

**MINUTES
MAULDIN CITY COUNCIL
APRIL 20, 2009
7:00 PM**

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

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Kennedy
 - b. Pledge of Allegiance- Councilman Cook
 - c. Welcome- Mayor Godbey
2. Proclamations and Presentations- Presentation to Richard Osborne;
Representative from CCFB; Pat Pomeroy, Mauldin Chamber; Volunteer Proclamation; Letter from Paul Rhodes
Mayor Godbey read the proclamation for National Volunteer Week.

Mr. Rhodes' letter was read. He was thanking city staff for their services- especially the police and fire response and pw response in picking up limbs and debris in Pine Forest.

Councilman Gabe Hunter presented the 25 year service award plaque to Richard Osborne for his service on the Zoning Board of Appeals.

Pat Pomeroy from the Chamber reported on the town hall meeting on Thursday night at 6:00 p.m. All state representatives will be present to answer questions on what is going on in Columbia. Also on Thursday, the secret service will be at a lunch and learn to talk about cyber crimes and identity theft.

A business expo will be held on May 19th at the Carolina First Center for advertising the Chamber's activities.

Greg Campbell, Executive Director of the Cultural Center, was present. A list was turned in of proposed activities for the cultural center. The CCFB has partnered with the Mauldin High School Fine Arts department and will display some works by students on May 15-17th.

3. Reading and approval of minutes.
Councilman Hunter made a motion to approve the minutes with Councilman Kennedy seconding. The vote was unanimous (7-0).

Councilman Cook made a motion to suspend the rules to move the Butler Road rezoning item to this time in the meeting. Councilman Hunter seconded the motion and the vote was 6-1 with Councilman Reynolds dissenting.

4. Public Comment.

- a. Tony Grady: I live at 116 Bangor Street in Mauldin. I would like to compliment the Planning Commission. They did a good job on this and would like to thank Mr. Black, Mr. Cook, and Mr. Hunter for last year's vote.
- b. Robert Adams: Thank you.
- c. Danny Day: I live at 912 Fargo Street. I am very pleased with this tonight. I would like to add a couple of things for clarification. This is a little prolonged for me because I was involved in it last year. The planning commission did an excellent job in listening to everyone. I am glad to see Chairman Fortune and the other members of the commission here tonight. We talked about density and the plans from Tyler Stone and the city planner suggested that the density was 10 units per acre. The proposal that they got was different. I realized that on the following Sunday. If you look at it, instead of a density of 12 units per acre, it is actually 18 units per acre. The planning commission needs the most accurate information they can get so they can make their decision. Also on their proposal, there is a two driveway access on Butler Road, not a single driveway access.

Last year, this missed by one vote and this year more people were more involved. I would like to applaud the citizens that got engaged in this process. You got a good turnout tonight and they deserve applause too.

- d. Jason Thatcher: I am an associate professor at Clemson University and live at 114 Sycamore Drive. The next time something comes along like this, I would ask for three pieces of information. This read as it was revenue neutral and likely it is not. If a position is revenue neutral, it doesn't impact schools. It also excludes commercial use for that property. In the current period we are in, there is a lot of research in the market that restaurants do better if they are next to each other. You would be excluding revenue for the school.

Another thing that troubled me was it mentioned that there was access to Greenville County sewer service. The question I had is just because you can connect to the sewer system, doesn't mean you are paying for the connection. I don't know how the process works, but what is this going to cost to maintain 97 units plus. That is a high density and struck me as a question.

The final question I had, is I noticed that they had 120 beds proposed and only 108 parking spaces. That may sound silly, but I found myself asking where is the overflow parking going to go? In the neighborhood, Butler Road, or Mutt's? I appreciate the vote, but hopefully these kinds of questions will be addressed when this comes up again.

5. Report from City Administrator

Trey Eubanks: We had the executive director report and did receive a list of approved cultural center activities and look forward to making progress on this. The Highway 276/ Main Street project was endorsed by Council. We applied to DOT to draw down the Transportation Enhancement Funds so that we can begin to get some construction drawings completed. We hope to hear from DOT by the end of this month or the early part of next month. On Holland Road, we had a positive meeting on Thursday night concerning the road widening. We had a number of folks from the area show up. John Gardner facilitated the meeting and will work with the design firm on a turn lane. That project is proceeding nicely. We leveraged three funding sources- the County C-fund committee, the state department of commerce, and utility tax credits. We aim to stay on budget and the goal is to complete the work before school starts in August. This will impact Mauldin Middle and Elementary schools and Samsung.

The Garden Club's annual Spring Fling is this Saturday. Cindy will remind us of that. Also, the National Day of Prayer will be in front of city hall on May 7th at noon. We will advertise that on the channel and website. The train exhibit is next month and you have information on that. They are hoping for an even bigger turnout this year.

Finally, a financial report. We have our revenues coming in for both property taxes and business license fees. We are a little ahead of where we were this time last year. We are going to keep an eye on that. Our hospitality and accommodations tax revenues are down. We will be a little under on that line. Our fuel budget is back in line as of last month. The fuel prices are down and also I want to recognize Chief Turner and his staff. They have gas station of the day where they find out who has the least expensive gas and that is where they fuel. They also spread the word to the other departments.

We are solid this year. We have to keep an eye on some of the revenues but the main revenues are looking good this year compared to last year and to the current budget. Expenditures are down- I do expect that we will keep them under budget. I do want to point out that we are going to be incurring a cost for sewer rehab that is budgeted and also in a month or so we will get underway with the paving projects also budgeted.

Councilman Reynolds: Don't we normally have a proclamation for the National Day of Prayer?

Trey Eubanks: We do. We can certainly read it again at a committee meeting that is two days before that. I have not received one yet but we normally get one annually.

Mayor Godbey: I am serving on the Mauldin Elementary SIC committee. They had a meeting and I talked to them about the widening of Holland Road. They have concerns about shift changes being coordinated so that they don't overlap with school dismissals. I hope you will convey our concerns about that.

Trey Eubanks: I will pass that on. Samsung will have shift change after school starts.

Councilman Hunter: When do you think the pavement project will begin?

Trey Eubanks: I will ask our PW Director. We have a list together and I am not sure when they are going to start.

Greg Fincher: I would say within the next month. We are working with Greenville Water. They have to tear some of the streets up first. We don't want to pave it and then go in behind us and tear it up to put new water lines in. We are going to wait on them to get finished.

Trey Eubanks: We will work to have a report for the next PW committee meeting.

6. Reports from Standing Committees

a. Fire (Chairwoman Gettys)

i. Reports and Communications from Fire Chief

Chief Sapp reported that the response time is 2.8 minutes and the total calls for the month are 259- 82 fire and 174 medical. We have 730 year to date.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief. – JAG grant

Mayor Godbey: The Greenville Journal had a good article on the youth court. I got to witness this and was very impressed by the way it is conducted.

Chief Turner reported on the JAG grant that the police department has applied for in the amount of \$44,838. There is a very good chance we will receive this grant. It will help enhance some response times and provide additional vehicles or equipment. No action needs to be taken from council. We have \$1.5 million in grants that we have applied for all total.

ii. Reports and Communications from Municipal Clerk of Court /

Administrative Judge- The report is in the packet.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: Over 3000 seniors participated in activities this month. A group just came back from a trip to Savannah and Charleston. Cheerleading signups started today and Miracle League kicks off again this Saturday. Pine Forest playground equipment will be delivered this week. Installation is backed up, but should be installed within the next couple of weeks.

The Biggest Loser contest is finished and 32 members lost 950% body fat. The Easter Egg hunt had 250 kids at the sports center.

Chairman Reynolds said he went to the Miracle League game and it was inspirational. He invited everyone to come out and watch a game.

Councilman Hunter asked Van to address the events list that was in the council packet. In lieu of Mauldinfest this year, the City wanted to have mini-festivals and events throughout the year. It will be published in the Gazette and advertised in other ways as well.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: Permit activity value is \$1.2 million. Some residential permit activity is starting to come in again. Commercial activity is steady. Business license renewals were due April 15th. As of this morning, the total received is \$1.3 million. A stack still has to be posted to the ledger.

Chairman Hunter: Are we gathering any information from the inspectors when they work on Saturdays?

Peter Nomikos: The inspectors are looking for contractors working at job sites. There has been little activity- most have been landscaping contractors who already have licenses with the city. We haven't seen a lot of people out working without licenses. This may pick up when the economy does.

Councilman Black: What is the status on East Butler and 385?

Peter Nomikos: The owner has a contractor lined up to remove the debris. There was also a contractor who has talked with the fire department about getting a burn permit to clear the brush and debris.

Councilman Black: What is the time frame?

Peter Nomikos: I am not sure. We are trying to get a compliance date and should be able to report back in a week or so.

Councilman Black: I would like to see you and your department do what you can to expedite this. This has been going on entirely too long the way I look at it.

Councilman Reynolds: Last year there were several instances with business licenses not having the proper documentation. Is that happening this year?

Peter Nomikos: We have had a number of people send in licenses without proper documentation. We are turning them away. Anyone who

submits after the 15th is subject to a 5% penalty for being late. We are working with one large corporation that is getting their documentation together regarding two business activities. We are working with attorneys and accountants.

Councilman Reynolds: How far are we off as far as revenues from the proposed budget?

Peter Nomikos: The budget amount is 1.8 million and we have \$1.3 million. We should be close once we get the others processed and posted.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher showed some slides of some projects his department has been working on and showed what the chipper the city borrowed was capable of doing with the debris left from the ice storm.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

Chairman Black: Mr. Eubanks wants to poll the council to find out when they want to do the first reading date for the budget. My suggestion is to put it off to the regular committee meeting in June and that gives us two weeks after that to have the second and final reading at the council meeting. We should have a better picture of revenues and expenditures by that time instead of rushing through this.

Trey Eubanks: Thank you. We need to advertise it if we were going with what budget calendar says about having first reading next month to keep up with the notice requirement. If this is the consensus of council, I would like to get a motion to amend the budget calendar and have the two readings in June.

Chairman Black made a motion to suspend the rules for this item. Councilman Hunter seconded and the vote was unanimous (7-0).

Chairman Black: I want to make a motion to have council have first reading of our budget on the first Tuesday of June, which is a regular committee meeting night. We will have second reading at the council meeting in June.

Councilwoman Gettys seconded and the vote was unanimous (7-0).

7. Unfinished Business

8. New Business

a. Rezoning request at 216/218 E. Butler Road (PEDC)

Chairman Hunter made a motion to turn down the rezoning request. Councilman Black seconded the motion and the vote was unanimous (7-0).

b. Resolution regarding federal stimulus funding for mass transit (PEDC)

John Gardner: You have a summary of the item. After the 2000 Census, we became eligible for grant money for mass transit. Under the federal stimulus package, Mauldin and Simpsonville were allocated \$1.2 Million in federal funding for transit which requires no match. City of Greenville and Greenlink proposed to Mauldin, Simpsonville, and Fountain Inn that we go into a partnership and begin to provide this transit service. The money can be used to buy buses, bus stop shelters, etc. The resolution will keep us in the position to draw the \$1.2 million should we wish to do that and participate in a regional planning process. What we are asking you to do is to hold the option open. This does not obligate us to support mass transit.

Chairman Hunter: At this point, there is no city money required, correct?

John Gardner: Correct.

Chairman Hunter: GTA will handle this?

John Gardner: They are the only transportation provider in the county. There are not a lot of providers out there.

Chairman Hunter: This would be main lines around 276 and 417?

John Gardner: Express or limited stops connecting Simpsonville and Mauldin to ICAR and points north. The study in 2005 recommended one at Haywood Mall. This could probably also get us to Greenville Tech. I just need approval of the resolution in front of you.

Councilman Cook: After we get the \$1.2 Million and... I can't believe that this won't cost more than this. We need more information. We need to make sure our ducks are in a row.

John Gardner: It is essentially one route. I am going to remain neutral on this. The folks that proposed this, I pressed them pretty hard with the same questions. The buses won't last more than 12 years, and they will have to be replaced.

Councilman Cook: The problem with this is it is like a grant- one time money. Once it is gone, there is no more. Put up or shut up. I think we need to pursue it and then come back.

Mayor Godbey: We have been working with Greenville Forward and are looking at regional development. Transportation is part of Vision 2025. We are not going to start this all at once, only with small steps. This may be the first step. The resolution is just to explore it. I will entertain a motion.

Councilman Reynolds: This does not obligate the city to start a transit service, I want clarification.

John Gardner: This is correct.

Councilman Black: Do you know what the consensus is of Simpsonville? It would look bad if we are stuck with the whole thing if they aren't going to do it.

John Gardner: It is not clear to me yet what Simpsonville will do, they may have more fiscal concerns.

Mayor Godbey: Mauldin could go forward for the metropolitan area for itself.

Councilman Kennedy: Are they going to update the feasibility study?

John Gardner: This will be part of a larger regional evaluation.

Chairman Hunter: I would make a motion to pass the resolution and ask Mr. Gardner to pursue this.

Councilwoman Gettys seconded the motion and the vote was unanimous (7-0).

c. Fire 10 year CIP and GO bond (Committee of the Whole)

This is part of the executive session.

Councilwoman Gettys: City Council entered into an agreement with Greenville County for a 10 year CIP to provide for headquarters, and a substation. This bond is for \$4.5 million for construction, land, and facilities listed above. I make a motion that we issue the bond for \$4.5 million with the stipulations outlined in documents received by council. Councilman Cook seconded. The vote was unanimous (7-0).

d. Revocation of Kirby Vacuum business license (Committee of the Whole)

Councilman Hunter: We have had two instances where Kirby representatives have been aggressive towards our citizens. The police department gave them tickets and warnings and the action has continued. We would like to revoke these folks' license.

Councilwoman Gettys seconded the motion.

Mayor Godbey: Have they been given notice?

Peter Nomikos: The notice I served on them on the 26th advised them of the public hearing at 7:00 p.m. and they would have an opportunity to speak.

Councilman Cook: Is this at the building up there or just revoking door to door sales?

Peter Nomikos: The business is outside city limits. This would prevent them from coming inside the city.

Councilman Black: You did hand deliver this?

Peter Nomikos: I walked into the business, handed it to the manager and explained to them that we would take this action.

The vote was unanimous to revoke the license. (7-0)

- e. Executive session for a contractual matter pertaining to the cultural center foundation board and fire service agreement with Greenville County.
(Committee of the Whole)

Councilman Cook made a motion to go into executive session with Councilman Reynolds seconding. The vote was unanimous (7-0).

No action was taken with regards to the cultural center matter.

- 9. Public Comment.
- 10. Council requests.
- 11. Adjournment. – Mayor Godbey adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk