

**MINUTES  
MAULDIN CITY COUNCIL  
AUGUST 18, 2008  
7:00 PM**

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

1. Call to order.- Mayor Godbey
  - a. Invocation- Councilman Hunter
  - b. Pledge of Allegiance- Councilman Kennedy
  - c. Welcome- Mayor Godbey
  - d. Proclamations and Presentations- Pat Pomeroy, Mauldin Chamber; Less Weight in 08 winners; Durant Ashmore's report

Pat Pomeroy had a conflict and was not able to attend. Brian Daughhettee thanked council for appointing him chairman of the Cultural Center Foundation Board.

Durant Ashmore reported on the log cabin progress and the grounds of the cultural center. Much of the work has been done by volunteers and by the Mauldin Garden Club. He spoke on the seed money provided by city council and the money provided by Garden Club fundraising. The Garden Club has put in \$10,000 of its own money in hardscape materials. The cabin was probably built before 1810 by Gresham Callahan. Joel Poinsett graced the walls of the cabin. Mr. Ashmore said he knows of no other structure in the County that is older than 1810. Poinsett Bridge is the oldest bridge and it was finished in 1819, Whitehall is the oldest house and was finished in 1821. It is a special building. There are five gardens at the cabin and this project will be a teaching tool. The grounds will be featured on Making it Grow on ETV some time in November or October.

Mayor Godbey thanked Mr. Ashmore, the Garden Club, and Tim Brett on bringing this cabin to life.

2. Reading and approval of minutes.- Councilwoman Gettys made a motion to accept the minutes with Councilman Hunter seconding. The vote was unanimous (3-0).
3. Public Comment.

Bonnie Nisley: I live at 104 Old Hickory Point and have been President of the Garden Club. I want to tell you where the \$10,000 went. It has taken two years and four fundraisers to raise the money. The money has gone for four benches for seating in the garden, three rustic picnic tables, a rustic arbor, and these three items are maintenance free. We have put in new steps and handrails and

a handicapped ramp in the back. Both of these items are maintenance free. We paid for the rustic bridge across the stream. There is a piece of blue granite stone in the SC Fence Garden. Birdhouses have been put in that were donated by Elmer Grimm. We also provided vegetables for the heirloom garden and it is growing like crazy. I want to thank Trey Eubanks, Bart Cumalander, and Jonathan Easton. I want to thank the Mayor and City Council for trusting us with this project and we hope you are satisfied with the work. Also, Durant Ashmore and all of his countless hours of work and for changing his mind and coming back to the Garden Club.

We are still working on some details for that area. We want to get 100 plant tags to mark the plants, rustic trash cans, rustic compost bins to teach people to compost and recycle, and maybe a wishing well to take the place of that dark green, metal cover that covers the electrical box. We will have to have a few fundraisers to get the money, but we are happy to do this.

Mayor Godbey: This has been very much supported by this council and council's before this one.

Bonnie Nisley: I got a call yesterday from a gentleman that had read Durant's article in the paper about the log cabin and asked me, how do I find it? It is getting out to the public.

#### 4. Report from City Administrator

Trey Eubanks: I want to talk a little bit about our wellness initiative. Our health insurance is a benefit that we offer our employees. For years, we were a member of the state insurance and were forced to accept premium adjustments applied across the board even though we had a good track record with our claims activity. I enlisted input from a committee representing council and each department last year and we changed providers, saving the city an estimated \$150,895 annually in premiums. The other thing the council did was endorse that committee's recommendation to take some of the savings and apply it back to our employees. That was a clear statement from council that our employees are where the rubber meets the road. This is an opportunity to recognize their contribution to providing service. We have better coverage at a reduced cost.

We are also working on a wellness program. We want to encourage our employees to live healthier lives and use our sports center and participate in programs sponsored by the city to promote positive lifestyle changes. We are realizing great success with that.

Gary Brinkley, Sandra Cox, and Irene Crawford were the Lose Weight in 08 Winners and received gift cards for their achievements.

I want to recognize Lisa White for her efforts with the wellness program and also one of our new employees, Margaret, thank you. Margaret is getting the employees to participate. This program has really stepped up with her efforts.

A healthier workforce results in a more productive workforce and drives our insurance claims down. Thanks to everyone involved in this. We will have a

health fair in October. We will be giving flu shots and health assessments. All of this will be available to our employees. The other thing we will do is receive data from our insurance provider and allow us to focus our wellness initiatives in key areas.

On Highway 276, we have our first public meeting on Thursday at 5:30 p.m. at the cultural center. We are getting the word out about that. John Gardner has started a blitz on getting the word out. Land Design will be there and present the results of over 200 surveys received as our first effort at public input. I am excited to see what is going to happen Thursday night. Please put that on your calendars.

A quick update on the Comprehensive Plan. The subcommittees met the 30<sup>th</sup> and 31<sup>st</sup> of last month. We continue to make progress there. The subcommittees are providing very good input. The plan must be in place by May of next year. We are making good headway.

We had an outstanding meeting on Wednesday on the cultural center and I appreciate our new Chairman, Brian Daughhetee, being here tonight. I look forward to working with him. I think we have a very bright future on what the cultural center is going to be able to do for Mauldin.

On the Garden Club, Durant Ashmore is accurate in offering accolades to Bonnie and Elmer. This City placed a lot of confidence in Durant and it was well placed. Thank you.

Councilman Kennedy: You failed to recognize that Bob Cook has shown initiative to be in the wellness center, too.

Trey Eubanks: Our Recreation Director was going to complain, I mean comment on that. Mr. Cook is a big part of it.

Councilman Cook: Mr. Kennedy and the Mayor do the hard work. I do the easy.

Mayor Godbey: The third weekend in September, Judy McKinley and Pat Pomeroy have worked diligently on Mauldinfest to get things organized. We will have a great show in store. The dates are September 19<sup>th</sup> and 20<sup>th</sup>. I want to encourage everyone to be involved in that. It is always a great festival. I will be parking cars and delivering ice again this year.

## 5. Reports from Standing Committees

### a. Fire (Chairwoman Gettys)

#### i. Reports and Communications from Fire Chief

Chief Sapp: I want to recognize that after a long process, we have selected a Lieutenant for the fire department. We had about 12 candidates, and Gary Brinkley was the successful one. He starts on the 21<sup>st</sup> on C shift. Response time is 2.5. We had 208 calls this month- 12 unjustified alarms and 10 justified alarms. The new truck is back from

Spartan Apparatus. They had to do a complete checkup on the truck. It should be up and running in 2 ½ to 3 weeks.

Councilwoman Gettys: I want to take this opportunity to thank Chief Sapp for giving me a tour of the city facilities and our equipment and I got to ride in the new truck. We have an excellent staff and I hope everything continues.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chief Turner received a couple of plaques regarding DUI Enforcement from the 13<sup>th</sup> Circuit Alcohol Enforcement Team and also one from MADD on DUI arrests that Chairman Cook presented to him.

Chairman Cook: I got an email that Chief Turner was directing traffic the other day so I called him and asked him what he was doing and he said his evaluation is coming up. We appreciate what you do.

Chief Turner: You have the information from July and we couldn't be waiting any anxiously on school starting tomorrow. The department will be out at 6:30 a.m. to see what we need to do to make the roadway safe. You will probably get some calls tomorrow as you always do.

Keep us in your thoughts. We are operating at near capacity and have one position to fill. We are in the process of doing some final background investigation on one person so we should have that completed in the next week or so.

Chairman Cook gave us the MADD award and our DUI numbers in the city from 2006-07 almost tripled. That doesn't mean we had three times the number of drunks on the road, that means that we took three times more drunks off of the road. They were already here. With some focus, we were able to do that. In our departmental range, we received an award from the state. It speaks volumes of our guys and girls and for council backing us through the process.

Councilman Black: Has the highway department been contacted about the synchronization of lights for tomorrow? Last years, some lights were holding people up.

Chief Turner: The lights at MHS and at Corn Road are in sync. There is a new light at Bridges. I am not sure about that one. We will have officers out and if there is some backup, we can adjust that or direct traffic. We should be ok. It will take a while but expect some heavy traffic. We will have enough officers to do what we need to do.

Councilman Black; You can't be there all the time. We need to make sure the lights are synchronized.

Mayor Godbey: Are the middle school and elementary school administrations working with you on right turn only?

Chief Turner: It is right turn only. We will look for that in the morning.

Councilwoman Gettys: Have we replaced the officer at Mauldin Middle?

Chief Turner: Yes. I have not made the announcement yet. But we have finalized that today with Ms. Gardner. I will get you some information on that.

John Duggan: When we took over, we had a backlog of cases. We set out with a team approach that involved the police department, court staff, and me and our team of prosecutors. We take DUIs very seriously. We don't negotiate them. We won't tolerate unsafe driving. We support the police department and they meet with us, get the paperwork to Angela, process that, and then the court sends it to Columbia. We have reduced the backlog from 4 years to one year and by the end of this year hope to have it down to six months. This has been an enormous effort and has been a pleasure to work with all of the staff.

Chief Turner: Over the weekend we had several instances of spray paint around the city. Two locations are still up today. One is the building which houses SSII and Lava Java and around the Arbors. We did catch two today with a spray can painting the building. One is 14 and one is 17 and they are in the detention center. We were able to charge them with the new ordinance you passed. The individuals purchased their equipment in a local store, went and got a soda, and it is a foul to do it in the daytime. It is tough to catch in the evening, and we were fortunate to put this to rest right after it happened. Our goal is to keep the city looking good.

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

Angela Martin: In your packets you have my July report. I also wanted to bring to your attention that we are having jury trials this week. We had night court on August 5<sup>th</sup> and got rid of some more cases. We were going to have another one in October, but I don't think that is possible because my assistant, Deborah Cooke is going out for surgery for 6 weeks. Her last day is Friday and she should be back the first or second week in October. Please keep her in your prayers.

Mayor Godbey: I appreciate that Judge Stilwell is back from Afghanistan. I have sat in on a couple of court days with him and things are going well.

Chairman Cook: I appreciate the job you do. You put in some overtime.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: We are in a transition period. Some of our programs are winding down. Summer camp is complete and we had a very successful summer. Football started this week. Seniors have over 2600 participants last month. They went to Harrah's for their big trip and will be going to the Apple Festival. The sports center continues to go well. Rick Broadway is doing a lot of things for us trying to get a coed softball and kickball league for adults. Julia has freed up some time with the additional staff you provided to go and get some corporate sponsorships. She is working on a presentation and is pushing these sponsorships.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: You had a lengthy packet attached with tonight's agenda. Tonight we have four business license appeals.

Councilman Black: What is the status of 134 Brookbend with the burnt house?

Peter Nomikos: We faxed out requests for bids on Thursday for demolition. We have gotten two bids to date-one for \$10,500 and one for \$3800. We are waiting to see the other bids and see what happens come Wednesday. We should be able to have the house down by the end of the month.

Councilman Black: I appreciate the effort but I am getting tired of the phone calls from the neighbors wanting to know what is happening.

Peter Nomikos: The title search was done and the daughter does own the house. We had been getting bounced around from the mortgage company and the daughter and couldn't find out who was responsible.

Mayor Godbey: I commend Mr. Black for his persistence in trying to get this resolved. There was a murder and an arson fire and it is complicated. I want to commend you for staying on top of it.

Councilman Black: John, if this happens again, how long should it take us to have this taken care of? This has been going on since December.

John Duggan: The complicated issue was that a foreclosure action was initiated by the bank. If they had gone to sell, the bank would have been the owner. It was scheduled to do that, but the bank decided to withdraw it from the sale. Then it fell back on the owner because the bank recognized they wouldn't recover enough money to warrant going forward. That is atypical. Usually you are not in the

middle of a legal proceeding because the property is not in foreclosure. They were getting conflicting information so we resolved that we needed to do a title examination. Then, Mr. Nomikos drafted a letter to the owner to give them notice that if they didn't cure the nuisance, we were going to. When they didn't, we put it out for bid. We are well into that process. In the future, we can move this along a lot faster. This was atypical.

Councilman Black: How long does a title search take?

John Duggan: We can do that in a week or two. It is just to determine who owns it. It is a limited exam.

Councilman Black: I just don't want this prolonged in case it happens again.

Chairman Hunter: I see how quickly you have responded to the requests, Mr. Nomikos, even though the department has been very busy. I appreciate that.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: Right now, things are clicking along at Public Works. I went out to the parks and I showed a couple of you what we are doing with the mulch. This saves us money on disposing it and we can put it to good use in our parks. Jimmy Whiteside and his crew are gearing up for fall baseball so there is a lot of work going on there. They are doing a pretty good job around the sidewalks, the entranceway, and 385. It has been hot and everything is dusty, but we are doing the best we can with what we have. For those of you that came in the front door tonight, you saw the new bucket truck. It is a unique color and everyone identifies it as Mauldin Blue. I couldn't tell you what color it is. We are trying to get all of the equipment to that. We do want to have our stuff identified.

The boom truck is blue and the guy that is out there tonight with it, he can just about take your wallet out of your pocket. He is very good with it. That particular piece of machinery enables the driver to go in and pick up brush. The older trucks, the driver has to get out and pick up. The new one is so easy, the city administrator can do it. No slight to him, but it is an easy piece of machinery and will reduce injuries of people climbing in and out and we are going to get some touch up paint to keep it looking good. We will get them tagged and you will see both of them out on the roads.

I want to touch on the bag ordinance. The citizens of this community have been very cooperative with bagging grass. We can load the grass and carry it to the landfill and offload it there and it helps us with disposal. The amount of grass we see in the storm drains has decreased and so has the residue from stuff that people put on their lawns.

We are working with DHEC and upgrading our recycling program on what we take and don't take. We will send out information on what we will and won't take and where people can take certain things like car batteries or propane tanks that we don't take. The thing that is good about this is DHEC has asked us to do this and they will print up flyers for us to distribute and they also have a wealth of information for the schools. We can recycle a lot of material.

We met with Ron Lawson on the sewer rehab program and we will have more information for that with you upcoming. We are getting ready for Mauldifest. You will see the blue army out there. Chief Sapp and Chief Turner love to talk about response times. I never thought about it, but we are a little slower, but when we get a call, we are there within a couple of hours. Our calls have decreased and that indicates to me that we are doing what we are supposed to. Nobody is calling and complaining. Right now, we average 10-15 calls per day about missing trash cans. We are getting ready to embark on a new system that will eliminate that. We might get the calls down to 4 or 5 per day. If anyone wants to call and chitchat, please do, I might get lonely. Morale is extremely high and everyone is doing their jobs. I appreciate the calls we have gotten from some of the council members on seeing the guys out in the heat. We are sucking it up and drinking a lot of water.

Chairman Kennedy: I had some comments the other day on what you are doing. My neighbors said you are doing a great job. Thank you for all you do.

Mayor Godbey: I want to recognize Randy Britton from Duke Power. There has been some clearing of the high lines from the tree company. Your collaboration, how is that going?

Greg Fincher: It is going good. Trey and I went out with Randy and another man and he is an arborist. He explained to us why the trees are being cleared the way they are. They are kind of matter of fact. After we went and looked and he explained it, it made sense. If we see a tree, we pick it up. Randy has been more than willing to get on the phone and talk to our citizens. They have to do what they have to do. When we cut sewer right-of-ways, no one wants their sewer to backup, if we have an ice storm, nobody wants to go without power. There are positives and negatives and you get in the middle of the road and try to stay there.

Mayor Godbey: I know Mr. Britton would be willing to entertain any questions, if someone has one.

Councilman Black: On the street lights, some are Duke's and some Laurens Electric. Whose responsibility is it to keep those lights cleared? We are not getting the full effect of the lights because of the overgrowth of trees. Do you do that, Randy?

Randy Britton; No, We do not trim from the lights. That is either the city or the property owner.

Councilman Black: Can we address this, Trey?

Trey Eubanks: A couple of months ago, we canvassed the entire city through the police department and made a list of every street light in the city that was out. We advised Randy and Laurens Electric and they were "Johnny on the spot" in making repairs. We can take the same approach with the street lights to see which lights might need some trimming around them. We can get some permission from the utilities and do some work. I think we can coordinate this with the PW Director and use our bucket trucks for this work.

Councilman Black: Even if we have to contract with a tree service. I noticed there is one on Butler in front of the old Little Cricket and it is not getting much light out of it and there are a few in my neighborhood that I see all the time. I appreciate that. Thank you for your comments, Randy.

Councilman Reynolds: I was going to comment on your boom truck. You said the back side dumps out as opposed to having to pick the limbs up and getting them that way. It will help with efficiency.

Greg Fincher: From an employee safety perspective and it will also speed up the process. We are going to look at something in a little while from Pin Point also. I don't know how they did it before and I don't care. We took Mike Watkins and both of our mechanics and brought the truck down there and said this truck or this truck. I wanted to know how long it would sit there if it is broken. If it is sitting on the yard, it does us no good. It is basic enough to where Bud and Willie can get there and fix it fairly quickly. When they back up, they pull the pins, pull the chains and dump it.

Councilman Reynolds: You would be disappointed if I didn't tell you how much I appreciate your recycling efforts and moving forward with that.

Greg Fincher: Nothing about the vegetable oil? I checked on that and Pickens is having some issues with that right now. It looked good in the paper but now they are having problems with how they are doing it. We are going to sit back and let everybody work the bugs out of it and then get in there. They have to idle those vehicles two hours before and two hours after they do anything. That is four hours. We don't let them stop here for four hours. I am still working on alternative fuels.

Councilman Reynolds: I know you are and I appreciate that.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

Lisa White: I also had a note to talk about the wellness program. The program started and Ferguson does a lot of legwork, however, a lot of it was done in house. Because human resources falls under me, I have spearheaded the campaign to do this. There is a cost benefit to the wellness. Healthier employees have fewer visits to the doctor, and that helps our premiums go down. It is a lot of work. The weight watchers came from us. We decided to do that. It is such a blessing having Margaret. It has been the best month since I have been here. She is just- I said look into Weight Watchers, and boom. The amount of response she has gotten is phenomenal. She is excited about it, she calls everybody. Just having her talk to everyone, she got 32 people in weight watchers where we have only had about twenty participating. So anyway, I want to thank Margaret, it has been so wonderful having her and it has taken a lot of work off of my shoulders and now maybe I can get back in finance. In one week, the twenty people that were there from the first week to the second week, we have 32 now, but those twenty people lost 71 pounds in one week. Obesity is one of the biggest risk factors we have.

The finance report- things are going well. I tried to get a preliminary number for the end of the fiscal year. It looks like we should end the year with about \$500,000 additional to the fund balance because of the fire truck that didn't come in for last year's budget that will roll into this year's budget and a few departments came in under budget.

I also wanted to mention that the budget and control board met last Tuesday and approved a reduction in local expenditures by 3% along with a reduction in the state by 3%. That will reduce our state aid to subdivisions by 3%. We budgeted \$529,000 and that reduction will be about \$15,000.

Chairman Black: I don't think you have introduced the new employee.

Lisa White: Margaret Westervelt. I thought she was introduced last month. She is an accountant and has a degree from USC in accounting. She is a Mauldin resident and she will do the wellness program and some of the accounting work. I am thrilled to have her.

Mayor Godbey: I want to thank you and Sandra Cox. When all the work was done to look at new insurance companies and the Ferguson Group was chosen, that was above and beyond. You and Sandra had a large role in getting the information to and from the employees. It was well thought out and is a good group to work with.

Lisa White: Margaret has put together a comprehensive contact list and I think our communication with the employees is going to get a whole lot better. This will help not only from an insurance perspective, but the morale.

Mayor Godbey: This was a gamble last year. We will have opportunity to have a year's experience and reassess as we planned to last year what we want to do.

## 6. Unfinished Business

- a. Consideration and action on guidelines for removal of commission members (PEDC)

Chairman Hunter: We reviewed the attendance policy and decided we needed to quantify it. It is now four meetings a year or three consecutive meetings without cause will result in dismissal. I would like to make a motion to approve this amendment.

Councilman Kennedy seconded the motion and the vote was unanimous (7-0).

## 7. New Business

- a. Consideration and action on request from Young Marines (Rec)

Chairman Reynolds: Following a presentation about the Young Marines during the July PEDC Committee Meeting, Trey met with Van and Bart and recommended providing a room at the Cultural Center as a home for the Young Marines. It is also recommended that the city provide this space at no cost in exchange for the Young Marines contributing labor to the finishing of the space and providing community service in Mauldin, which is part of their mission. It is further recommended that the space be designated a multipurpose youth room used to house the Young Marines as well as provide space for youth recreation programs and the police department youth academy. The Young Marines are in agreement with these recommendations and ask that they be allowed to keep storage cabins in the room to secure their property. I make a motion to approve the use of the room for the Upstate Marines and the other purposes above.

Councilwoman Gettys seconded the motion.

Councilman Hunter: It seems to me the cultural center board ought to be making this recommendation as opposed to city council. The responsibilities of assigning the rooms should fall on the board. I support the Young Marines having a place to call home, but procedurally I am not sure this is appropriate.

Councilman Black: There was discussion at the last board meeting about co-locating this with the Veteran's Room. Bob Briggs said he had no problem with this, but he didn't know about the rest of the members. I would like to look into that instead of a separate room for the Veterans and a separate room for this. That's all I have.

Chairman Reynolds: We want to let the Young Marines know that we have a place for them.

Mayor Godbey: Would you want to amend the motion pending discussion with the cultural center board?

Councilwoman Gettys: This was a concern we brought up in committee.

Councilman Cook: I have no problem with any of it except that we let them know we have a place for them.

Mayor Godbey: We have a motion as stated by Mr. Reynolds that has not been amended. It could be amended and give them the indication that council is fully for it...

Councilman Cook: I don't have a problem with it. I think it is a good idea.

Councilman Hunter: I would like the city administrator to go back to the Young Marines and tell them we are supportive of them, but we need to do it the right way and let the board come to us with that recommendation.

Trey Eubanks: If I could comment, this matter came before the city in June. We are going to consider in a little while ratifying the by-laws from Wednesday's cultural center meeting. Article 12 indicates that city council will approve any use of that facility. I just wanted to offer that and you may want to provide for the use provided the board reviews and weighs in on this for the sake of time.

Councilman Hunter: I would like to amend the motion to table this and ask Mr. Eubanks to go back to the Young Marines and to the cultural board and have them put it on the agenda.

Councilwoman Gettys seconded the motion to table.

Councilman Cook: Everything we do, we want to hold off, hold off and I don't like to postpone stuff. If we are going to amend the by-

laws and council is the one who says what goes into the building. I am not saying that they don't need to review it, but isn't that what the by-laws say?

Chairman Reynolds: I want to make sure we are doing what we need to procedurally, but I want to make sure we let them know that we have a space for them.

Councilman Kennedy: Basically what you are saying is we need to collaborate with the cultural center board?

Trey Eubanks: Article 12 indicates that council must approve the use of the facility.

Councilman Kennedy: If we change this, supposing it gets approved? We still have a problem. We will have to amend the by-laws.

Mayor Godbey: We haven't gotten to the by-laws. We are still under the confused by-laws. The prudent thing would be to table and then come back to it.

Councilman Kennedy: We are prolonging this and using procrastination. We should make a concise decision and go ahead with it. We don't need to hold up those people.

John Duggan: To give you the background, this is revisiting how we think about how the two bodies interact, which has been a struggle. Originally, I was asked to draft a lease where we leased the facility to the board and they ran it. That document was not appropriately executed although it had the support of this body at one time. I believe this body has decided after consideration, that you don't want to go in that direction, but that the city, who owns the facility would retain the role as landlord. You would determine who will occupy and who won't ultimately. That is a part of the process of the conversation. The second part is the issue of who controls the board. Before we had Mrs. White, we didn't have a person to oversee finances to make sure that money was used appropriately. There was a concern by this body on financial accountability. You voted to make the majority of the board from this council. I believe the will now is that we have someone who can establish a mechanism to oversee the use of the funds you pay out to improve the building or other purposes like a fundraiser, that you don't have to be on the board to have financial accountability. You can step back. That is made much easier because you now have a financial director. If you retain control of the occupants of the building, there is the issue of sensitivity to volunteer citizens on the board having some meaningful role in what is going on. For that reason, you may want to consider at least getting their input before you decide that any entity will occupy that space since you are now retaining that control. This helps you see the background and how you are changing

that. If you have a board, they should have some say or they may not be happy being on a board that doesn't mean very much.

Councilman Black: If council tables this, what timeframe are we looking at? We are holding up the Young Marines. If this is not a probability, we can probably find another room within the city confines.

Trey Eubanks: Our police chief has indicated that the training room is available. They meet once or twice a month on Saturday mornings and most of the time that room is available. I can pass that along to them and tell them what we are doing and why. I will also extend the offer of the police training room.

Councilman Black: I hate to keep putting them off because they are a vital part of this community. I think we have other space we can let them use in the meantime.

Mayor Godbey: Good compromise.

Councilman Cook: How many meetings will this take?

Mayor Godbey: I think one motion. This body either votes it up or down.

Councilman Hunter: How about the by-laws?

John Duggan: That is an ordinance, so two readings.

The vote was 5-2 to table with Councilmen Black and Cook voting against.

b. Consideration and action on business license appeal from Acosta Sales and Marketing (PEDC)

Chairman Hunter: Acosta Sales was notified in December of 2007 that their Business License renewal was due not later than April 15, 2008. Contained in the cover letter that they received was a notice that a copy of the state or federal tax return was required for income verification before any renewals could be processed. Acosta Sales sent in the renewal form on April 7, 2008, but did not submit an income tax form. The package was mailed back on the same day with a note that we needed a copy of the tax return for proof of income. The package with a tax return was received on April 23, 2008, at which time a late penalty of 5% was due. A letter advising Acosta Sales that a late penalty was due was mailed April 29, 2008. Acosta Sales is asking that the \$252.57 in late fees be waived. I make a motion to approve this appeal.

Councilman Reynolds seconded the motion and the vote was unanimous (7-0).

- c. Consideration and action on business license appeal from Master Brand Cabinets (PEDC)

Chairman Hunter: Master Brands Cabinets was notified in December of 2007 that their Business License renewal was due not later than April 15, 2008. After reviewing the reported income for the 2008 renewal and the large change over prior year's submittals, staff decided to conduct an audit. The results of the audit showed that Masterbrand owed \$575.13 for 2005, \$661.78 for 2006, and \$1279.28 for 2007 for a total of \$\$2,516.19 in license fees and \$1,132.29 in corresponding late penalties. Master Brand Cabinets is asking that the \$1,132.29 in late fees be waived on the grounds that they were not aware that all sales generated at the Mauldin distribution center including those shipped outside of the city were subject to a business license. I move that we grant the waiver of the business license fee.

Councilwoman Gettys seconded the motion.

Councilman Reynolds: This is the late fee from 05,06, and 07?

Chairman Hunter: Correct. That is as far back as we can go legally. I don't believe it was intentional.

Councilman Gettys: They immediately paid.

The motion was unanimous (7-0).

- d. Consideration and action on business license appeal from Sodexho (PEDC)

Chairman Hunter: Sodexho, who operates the cafeteria at Verizon, originally paid \$38.30 for a business license for the management fee for running the cafeteria, which was substantially lower than what had been claimed in prior years. In discussions with Sodexho, it was disclosed that the contract with Verizon required Verizon to pay the business license fee and hospitality tax for all food sales in the cafeteria. The contract between Verizon and Sodexho was subsequently renegotiated so that Sodexho was responsible, and Sodexho promptly paid the revised amount with penalties. Sodexho is asking that the 15% penalty in the amount of \$62.78 be waived. I make a motion to waive the penalty since there was a misunderstanding between the vendors.

Councilwoman Gettys seconded.

Councilman Cook: How much does it cost to get this \$62.78?

Peter Nomikos: The amount to do that exceeds the penalty.

Councilman Cook: Why do we have to hear these? Can't the administrator make a determination on something this low?

Trey Eubanks: It requires action by city council because the business license ordinance was put in place by city council.

John Duggan: Mr. Cook, it falls to this body to make judgments on fees protested by the business. This is a due process hearing. That can't be waived or delegated to administrator or employees. You are the judge.

Councilman Cook: I had the judge thing on while ago.

The vote was unanimous (7-0).

- e. Consideration and action on business license appeal from Cannon Construction (PEDC)

Chairman Hunter: Cannon Construction failed to renew their business license for 2007 and submitted a late application for 2008. Cannon Construction is requesting that the penalty for 2007 in the amount of \$1,032.55 and the penalty for 2008 in the amount of \$401.16 be waived (total of \$1433.71). I call your attention to the letter where he admits he lost it and was reminded various times. In this instance, I make a motion that we keep the penalty due.

Councilman Kennedy seconded.

Councilman Reynolds: Thank you for your department's patience on these.

The vote was unanimous (7-0).

- f. Consideration and action on Pinpoint Geotech (Public Works)

Chairman Kennedy: We earmarked an additional \$50,000 in the current year budget to address increasing fuel costs. We are looking for ways to conserve fuel and a product from PinPoint GeoTech, LLC will provide such a solution. Clemson, Gaffney, Union, Spartanburg and Newberry are some cities that began using this product and are pleased with the results. Greg and Trey have actually operated the produce during an in-city demonstration and we are confident this product will promote more effective and efficient service provision by reducing fuel costs, and reducing unnecessary routes for lawn debris removal thus saving labor time and reducing maintenance costs. This is for garbage and brush pickup and it is a computer placed in the truck. The original cost was \$34,000. I make a motion to approve this \$34,000.

Councilman Hunter seconded.

Councilman Hunter: Mr. Reynolds and I looked at this at the MASC meeting in Charleston and were both very impressed in the ease of use and the ability to provide pw with this information.

Mayor Godbey: Does this require a budget amendment.

Trey Eubanks: No. We have a cost savings with some equipment. The revised quote has been reduced by about \$500 since they are located in Seneca so they gave us a break on that.

The vote was unanimous (7-0).

Councilman Cook made a motion to suspend the rules to allow Mr. Howard to come up after the break to talk about an economic development opportunity. Councilwoman Gettys seconded and the vote was unanimous (7-0).

- g. Consideration on alcohol sales ordinance ballot wording (Committee of the Whole)

Chairman Hunter: Council unanimously approved in July placing the question of Sunday sales of alcohol on the November 4<sup>th</sup> ballot. State Law requires the ballot to offer one of two possible questions. One providing for the sale of alcohol for on-site consumption, and one providing for the sale of alcohol for on-site consumption **and** the sale of beer and wine for permitted off-site premises. In the packet, you have both of those. I would like to see the second one be added on the ballot for on-site and off-site premises.

Councilman Reynolds seconded the motion and the vote was unanimous (7-0).

- h. Consideration and action on economic development resolution (Committee of the Whole)

Chairman Hunter made a motion to go into executive session for consideration of Project Teal. Councilman Reynolds seconded and the vote was unanimous (7-0).

After executive session Chairman Hunter reported that no vote was taken.

Chairman Hunter: I make a motion. First let me say that Mauldin is in the running for an economic development opportunity. This is a competitive situation and we are not the only community being looked at in this area or the Southeast. I would like to make a motion to approve this resolution on a multi-county park for this Project Teal to be located perhaps in the City.

Councilman Black seconded the motion and the vote was unanimous (7-0).

Jerry Howard: I am Jerry Howard and I am from Greenville Area Development Corporation. We are discussing Project Teal. This is a \$20 million investment with up to 1000 jobs. As I stated earlier, Mauldin is one of the multiple locations within Greenville County that is under consideration. There are also two other states under consideration as well. County Council will be voting on a similar resolution tomorrow night. The client should make a decision in 4-6 weeks we hope. We have to be in position to move quickly. This is not the first time we have done this.

- i. Consideration and action on Toates property annexation. (Committee of the Whole)

Chairman Hunter: The attached petition and ordinance define an area that provides a key link in gaining contiguousness to important commercial properties defined in our annexation strategy. It is a parcel 10 feet wide and 150 feet long. I would like to make a motion to adopt this on first reading.

Councilman Black seconded and the vote was unanimous (7-0).

- j. Consideration and action on Cultural Center by-laws (Committee of the Whole)

Chairman Reynolds: Much progress has been achieved with our Cultural Center both in terms of defining the makeup and role of the board and in improvements to our facility. The Cultural Center is city owned and city council has a fiduciary responsibility to oversee what happens with the facility. Conditions have evolved affecting the role of the city and the board. Trey has worked to obtain consensus of the board and council moving forward and have worked with our City Attorney's office to reflect this consensus in the amended and restated by-laws. These by-laws provide for a citizen driven board serving in an advisory capacity to the City Council to recommend the future improvements, programming, and use of this tremendous asset. The Cultural Center Foundation Board met on August 13<sup>th</sup> and approved the amended and restated by-laws with one change in Article V. Section 4. This change will

allow the Board to appoint its members versus the City Council. Mr. Kehl with our City Attorney's office is working on this language.

The CCFB also recommends Neal Prince be the Architect to design renovations to our Cultural Center Auditorium. I make a motion to ratify the by-laws.

Councilman Cook seconded the motion.

Councilman Cook: My thoughts on this are we have two council persons on the board. I think if those folks serve on the board and they make a recommendation to council, they have to recuse themselves. I would like to see that all the board are citizens, no council members on it. The Mayor and City Administrator could be liaisons between.

Mayor Godbey: I agree with you. Tonight we approved the by-laws and after that we would be better to go back to the board and say we prefer to have the next five members be all citizens since we have at least twenty candidates. Surely we can find two more. I agree with you.

Councilman Black: Just strike the two council members. Is that all we have to do?

John Duggan: The board will act on it, too. You can either act on it tonight or you can make this change and it goes back to the board for their approval to change the by-laws.

Councilman Cook: If we do this, we need to let them make the decision.

Mayor Godbey: If we did jump ahead, we would have to amend this motion. The board will see the minutes and we will direct Trey to let the board know our wishes.

The vote was unanimous (7-0).

Trey Eubanks: I will communicate with the board. There is another provision that provided for council to govern that board by having removal authority which is consistent with our ordinance #682. If we are going to move to an autonomous board, we probably want to give that board the full function to govern themselves. As long as there is a degree of control by council over the board, we have to take their finances and include them in our financials. If they are

completely separate, we wouldn't have to do that. We will have that on the agenda.

Mayor Godbey: We will have another meeting, and those amendments could come from that board and come back to us.

John Duggan: We would transfer the authority back to the board and they would be self-governing subject to coming to you for physical improvements of the building. They will operate themselves after this process is complete.

Mayor Godbey: The minutes will reflect this.

Councilman Hunter: Mayor, there is another item as part of this. The architectural firm is also a part of this.

Chairman Reynolds: It has come out that we wanted to have an architectural firm come out and look at the auditorium, I wanted to make a motion to approve Neal Prince for looking at the renovation design.

Councilman Cook seconded the motion and the vote was unanimous (7-0).

Mayor Godbey: There were six we looked at. We narrowed it down and there were several entities, but I have heard nothing but good things from Neal Prince. They have also worked with the renovation and building of the Episcopal Church in Simpsonville recently. I talked to the minister there and he was very favorable.

k. Consideration and action on dust ordinance (PEDC)

Chairman Hunter: Perhaps I was not clear, when I asked that this be put on the agenda, I meant the committee meeting agenda, not council. I would like to table this for consideration by the committee.

Councilman Cook seconded the motion and the vote was unanimous to table (7-0).

l. Consideration and action on executive session regarding personnel matter. (Committee of the Whole)

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

Councilman Black reported that no action had been taken in executive session.

Councilman Black: I would like to make a motion to amend the city administrator's contract with changes that he does not get the automatic COLA raise, he gets the same car allowance as the other department heads, and the same annual leave that the other department heads receive. Those three changes.

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

8. Public Comment.- None
9. Council requests.- None
10. Adjournment. – Mayor Godbey adjourned the meeting.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk