

**MINUTES
MAULDIN CITY COUNCIL
JUNE 20, 2011
7:00 PM**

Members present were Mayor Don Godbey, Council members Bob Cook, Gabe Hunter, James Kennedy, Dale Black, and Michael Reynolds. Councilwoman Gettys was out of town. City Attorney John Duggan and City Administrator Trey Eubanks were also present.

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Black
 - b. Pledge of Allegiance- Councilman Reynolds
 - c. Welcome- Mayor Godbey
2. Proclamations and Presentations- Pat Pomeroy, Mauldin Chamber; George McLeer, Mauldin Cultural Center; Miss SC Teen
Miss Greater Mauldin and Miss Greater Mauldin Teen were both present to speak to council. They will both be competing in Miss South Carolina pageants soon.
Pat Pomeroy was not present.
George McLeer reported that the summer concert series is now finished. The cultural center website has just been redone. The next board meeting is July 11th. The landscaping should start after the DHEC permit is issued.
3. Reading and approval of minutes.- May 16, 2011
Councilman Kennedy made a motion to approve the minutes with Councilman Black seconding. The vote was unanimous (6-0).
4. Public Comment.
 - a. Sonny Ninan: I am representing Hailee's Sports Bar and Grill. I would like to speak on the alcohol ordinance. State law allows us to sell beer and wine all night until five in the morning. We cater to service industry from all over Greenville, Greer, and Mauldin. McDonald's stays open all night. Wal-Mart stays open all night. With the new attitude, we feel like we need to stay open the hours to serve alcohol. We also have a full kitchen open all night long. Hailee's is the only bar in the City of Mauldin that stays open until five. That is the way it was when we annexed into

the City of Mauldin and we would like to be grandfathered in on the alcohol service.

- b. Pat Taylor: I live at 311 Poplar Lane. The only reason I came tonight is to find out what you are going to do about the charge on the taxes. Last week I got the tax on my car, there is a fee on my car and \$20 more for the tag, and I pay on my house. I am not rich and can't pay a lot. I was here once before and I know you are doing your best, but still, I can't afford \$65.00.
- c. James Wagner: I am here to lend my support to the alcohol ordinance. We have been in business here for about five years and have always closed at 2 a.m. When I grew up, my parents told me nothing but trouble happens that late. I own the Zone at 787 East Butler Road. We run a restaurant and bar. We have noticed an increase in police drive throughs and enforcing ordinances, which we support. We have never had an issue and last year things have gotten stricter. I know I have employees in the service industry and they do go out after 2 am, but there is nothing but too much drinking and trouble.
- d. Baxter Tisdale: I would like to thank you for allowing us to speak. Please excuse my dress. I was expecting to change fryers to make wings, not speak to city council. I don't want to reiterate too much, but we do completely support this ordinance. My mom and grandmother have a saying and that is "nothing good is open after two am, except for legs and Waffle House." Nothing but trouble after two am. Some of the businesses may do their best to avert that trouble, but once you get so much alcohol in you, you can't help it. If patrons can't go out and get their drinking done before 2:00 a.m., maybe they don't need to go out and drink. If businesses can't be successful without being open between 2 am and 6 am, maybe they should be running a daycare instead of a bar.

Safety is our biggest concern, because Mauldin is not New York City. It is not the city that never sleeps; we need rest. Police Officers don't need to be worrying about what is happening at bars. They have other things they need to worry about. If we as general managers can't control that, maybe we shouldn't be in business. You can't be mad at the City of Mauldin for wanting to make it a little safer. The only thing this ordinance will do is cut down on DUIs, maybe some criminal domestic violence, maybe some alcohol-related fatalities. Me, as not a business owner, but a manager of a restaurant, I support that. That means those people are going to come back to my restaurant tomorrow. They will be safe and can come back the next day.

For it not to be ok to pass this ordinance, maybe the city could make it mandatory for a bar that is open past 2 am to have an off-duty officer there, or to have a cab service on hand if someone becomes too intoxicated to drive. If we are taking the proper steps, we wouldn't have to change this ordinance and I wouldn't be standing here talking to you right now. We need to do some things differently, and we totally, totally support you guys.

- e. Wayne Crick: 710 Huntington Circle. Members of council, administrator, department heads, I am here representing myself. This is about cutting costs, nothing offensive, but a concern that is resonating all over the country. All of you hear this every day. Your service to the City is appreciated and you have the challenge of operating our city to the best of your ability. It becomes easy to recognize the roles that education, churches, businesses, and residents play and what they contribute to the quality of life here. The municipal contribution of services funded by the taxpayer plays its part in the positive formation of any community. Across our great land, government spending and the unwillingness to reduce its own costs, is generating concern among the electorate. With the high rate of unemployment, we are spending more than we are taking in. It would greatly behoove our city government here in Mauldin to adopt a serious cost cutting approach.

As I speak to Mr. Eubanks, he assures me that the budget is down in numbers as is the revenue. He is making the effort. Cutting costs is serious business and it is not a popular sport. It is done every day in business. We have costs that continue to soar and the government seems to not have a great concern. It is time that we really get serious about cutting costs, utilizing our assets, and doing a better job with our budgeting process. While it would behoove the City to adopt a cost cutting approach before seeking relief from the taxpayer, and while it is commendable to maintain our reserve of funds, it sends another message of frugality. No employer wants to impose on its loyal workforce. Many employers are cross training clerical people to avoid additional positions being generated. New positions are always with us, for some reason.

Many things have met with temporary suspension during difficult economic times. Operationally, the private sector expects its employees to pick up the slake. Go the extra mile and get the job done together. Supervisory staff encourages their employees to do more than their part. In this economy, just having a job is wonderful. Can government operate as a business? Yes, it can. Even though you may have no desire for profit and you may not know if you have a loss, you must protect the taxpayer in your stewardship commitment. Ordinances exist that create revenue and protect our communities. In the early 1990s, the City walked away from commercial garbage pickup. The business community saw no tax relief. The city is planning a fee that will fund increases from the county landfill. This means yet another cost to businesses that do not use the service. As the lady mentioned in front of me, it affects everyone. While this fee on an individual basis is not a great concern, it indicates a pattern. What comes next year or the year after?

City records show that 650 businesses maintain license privileges in Mauldin. License fees were \$1.5 million and hospitality fees are about a half a million dollars. The contributions are generous and everyone is doing their part. We have to have some level of steadiness in terms of what is next and where we are going. Property and equipment being another wave of taxation for business. Having your cake and eating it too is often not realistic. The city services in Mauldin are good. These people

are good. You can depend on the services in Mauldin. The department heads should be commended for what they do. My request to you is you look for ways to cut costs. We are all in it together.

There has never been a better time to use city businesses. We are asking that the city businesses have an opportunity. If a city business has a product or service the city can use, I am asking that they do that. I challenge each of you to avoid tax increases. Our problems across the country are a long way from being over. Last year we had a tax increase, this year the public works fee. The city has absorbed these costs for the landfill, but the day is here to pass that along to everyone. The public works fee should not be laid at the feet of the public works operation. It is a serious cost. It deals with disposal, but also has a value across the face of the city's operation. I challenge you and ask you to please get serious about the cost cutting. Be able to show, and when I say this to Mr. Eubanks, he smiles at me. I appreciate that because he is a nice-looking fellow, but the eleven million dollar is something, and Cook and Dale, you have seen it come and go. Let's get serious about cutting costs. Let's make the effort now so we don't have to deal with it later. Thank you so kindly.

5. Report from City Administrator

Trey reported that contracts have been signed with landscaping contractors. We expect a permit from DHEC next month. We should have a lot of progress by Halloween. Trey also thanked the citizens serving on our Cultural Center Foundation Board and encouraged them to continue efforts to improve the auditorium.

Holly Abercrombie has completed four out of the five requirements so far for her GFOA certification. Also, the city will receive the GFOA award for the ninth year in a row.

The process of the US 276 project is advancing in a positive way. DOT accepted bids last week for the third time and is expecting to award a bid for the project. The bid was \$628,000. The cost estimate from DOT was \$613,000.

6. Reports from Standing Committees

a. Public Works (Chairman Kennedy)

i. Reports and Communications from PW Director

Greg Fincher reported the department has been busy with the storms that have come through lately. Councilman Black thanked Mr. Fincher for his dedication and the excellent work he is doing.

b. Finance and Policy (Chairman Reynolds)

i. Reports and Communication from Finance Director

Holly reported that budgets look good. We are still waiting on some revenues. There will be more business license revenue coming in from the MASC and one more tax check.

Mayor Godbey asked if we could get a list of the other municipalities that have won the GFOA award and for how many years running.

c. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos reported that the department budget is running 9% under. Housing starts rose again for the month of may. Permit revenue is increasing. 9 houses are under construction in the Heights. The Valley at Tanner Estates has eleven houses being built. A new office building is going in behind Veggies to Go.

d. Recreation (Chairwoman Gettys)

i. Reports and Communications from Recreation Director

Van Brannon reported 2500 people participated in senior activities this month. All star tournaments are going on now. The cheerleading program has a lot of participation. Zumba fest will be in July to help raise funds for the cheerleading program. Van thanked the city departments for their help with the basketball tournament. Councilman Cook asked if we could bring in portable stands if we ever have another event like this.

e. Fire (Chairman Black)

i. Reports and Communications from Fire Chief

Chief Sapp showed slides of the new fire station.

f. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

The girls' youth camp has started and they are doing well. Chief Turner asked Clerk of Court Angela Martin to swear in AJ Hansen.

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

August 22nd is the next jury trial term.

7. Unfinished Business

Council agreed to change the order of the two items on unfinished business.

a. Consideration and action on public works fee ordinance (Finance)

Chairman Reynolds made a motion to accept the city services fee ordinance with the amendment of \$45.00. Councilman Hunter seconded the motion and the vote was 5-1 with Councilman Black dissenting. Councilman Black cannot support this ordinance because he doesn't want to burden the taxpayers. Chairman Reynolds said he would like this fee to be eliminated in the future.

b. Consideration and action on FY 12 budget ordinance (Finance)

Chairman Reynolds made a motion to pass the budget ordinance (option 1) on second reading. Option 1 applies a net gain and reduces the public works fee to \$45.00. Everything else remains the same. Councilman Cook seconded the motion and the vote was 5-1 with Councilman Black dissenting.

8. New Business

a. Fiscal policy change (Finance)

The fiscal policy change came about because of GASB 54. GASB has changed some of the definitions of the designations of the fund balance. The biggest change is labeling funds from designated to assigned. Chairman Reynolds made a motion to make this change. Councilman Cook seconded and the vote was unanimous (6-0).

b. Assign fund balances previously designated (Finance)

Chairman Reynolds made a motion to make these changes pursuant to the motion above. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

c. Compensation and classification plan (Finance)

The last plan was done in 2002. We have updated our classification plan along with Evergreen Consultants. The new plan is merit based. Chairman Reynolds made a motion to accept the new plan as submitted. Councilman Cook seconded the motion. Councilman Black asked if any new information had come out of the last meeting. Mr. Eubanks said there were a few new criteria for evaluation of employees that was previously provided. He will get that information to Councilman Black. The vote was unanimous (6-0).

d. Planning Commission and Zoning Board of Appeals vacancies (PEDC)

Council members voted by ballot. The members that were placed on the Planning Commission were Pete Chandler, William Drummond, Elizabeth Wiygul, and Rodney Neely. James Bagwell and Laura McCullough were placed on the Zoning Board.

e. Greenlink transit proposal (PEDC)

Trey Bouchet, Vice-Chair of the Transit committee, and Greg Baney from Greenlink were present. GTA is excited to propose the provision of bus services to Mauldin and Simpsonville residents. Three buses, five bus shelters will be provided through a federal grant. Mauldin does not have to expend any money for the project. Each bus will make a round trip every two hours. It is projected to have 110 daily riders. Mayor Godbey asked that this item go to PEDC for more discussion.

f. Alcohol ordinance (Police)

Chairman Cook made a motion to approve the alcohol ordinance on first reading with Councilman Hunter seconding. The vote was unanimous (6-0). Councilman Reynolds thanked the business owners for their opinions both ways.

g. East Butler project (Committee of the Whole)

This project will add a right turn lane on Bridges, add sidewalks and landscaping. Chairman Hunter made a motion to approve the revised East Butler Road project. Councilman Cook asked how much property would be taken from Joel Ann Chandler's Open Air Market. John Gardner said it was a corner where the telephone booth used to be. The vote was unanimous (6-0).

9. Public Comment.

- a. Pat Taylor: I just wanted some questions about Bridges Road, how long is it going to take? It sounds good to me.

Mayor Godbey: Mr. Eubanks will give you clarification on that.

10. Council requests.- None

11. Adjournment. – Mayor Godbey adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk