesel and exhaust fumes . The department applied for and received a Fire Assistance grant for ventilation systems for each station except Bethel Road. Cancer is the leading cause of death for firefighters. The grant total request was \$142,980. There is a 10% local for \$12,998.

Councilman Goodson made a motion to send this to council with a recommendation of approval of the match amount. Councilman Matney seconded the motion and the vote was unanimous (3-0).

b. Noise ordinance- Chief Turner provided a copy of the noise ordinance. He took a copy of the current noise ordinance with suggestion based on what the police department has noticed and issues we have had. There are attachments from different municipalities. Chief Turner said we have a good noise ordinance but it needs some tweaks. He would like to have this forwarded to council. The changes are in red. Under the current ordinance, if officers see an offense, they have to contact me and you have to give notification in writing. A letter has to be sent, give several weeks, then a ticket.

Councilman Goodson said when he and Miller were walking from the bbq event, the music from the band was as loud at Springfield Park as it was in front of the cultural center.

Our ordinance is written on DBA. DBC addresses bass. He said he thinks the meter we have will measure C, but there is no use to measure it since our ordinance doesn't address it. It would be a complete rework for the standard of measurement. If you get C, you are missing A. Councilman Matney said he found one in an Atlanta suburb that addresses C and A.

Councilman Matney asked if we had checked with the MASC. Chief said there were a couple of articles that he can share with council. There are a few suggestions for what not to add to a noise ordinance. Chief Turner said our ordinance is more restrictive than some others.

Councilman Goodson made a motion to forward the noise ordinance to council with Councilman Matney seconding. The vote was unanimous (3-0).

Councilman Matney said he would like more discussion on the item especially on DBC.

7. Public comment.
8. Committee concerns.
9. Adjournment.- Chairman Crosby adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk