

**MINUTES
MAULDIN CITY COUNCIL
DECEMBER 17, 2018
7:00 PM
COUNCIL CHAMBERS**

Members present were Mayor Dennis Raines, Council members Carol King, Taft Matney, Terry Merritt, Scott Crosby, Larry Goodson and Dale Black. City Attorney John Duggan and City Administrator Brandon Madden were also present.

1. Call to order.- Mayor Raines
 - a. Invocation- Councilman Matney
 - b. Pledge of Allegiance- Councilman Matney
 - c. Welcome- Mayor Raines
2. Proclamations and Presentations

Pat Pomeroy gave a report on the Chamber's Christmas activities. The Chamber will hold a Business Expo this year.

3. Reading and approval of minutes.- City Council minutes November 19, 2018- Councilman Crosby made a motion to approve the minutes with Councilman Merritt seconding. The vote was unanimous (6-0). Councilman Black did not vote since he was not present at the November meeting.
4. Public Comment.- None
5. Report from City Administrator

- a. Winter storm update

Brandon thanked the Public Works, Fire and Police departments for their hard work during the snow storm last week. They did a great job keeping the roads clear for traffic.

Councilman Black mentioned the calendar on the back of the monthly report has some dates missing and shows November and December instead of December and January. Staff will work to correct this issue.

Councilman Crosby said the roads were in great shape when he drove to work and complimented our departments.

6. Reports from Standing Committees- The reports are on file.
 - a. Public Works (Chairman Goodson)
 - b. Economic Planning and Development (Chairman Matney)
 - c. Building Codes (Chairman Black)
 - d. Recreation (Chairman Merritt)- Joe Lanahan reported that 12U were state championship runners- up. We will have them as guests at January's council meeting.
 - e. Finance and Policy (Chairwoman King)
 - f. Public Safety (Chairman Crosby)

7. Unfinished Business
 - a. Consideration and action Bridgeway Station rezoning (Building Codes)- Chairman Black advised that there are two parcels of land with this rezoning. One is comprised of 72 acres owned by Centerpointe Land and the other is 6 acres owned by CC Systems LLC. Both properties are requesting Urban Village zoning. Chairman Black made a motion to rezone the Centerpointe Land tract with Councilman Goodson seconding. The vote was unanimous (7-0). Chairman Black then made a motion to rezone the 6 acre tract with Councilman Matney seconding. The vote was unanimous (7-0).

 - b. Consideration and action on setoff debt collection program (Committee of the Whole)- Councilman Matney made a motion to consider this item informally with Councilman Goodson seconding. The vote was unanimous (7-0). This ordinance will allow the City to charge collection fees as part of the delinquent tax debt. Councilwoman King made a motion to accept this ordinance on final reading. Councilman Matney seconded the motion and the vote was unanimous (7-0). There is a resolution as well from MASC to authorize the City Administrator to enter into an agreement for collection of debt.

Councilwoman King made a motion to approve the resolution with Councilman Merritt seconding. The vote was unanimous (7-0).

8. New Business

- a. Consideration and action on Residential-Office (R-O) zoning district amendment (Building Codes)- This is to establish a residential-office district to allow a live/work situation. Chairman Black made a motion to accept this ordinance on first reading. Councilman Goodson seconded the motion and the vote was unanimous (7-0).
- b. Consideration and action on annexation at 1215 Miller Road (Building Codes)- Chairman Black made a motion to accept this annexation of .9 acres and a 10 foot strip on first reading with Councilman Crosby seconding. The vote was unanimous (7-0).
- c. Consideration and action on annexation at 225 Smith Hines Road (Building Codes)- Chairman Black made a motion to accept this ordinance on first reading. It is currently in the County as R12 and this would be a rezoning to City RM1. Councilwoman King seconded the motion and the vote was unanimous (7-0).
- d. Consideration and action on annexation at Ashmore Bridge Road (Building Codes)- This annexation has six parcels of land totaling around 89 acres. Chairman Black made a motion to accept on first reading annexation of property at the corner of Ashmore Bridge Road and Ranch Roads zoned RM1. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

Chairman Black made a motion to accept on first reading property at 1 Latherton Court to be zoned R20. Councilman Crosby seconded the motion and the vote was unanimous (7-0).

Chairman Black made a motion to accept on first reading a 10 foot strip at 2 Latherton Court. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

Chairman Black made a motion to accept on first reading a 10 foot strip at 14 Latherton Court. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

Chairman Black made a motion to accept on first reading a 10 foot strip at 18 Latherton Court. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

Chairman Black made a motion to accept on first reading property at 855 Ashmore Bridge Road zoned RM1. Councilman Crosby seconded the motion and the vote was unanimous (7-0).

- e. Consideration and action on project manager for cultural center playground/shelter (PW)- Chairman Goodson made a motion to accept Mavin Construction as the project manager for the cultural center playground/shelter in the amount of \$27,000. Councilman Crosby seconded the motion.

Councilman Merritt said he is concerned that in the proposal it says Mavin will offer their services but project manager is a role they have not had in the past. They are involved in projects in which they manage what they have built, but this is managing installation of equipment the City already has. The equipment we have totals up to over \$49,000. Mavin wants \$27,000 to manage our project. Councilman Merritt said that is not 5% of the project, that is 46%. He said he knows that normally the charge is 5% of the entire project, but we already have everything ready to be installed.

Chairman Goodson said this is an attempt to get this project completed. We have had the playground equipment for over a year stored at Public Works and a shelter sitting behind the sports center for over two months. He says he thinks Mavin is very capable. Councilman Goodson said he hates that it is going to be \$27,000 but the project needs to be finished. Councilman Merritt understands it needs to be done, but he doesn't like the extra expenditure. Councilman Merritt said he does appreciate the work both Joe and Chief Turner have done in trying to tie up loose ends left in the project. Mayor Raines mentioned that Recreation staff recommends Mavin based on their experience with other similar jobs.

Councilman Black asked if there was any recourse if the project is not done correctly. John Duggan said the City could sue for breach of contract. John Duggan said council should make the motion to approve the project manager pending attorney and council approval of the actual AIA contract.

Mayor Raines asked Joe if what was in the packet was the contract. Joe said it would have the same terms, but would be a binding contract. John Duggan said Mavin needs to understand that if council and the attorney do not approve the contract, the deal is off.

Councilman Goodson amended the motion to add that Mavin be approved as project manager contingent upon contract approval by the city attorney and city council. Councilman Crosby seconded the motion to amend.

Councilman Merritt said Mavin's correspondence of November 29th references an AIA contract. John Duggan said that is an American Institute of Architects standard contract. Councilman Merritt said the contract needs to state all of the punch down items in the order of installation. Mayor Raines said he would also be looking for his normal not to exceed clause.

The vote on the motion as amended was unanimous (7-0).

- f. Consideration and action on senior center renovation (Rec)- Chairman Merritt said the Senior Center was built in 1989. Renovations and add-ons need to be done. These renovations will also bring the building up to ADA compliance. We have two funding sources for the project. The first is the Lt. Governor's PIP grant of \$325,000. We also have current GCRA funds of \$437,247.08. Combining these gives us \$762,274.08. If we add GCRA funding for fiscal year 2019 available on July 1st, 2019 in the estimated amount of \$170,000, there would be \$902,359.70 in renovations done to the building.

Councilman Goodson asked if there was one project manager from GCRA. Joe Lanahan said Joe Smith would be the manager. Marsh Bell is the contractor.

Chairman Merritt made a motion to move forward with the Senior Center renovations with the funding sources previously mentioned. Councilman Black seconded the motion and the vote was unanimous (7-0).

- g. Consideration and action on business license ordinance update (Finance)- Chairwoman King said this was an update to the definition of gross income in our business license ordinance. She made a motion to accept this update of our ordinance. Councilman Matney seconded the motion and the vote was unanimous (7-0).
- h. Consideration and action on amendments to the standing committee rules (Committee of the Whole)- Councilman Merritt asked for a point of order. The standing committee rules were discussed in the December Finance committee meeting and forwarded to council for input only. Councilman Merritt said he does not think this needs a committee of the whole motion since it came from Finance. John Duggan said if the item came from Finance it does not need a committee of the whole motion.

Chairwoman King said there are two amendments to the standing committee rules and one resolution for consideration tonight. One amendment adds wording regarding removal of a committee chair. The amendment is as follows:

however, in unusual or extraordinary circumstances, or for actions deemed to be detrimental to the City, then City Council reserves the right to remove a committee chair or committee member for actions deemed by a majority vote of City Council. ~~to be detrimental to the Committee, to City Council, or to the City.~~ In the event of a vacancy of a committee chair or committee member, the Mayor shall serve in that capacity at either the first regular or special called meeting after

~~the vacancy occurs, appoint another member of the committee to chair the committee with the consent of council. Such committee appointment shall remain in force until~~ either the first regular or special called meeting after the inauguration following the next election.

The second amendment adds wording as follows to the Public Works Committee:

- Public Works – Matters relating to streets, drainage, sanitation, sanitary sewers, vehicle maintenance, and maintenance of parks, fields, bikeways, greenways, and construction and maintenance of city-owned buildings and grounds.

Councilwoman King made a motion to accept the resolution to amend the standing committee rules as discussed. Councilman Goodson seconded the motion.

Councilman Goodson asked if playground equipment could be added under Recreation. No motion was made.

Councilman Merritt asked if Councilwoman King would like to send these amendments back to committee for consideration. Councilwoman King said the suggestion was made that this item come to council as committee of the whole with the proposed amendments. Any member of council can request an item be put on the agenda through committee of the whole and at that point address both changes including the addition under public works.

Councilman Merritt said this item was sent by committee to council for input. Specifically on item 1, he is ok with the wording, but the intent of committee was to send this to council for input only unless there is some urgency to this matter.

John Duggan interjected that he did not realize what action committee had taken when he said this item did not need a motion to consider informally. Since these amendments did not come through the Finance Committee, there would need to be a motion to consider this informally as committee of the whole.

Councilwoman King said the standing committee rules reflects the entire body of council, not a committee of three and that is why the amendments were placed under committee of the whole.

Councilman Merritt: There was an issue in committee regarding whether construction would come under public works or come under the committee responsible for the building under construction. My concern was it would be put under the department that has the highest turnover in the City. We were spoiled with the professionalism and talents the department used to have, but they don't exist there anymore. I have concerns about it. The first part I don't have any concerns about. It is worded well and put in to give you an out. I hate to see us rush into it because this committee has done a lot of work over the last few years trying to straighten out resolutions and ordinances that were poorly worded in the past. We are a City in the top 5 of where people want to be, and our documentation should be first rate also. I want the committees to be able to do their job.

Mayor Raines: I think you are in the discussion phase.

Councilman Merritt: We are still in discussion because she hasn't withdrawn the motion.

Mayor Raines: She did withdraw the motion. Miss King?

Councilwoman King: I asked Mr. Duggan if I needed to withdraw the motion and start over.

Councilman Merritt: He said yes but it wasn't. I thought we were still in the discussion phase. If we aren't... I will defer to a few minutes later.

Councilwoman King made a motion to consider this item informally with Councilman Goodson seconding. The vote was 5-2 with Councilman Black and Councilman Merritt opposing.

Councilwoman King: If it pleases council to go back and address these separately...

Councilman Black: We can do them both.

John Duggan: You can do both sections in one motion because the resolution speaks to amendments.

Councilwoman King: We have had the discussion. I am back to making a motion to approve the resolution which amends the standing committee rules on page 1 and 2 under organization as well as page 3 adding construction and maintenance of city-owned buildings and grounds under public works.

Councilman Black: I would like to go back to the Finance minutes. It talks about putting the construction of the playground and shelter under public works. On paragraph 2 page 3, "Chairwoman King suggested this be forwarded to council as information only to get council's input." Then it says "Councilman Black made a motion to send this item to council for information only. Councilman Merritt seconded the motion and the vote was unanimous (3-0)." The way I look at this it is an opportunity for input on if we wanted to put construction under public works or leave it under recreation. We discussed maintenance will be done by

public works on all the buildings and grounds. Now we have this other item and it was not discussed in committee. I don't know what all this is about. Maybe let committee look at it and bring it back to full council. I am confused. It says one thing but we are talking about something else.

Mayor Raines: Correct me if I am wrong, but it takes a body of seven to make decisions.

John Duggan: There are two ways to bring something to council. One is by committee. The other is by consideration of committee of the whole items by majority vote.

Mayor Raines: For me it makes more sense that any construction come through Public Works, because they will maintain whatever is constructed. If they are involved at the front of the project, they will know where the utilities are coming in, where the cutoffs are, and it makes sense to me to just bring everything under Public Works.

Councilman Merritt: The first question I have is to the counselor. I understand you were involved in the wording of this first part.

John Duggan: I was in Durham for a checkup. Daniel came up with the wording. I read through it when I came back. I don't recall changing any of the wording.

Councilman Merritt: Could you tell me the dates y'all worked on this?

John Duggan: Monday I think we were asked to look at the rules. I was in Durham Tuesday and Wednesday, so Daniel was working on it. I got back into the office on Thursday and looked at it and did not make any changes.

Councilman Merritt: So your office has had this since Monday.

John Duggan: We were made aware that council was looking to make some changes to the committee rules, but we didn't begin the process until Tuesday.

Councilman Merritt: Second question to someone who knows more than I do. The construction being under public works, the project we approved this or last month with the renovations at the cultural center, those will now be moved under public works? That is the way I understand it.

Councilman Goodson: Terry, something that should have been so simple has been a terrible misunderstanding for two or three years. Public Works has been very successful at dealing with projects and it is because we have worked as a group, met with the architects, but committee is not involved in day to day progress. The projects have been handled by project managers like GMC. The committee has met with them, but then they are out of it. Committee is not there day to day to oversee anything. The bathroom at the park was originally my idea, we took it and met with several committees, remember outside with Mr. Cook? We joined together because it involved two committees. The committee chairs joined together.

Councilman Matney: We froze to death.

Councilman Goodson: It was a project to be done together...

Councilman Merritt: That was the day you stood in the middle of the road trying to find the sewer...

Councilwoman King: No, that was a different one. I was there at that one.

Councilman Goodson: No, that was before you or Miss King were here. The project was delayed, not because of committee or council involvement, but it got delayed. Then as it moved in, between Recreation and me, Recreation took over. That is point blank what happened.

Councilman Merritt: Public Works got pushed out?

Councilman Goodson: Exactly.

Councilman Merritt: I beg to differ on that. You were invited to those meetings. There were reasons you didn't show up, but you were invited.

Councilman Goodson: Once you have an architect, you don't have meetings. You might on updates, but you don't need to meet. That is exactly what we have done with public works. We have done \$6 million dollars worth of projects that have come in under budget, completed, and the engineers turned money back in. It is not because I am smart. You can tell that- I can't get these motions out- but it is because I know my boundaries. I know the boundaries of the chairs of the committees. With the sewer lift project, we worked for months and months because we couldn't get it right, but once we got it right through committee, we were done with it. That is the process that has to happen, and it has not happened with the project across the street. I think construction needs to be where it is. We can get it done in Public Works. Whether it is going with Economic Development, Recreation, we can work together. That is what I have demonstrated and that is the experience I have brought- completed projects.

Councilman Merritt: Then the answer to my question is yes. The cultural center renovation project will fall under public works.

Mayor Raines: Any project.

Councilman Goodson: I can tell you from my experiences that is not the fact we are going to bully our way into this. We are going to work with the other committees and listen to the advice of staff and then get out of it. We are not in it to run it.

Mayor Raines: Any further discussion?

Councilman Merritt: Nah.

Councilman Black: Both items?

Mayor Raines: Yes.

The vote was 5-2 to accept the resolution to amend standing committee rules with Councilman Black and Councilman Merritt opposing.

- i. Consideration and action to remove Recreation Committee Chairman pursuant to amended standing committee rules (Committee of the Whole)

Mayor Raines: As it pertains to item i, I received a text message at approximately 10:00 a.m. on Saturday morning which I will read verbatim. "After much prayer and discussion with Di, and consideration of others, I will resign if that is still an option." Mr. Merritt, is that still applicable?

Councilman Merritt: No, sir. If you will read on through your additional text messages from me, it was contingent upon you providing me with what it is I did wrong. You never responded. Hang on, I can give you the exact thing since you read mine. The last thing I have to you was at 10:55 a.m.- "No problem, I just would like to see the bullet points you were making." The no problem was from when you had said your notes that you were reading came from a meeting with an employee and you would not share those. I said, that's fine. Another at 10:55 a.m. from me- "I just don't remember them all. I feel you owe me the opportunity to sit down with you and share my recollection of how it started and went and I want to go through each and every one of them."

You never responded to me so I was waiting at that point not hearing anything from you, I was prepared to hear this publicly.

Mayor Raines: Very well. Basically, the reason that this comes to us at this point is the fact that we need to hold all of ourselves accountable. We need to hold ourselves accountable to follow the standing committee rules. This is my job, unfortunately, when I have one particular council member not abiding by standing committee rule number 11. I have had conversations with him and so has the City Attorney. I believe the majority of this council would like for him to abide by the rules. So, with that, I make a motion to remove the Recreation Committee Chairman subject to the standing committee rules.

Councilman Merritt: Point of order. This is a committee of the whole item.

Mayor Raines: Very well. I have a motion to consider this item as committee of the whole.

Councilman Goodson seconded the motion to consider this item informally. The vote was 5-2 with Councilman Merritt and Councilman Black opposing.

Mayor Raines: I now make the motion to remove the Recreation Committee Chairman pursuant to the amended standing committee rules.

Councilman Goodson seconded the motion.

Councilman Black: I am kind of dumbfuzzled on what brought all this on. I got a call from Miss King and heard her side, but I never heard, and I suggested we go into executive session for a personnel matter. I was told it wasn't a personnel matter so we didn't require an executive session. I don't know what all transpired. I heard one side of the equation, but I haven't heard the other side. I don't know who is all involved in it except for one individual that was spoke of. It is supposedly Mr. Merritt and you want to take him off as chairman. But, I don't know how it transpired, if it was truthful, or if the people had some kind of problem or what. All I know is what I was told out of a meeting that you had supposedly with Mr. Merritt and Miss King.

Mayor Raines: That is correct.

Councilman Black: Now, I don't know. I know they want to take him off as Chair of Recreation, but I don't know what for. I heard from Miss King, but there are two sides of every story.

Mayor Raines: There absolutely is. I think before I made the motion I explained to you the reason behind this. One council member has, as most of us know, continually not adhered to the standing committee rules and gets too involved in the day to day operations and business of the City.

Councilman Black: I don't know anything about this...

Councilman Merritt: I guess what you said in the motion is referred to item 11 of the standing committee rules where I interfere in the city's business. That came up in March or April, but at that point in time, no one told me what I interfered with. Suggestions or walking around with our city administrator then, who was considered the project manager, and there was nothing ever laid on the table that I did wrong. That I dealt directly with vendors, contractors, or staff members , I never heard anything further about that. When you called me Friday for a meeting, texted me, and wanted to meet in your office at 3:00 p.m., I told you I had a doctor's appointment and I would let you know when I got out. When I did, you said come on and meet with me in my office, so I did. When I walked in, there was a third person seated in there and I was never told why they were there. You had a passion to read from your notes and bullet points I was accused of and they had to do with complaints from Recreation personnel concerning... I am trying to remember.

The one you got out that I never got an opportunity to explain was, because you didn't hush long enough, I got half a sentence out, and I asked you to let me finish my sentence. You did, and then went back to reading this list of things that had to do with meetings with staff and you actually identified the person as a staff member as (name withdrawn) from (withdrawn). I never heard the others. It came across to me that you weren't interested in sharing anything about what your action point was trying to be. It was some problem with (name withdrawn) and, by the way, she wasn't involved in anything that had to do with number 11. But, it ended up to me that it wasn't a discussion between me and you, especially with a third party in there, but it was more of a lynching. Based on that and the third person being in there, and Miss King was in there, and she sits on two committees with me. That represents a quorum of those two committees and a

majority of committee could potentially discuss an item for the Finance Committee or the Recreation Committee and it was an unpublished meeting. I didn't want to violate Freedom of Information. I said to myself, not out loud, the best thing for me to do is leave, and I left. Shortly thereafter or some period later, after the action item you said I violated, I went back and looked at my calendar and notes trying to figure out what it was.

I met with (name withdrawn) today, and there are no issues with me in my activities as Recreation Chairperson. No intimidation, no threats, nothing. No directive that was given to her as I can recall. She went and met with the HR Director and said the same thing, no issues. Let's kick it up a notch. I then went to Joe Lanahan and said let me know what I have done and I will apologize publicly or take a public flogging, because that is what I owe to my constituents who elected me to sit up here. I don't know what I have done wrong. Joe said he doesn't have an issue with me either. Both of those meetings are recorded if you need to hear them.

All I ask is that you, without doing something that is going to confuse a lot of people, is tell me specifics of what I have done and give me the opportunity to answer. Don't try to lynch me and ask me to resign or step down in the back room. I don't want that. I was elected by the general public and if I am wrong, I owe it to you to make it right. I owe it to you to hear what I have done wrong. And other than hearing regarding section 11 that I interfered, there has been no specifics to what I have interfered about. If you want to remove me, at least give me a week or so to meet with the Mayor and find out the particulars. If I have done something wrong, I would fully step down as chairperson of Recreation privately or publicly in front of those who elected me. I don't have a problem with that. At this point in time, I have no particulars of where I have interfered with anybody other than the cultural center project which is way over budget and I went around with the city administrator who I have every right to meet with and communicate with in any shape or form that I want to. I have no power in the form of government Mauldin has chosen. I am one vote of seven. That can't violate a seasoned city administrator who was very well aware of the power. I don't understand it. But, I will take whatever...

Mayor Raines: Let me reiterate the reason. I have had this discussion with you in the past about overstepping your bounds. Our attorney has also had this discussion with you. So, at this point, it doesn't appear that talking with you has had any amenable result. Therefore, I think, and I believe the rest of council will agree with me, that on more than one occasion you have overstepped your bounds.

Councilman Merritt: I would like particulars on what those are. I am a big boy and I will own up to it. But, talking at me instead of talking with me, and I have heard your allegations back in March or April, but so far no one has told me what I did wrong. Did I give a direct order to some subordinate or the administrator that he felt he had to follow up on? I don't understand it. I don't see it. So far you have been unwilling to do that. As far as what counsel has communicated to me before, yes there has been an effort to try and do things and if you want to go back to the sewer problem, actions that have occurred since then that was furnished with documentation that proves the point that I wasn't out of line. It was

referred to the proper channels and it was dealt with. Not to my satisfaction maybe, but that was going back three or four years ago and now you wait four years to try and beat me up with that again. I don't understand it. There is nothing current that you have identified to me and I take exception to that. Major exception to that. The public that elected me. Tell me. Gabe can publish what I did. I will take my punishment. But just because you don't like something does not make it standing committee rule violation.

When I left Friday afternoon, I actually enjoyed the passion you demonstrated. I liked the passion. I didn't like that it was directed toward me, but at least you were showing passion and I appreciate that. Again, I don't know. I am more than happy to listen and talk with you. Just don't talk at me and not give me undocumented, unsubstantiated opinion.

Mayor Raines: I think I would only conclude that Mr. Merritt, and this council would agree, we all live and perform by the standing committee rules, and therefore, we have one council member not standing by the rules. Mr. Merritt, this is not a public place that I would like to run down every single fact. Is there any further discussion?

Councilman Black: It seems like that council has already been versed on the whole story of everyone involved. I only know what I was told by one individual that transpired in a meeting. If I went to a court of law, I sure would hate to be guilty and we had a trial and they said you are guilty because of this, and someone is guilty before they are proven innocent, if they are, of any charges. I have a problem with that. It seems like, and I may be wrong, but it seems like it will be a 5-2 vote. Evidently everyone has been sold on the wrongdoings of Mr. Merritt and I don't know what they are. You say he has overstepped his bounds and I don't know. You have overstepped your bounds on some things also. But, you know...

Mayor Raines: We all make mistakes.

Councilman Black: That is what I am saying. You want to condemn somebody and he just got through telling you he talked to the individuals and they had no problem with him. I think there is some fishy stuff going along here somewhere.

Mayor Raines: Mr. Black, let me say that there is not one instance. This is not occurring because of one instance. It is occurring tonight because of a pattern.

Councilman Black: I would disagree with that.

Mayor Raines: The pattern has not been good with this council. Any further discussion?

Councilman Merritt: Mr. Mayor, the only thing that I have got left is to amend your motion to postpone indefinitely. My reason behind that is to at least allow you and me to talk. I am at a loss and confusion as to if you are removing me from council, and you don't have the authority to do that, the public elected me, I understand, but Chair of the committee, I don't know of anything the Chair has done wrong other than the accusations you laid out. A difference of opinion I am ok with. But

now that there is no rules laid out, nothing for me to correct, I will continue to do that. That is why I was elected to council of the City of Mauldin. I will make an amendment to the motion to postpone indefinitely for the duration of this meeting to give us a chance to talk.

Mayor Raines: Is that in the form of a motion?

Councilman Merritt: It is a motion to postpone indefinitely.

Councilman Black: Second.

The motion to postpone indefinitely was defeated 2-5 with Councilman Matney, Councilwoman King, Mayor Raines, Councilman Crosby, and Councilman Goodson opposing.

Councilwoman King: I apologize for stepping out. I am obviously suffering a cold and I have chugged two bottles of water. We will leave it at that. I am not sure what I missed while I was out, however, it is unfortunate that a name was given tonight. I don't think that is fair to the employee involved. The only other thing I would like to say is Mr. Merritt said the third person, which was myself. As Mayor Pro Tempore, the Mayor asked me to sit in on the conversations. Mr. Mayor did have a list that he was discussing with Mr. Merritt. Mr. Merritt did not want to stay and hear all of the explanations and he left the room. He did have the opportunity, in my opinion, on December 14th when we met to hear the accusations and have a rebuttal, so to speak. He left the room. So, I felt it was necessary to add that for public information.

Mayor Raines: Thank you, Miss King.

Councilman Merritt: Thank you, Mr. Mayor. I don't know if you were here when I laid out the reason why I actually left the meeting. I didn't know why you were in there and you and I sit on two committees. It was an unannounced quorum or a majority of those committees and an unpublished meeting and I was afraid of an FOIA violation. That was part of why I left. The other was because I never got a chance to talk. The Mayor would not stop long enough. I didn't even recognize when he would breathe, he just reading and ranting that I had to step down, I had to step down. I was never given an opportunity. It got to the point that it was going nowhere. He says you can't talk to me. I couldn't answer anything he was telling me. The only thing I could identify was one person he said that I went out of bounds with. Of course, I set out to try to find out what that was. Many texts between him and I later on. He never responded to the last one on what it is.

If it is something that I have done, I will take my punishment, I will resign or step down, which I think is the term he wanted me to use. In that email I shared with council he asked will you step down? I said no problem, send me the list of what it is I have done wrong. That never got produced. It was going nowhere in the meeting. I didn't like that it came across as a lynching. I wasn't allowed to talk. You were sitting in there and no one told me why you were there. I know you are on two committees with me and I wasn't going to sit there and get Freedom of Information violations because I had no reason why you were there. He didn't

even state why you were there. The last text to me was meet with me in my office. Me implies him, not them.

I was totally caught off guard with this whole thing. I have no clue. I didn't have notes, I didn't have where it was at. It was somewhat that I have not seen him like that and I have known him a long time. I appreciate the passion, but that is the reason I left. There were conversations between he and I after I left the meeting trying to get clarification. To me, this whole thing, I would hope let's deal with the facts. I will man up to any of them if I have them. Just don't make it have the appearance of political issues or even retaliation for one vote several years ago of one councilman. I don't know. It doesn't smack of reasonable effort to identify to an elected official what he has done wrong. Have I said everything perfect all the time? No. None of us have. But, I have nothing to apologize to my constituents for at this point that I am aware of other than you just don't like the way I do things. Everything was legal. No one has shown me I was illegal. If it was something, tell me. Let's deal with it.

Everything here is conjecture and hearsay and someone is ticked off by something I can't identify. I can't defend against that and this has been rigged tonight. There has been conversations evidently somewhere that I am not aware of. I am a big boy. If I can't be chair of Recreation and the standing committee rules says there has to be three council members, I don't know how you do that, you missed that in there. That's fine. Pay is the same guys, sorry. I apologize to the public for the last twenty minutes or so. We don't know why. If you know why, reach out to me. My phone number, my address, is on the website. Contact me and let me know. If I hear anything, I will share it with you. I have lived in the same house for 45 years. Come see me. Let me know. I would appreciate it because I have no clue.

Councilman Black: Once you and the majority of council oust Mr. Merritt from Chairman of the Recreation committee, who is going to take over as Chairperson because you can't chair two committees?

Mao Raines: That would be me. That was part of what you just approved.

Councilman Black: It says council. I know you are part of the Council, but you are the Mayor, not a councilmember. It is still confusing.

Mayor Raines: All those in favor, raise your hands please.

Councilman Merritt: May I request a roll call?

Councilman Matney- aye, Councilwoman King- aye, Councilman Merritt- no, Mayor Raines- aye, Councilman Crosby- aye, Councilman Black- no, Councilman Goodson- aye. The vote was 5-2 in favor of removal of Chairman Merritt from the Recreation committee.

9. Public Comment

James Stringfield: I am James Stringfield of 411 Adams Mill Road for the last thirty years. I have aged a little bit. I would like to speak to you about fireworks. I

wholly approve of it. Quick story, when I was 12 years old, a friend of mine and I were doing fireworks and he failed to let go of a cherry bomb and lost the tops of two of his fingers. It didn't hinder him any. He went on to become a football star in high school. But, he got a nickname for the rest of his life called fingers. Two weeks from tonight they will start the fireworks. They don't give up. Some are like cannons and you would think you are in a war zone. Go back to the 4th of July, they started July 2nd. I called the police and asked them if they would just send a car. That usually quiets them down. They must have because it was quiet for an hour or two. On July 3rd, the war zone was going. I called and the police man, who was very nice, came out and he must have gone to see someone else, because they calmed down.

I am not sure everyone realizes it is against the law. You can't even have them, sell them, or shoot them. The neighborhood thing online for Brookside, someone put on there they were new and what was the stance on fireworks? One guy answered if you live in the County you can do anything you want to and if you live in the City it is ok too, because they don't enforce it. I don't know why we have a law that you won't enforce. I can live with a night or two, but this goes on for three or four nights in a row. I am not sure that people even know it is against the law. They just go buy them at Mr. Firecracker. I thought we could put it on the website that it is against the law so that if you call the Tribune, I am sure they would speak to the police chief and put it in their little paper that it is against the law to shoot fireworks in the City of Mauldin.

My biggest concern is my little dog. She goes bananas when this happens. She has a lot of rights because of all the people here, she is the only one with a license. She is totally legal and can prove it. I think you ought to take that into consideration. Thank you.

10. Council requests

Mayor Raines wished everyone Merry Christmas and Happy New Year.

11. Adjournment.- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk