

**MINUTES  
MAULDIN CITY COUNCIL  
JANUARY 26, 2009  
7:00 PM**

**Members present were Mayor Don Godbey, Council members Bob Cook, Gabe Hunter, James Kennedy, Dale Black, and Michael Reynolds. Councilwoman Gettys came to the meeting at 8:15 pm. City Administrator Trey Eubanks and City Attorney John Duggan were also present.**

1. Call to order.- Mayor Godbey
  - a. Invocation- Councilman Cook
  - b. Pledge of Allegiance- Councilman Hunter
  - c. Welcome- Mayor Godbey
2. Proclamations and Presentations- CCFB representative; Pat Pomeroy, Mauldin Chamber; 417/276 presentation by Land Design; Rail resolution; Leslie Spearman- Outstanding Teen

Pat Pomeroy from the chamber mentioned several events that the chamber has been involved with. They had 32 Business After Hours, 14 ribbon cuttings for new businesses, and 100 people at the ICAR meeting. The train show was a huge success.

Leslie Spearman came forward. She is trying to raise \$1000 for Children's Miracle Network.

The Mayor mentioned the rail resolution as part of the minutes.

Brian Daughhettee was present representing the CCFB. The search for the executive director continues and is being held up for funding. The cultural center has sent in a grant application for funding for that position. Another item that came out of the last cultural center meeting was the naming of the community room. It is recommended that the room be called the Mauldin Rotary Community Room. That item will be put on the next city council agenda.

Stephanie Pankowitz, Project Manager for Land Design on the 417/276 project came forward with Erica Allison of Allison Consulting and David Castle from Wilbur Smith Associates. Stephanie showed a power point presentation on improvements that can be done along the corridor and intersection of East Butler and Laurens Road.

Council thanked them for all of their hard work.

3. Reading and approval of minutes.

Councilman Black made a motion to approve the minutes with Councilman Reynolds seconding. The vote was unanimous (7-0).

4. Public Comment.- None
5. Report from City Administrator

Trey Eubanks reported on the auditorium renovations at the cultural center and the goals session that would be held on February 4<sup>th</sup> at 9:30 a.m. The budget calendar is now in place and the dates are subject to council approval.

Financial report- The City is still strong financially even though the economy is looking bleak. There are things, however, that we need to watch. Some line items are under budget by double digits. The capital budget is also under budget by double digits. We are going to incur expenses for paving and road improvements in the Spring. The other thing is sewer system improvement and maintenance. We will not exceed budgeted amounts. Fuel costs are 4% over budget down from 6% over budget because of lowered prices. The city is starting to get property tax revenues. Compared to last year, the numbers look good though it is early. A property tax analysis will continue to be provided. Building permit revenue is down substantially. Finally, the Assistant City Administrator, Russell Sapp is working with Holly Abercrombie on budget preparation this year.

Councilman Cook reminded Trey to keep a close eye on the financials. If something starts to become a problem, bring it to council early instead of waiting until it is too late.

Councilman Reynolds asked about other entities and how their hospitality and accommodations revenues were being affected. Trey answered that five entities in the county had been contacted. One smaller jurisdiction is a little over budget on their hospitality taxes, one is under budget mid to high single digits and one is under budget double digits, one entity is holding its own. We are in the middle tier.

6. Reports from Standing Committees
  - a. Fire (Chairwoman Gettys)
    - i. Reports and Communications from Fire Chief
  - b. Police (Chairman Cook)
    - i. Reports and Communications from Police Chief.

Chief Turner: You should have noticed in the report some numbers as far as our crime count. We have a good trend and that is a credit to the girls and guys that I have working for me. I have four starting the academy today. I didn't get any calls so they are all still there. I returned from the academy. I have to go every three years to keep my instructor certification.

There are three initiatives that Mauldin is undertaking with the Sheriff's office. One is underage drinking and tobacco. We check this every month. We have that going on and we take part in the multi-jurisdictional task force. The underage drinking thing is something we budget for but we haven't had to use the money so far because we get a grant for it.

Mayor Godbey: What impressed me is the collaboration between jurisdictions and the genuine coordination between the Sheriff's Office and municipalities. Sheriff Loftis is very complimentary of Greenville County and has a good relationship with the police chiefs in the County.

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

Angela Martin's report is on file.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: Thank you. The senior program is going well and is growing. The AARP tax assistance program is starting up for folks to get their taxes done. The sports center has started its biggest loser program. We have 67 participants in that and 3700 members at the sports center. We had 221 new members this month with New Year's Resolution.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning  
Director.

Peter Nomikos: We saw 39 permits issued in December. There was about two weeks of construction activity. There has been a market shift from fine dining to fast foods, so we have seen the hospitality money from fast food chains go up.

Plans were submitted today from NHC for an addition to their dementia wing. We haven't worked out the details, but it will probably be \$10-12 million in value.

Councilman Black: What is the ruling on silt fences? I talked to Trey about the house in my neighborhood that burnt and the silt fence is up and if has to be maintained, we need to make sure they do that.

Peter Nomikos: Silt fence was required when they were finishing grading. I will have to check and see about getting the fence removed.

Councilman Black: If it doesn't have to be there, I would like to see it taken down.

Peter Nomikos: It is stabilized now.

Councilman Black: Next to Mutt's, the silt fence out there, is it still required?

Peter Nomikos: It is because it is an active site. We met with them last week about their plans and there may be a revised plan coming. They had to get a few issues taken care of with DHEC. They may be able to take down the fence at that point.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: We are just about done with leaf season. Most of you know we had a large plume of smoke last week from Fennell. They will be open again last Wednesday. Our budget looks pretty good. We met today about the sewers and I feel pretty good about where we are and the work we have accomplished. Some of you have been out to see what we have going on. I am expecting 200 tons of brick dust probably Thursday and that will go on the fields in preparation for baseball season.

Councilman Black: This Saturday one of my neighbors called me and I went to see what it was and there was water running full force into the creek. I called Greg and he was at a ball game but he called Charles Kirksey and identified that it was Greenville Water Works. He got in touch with them and they were on Miller Road working and they came out. That afternoon Greg came by and they worked with the water system. I want to let everyone know what a department head the city has in Greg and all of his employees. The concrete pipe had settled down and busted the storm drain. They are dedicated to helping the citizens and I appreciate that, Greg.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

7. Unfinished Business

a. Consideration and action on Banner Amendment (PEDC)

Chairman Hunter: A meeting was conducted on October 30, 2008 with members of non-profit and civic organizations, the consensus of which was that they were desirous of also having the ability to display banners. After further discussions, an amendment was prepared which would create the same banner regulations for businesses, non-profits, and civic organizations.

The proposed amendment would allow businesses, non-profit, and civic organizations to have a banner affixed to a permanent freestanding framework without limitations as to time or content. The PEDC voted unanimously for approval. At first reading Council Cook suggested adding a provision that the sign frame could be removed from the ground. That language has been added to the first paragraph. There is a one time \$15.00 fee.

I make a motion to approve this on second reading.

Councilman Cook seconded the motion.

Mayor Godbey: This will be uniform for businesses and non-profits.

Councilman Reynolds: If it is permanent and they decide not to put up a banner, there will be two sticks in the ground.

Chairman Hunter: The goal is to have metal sleeves in the ground so that can be taken up.

Councilman Reynolds: It says may be, should we change it to has to be or must be?

Councilman Reynolds made that amendment to change the wording to must be.

Councilman Cook seconded the amendment.

The amendment was unanimous (7-0).

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

b. Consideration and action on Removing Conflicting Tree Protection Requirements (PEDC)

Chairman Hunter: It was determined that we had conflicting wording in two different ordinances. We asked Mr. Nomikos to unify this which he has done. The more stringent requirements take precedence. I would like to make a motion to approve this on second reading.

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

8. New Business

a. Consideration and action on Leake annexation. (PEDC)

Chairman Hunter: Request to annex and rezone the Leake property located at 881 Knollwood Drive from R-12 in the County to R-12 in the City. I make a motion to approve this on first reading.

Councilman Black seconded the motion.

Councilman Black: I was informed during Sunday School that Mr. Leake is in the hospital and not doing well. He had some stints put in a month ago and he had to go to the hospital this weekend and is not doing well.

The vote was unanimous (7-0).

b. Consideration and action on two Zoning Board vacancies. (PEDC)

Chairman Hunter: We have two vacancies due to the resignation of Richard Osborne and the appointment of Randy Eskridge to the planning commission. Please vote two people on your ballot and pass them to Ms. Miller.

c. Consideration and action on Standing Committee rules (Finance)

Chairman Black: We have cleaned up the wording of the rules. I make a motion to adopt the new rules.

Trey Eubanks: I wanted to pass on two very brief amendments on this. On page 2, the first sentence, this is to clarify where it says committee shall meet as necessary, please insert and/or as necessary. The second minor change is on page 3 section 5 under operation, to insert after call to order in the order of business public comment.

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

d. Consideration and action on Executive Director position (Finance)

Chairman Black: This is an item that council put in as contingency for the cultural center grant for them to fund a director position. It is not a new item. I make a motion to advance this money.

Councilman Reynolds seconded the motion.

Councilman Hunter: The grant application requests \$50,520, which is the remaining balance.

Chairman Black: It was \$50,520, does council want to add the \$520?

Mayor Godbey: We will amend it to \$50,520.

Councilman Cook: I would like to amend the motion to say this is not a recurring amount.

Chairman Black seconded the amendment.

The vote on the amendment was unanimous (7-0).

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

e. Consideration and action on American Legion request to use Cultural Center facilities (Committee of the Whole)

Trey Eubanks: A brief overview, Sgt. Cobb asked that Mauldin consider the use of the cultural center for their meetings on a monthly basis. They want to use the facility and meet here in Mauldin. The cultural center foundation board approved the request and now it comes before council for you to consider whether or not you want to allow this use. This will be scheduled through our staff around other existing meetings. We do have the space.

Mayor Godbey: In the future, I would make the recommendation that it come through Chairman Reynolds' committee.

Councilman Reynolds: I would make a motion to allow the use.

Councilwoman Gettys seconded the motion.

Councilman Cook: Are we charging them?

Trey Eubanks: We do have a schedule. It is low rent, but there is a schedule. We will treat them just as we do any other civic organization with the exception of the Rotary Club.

Mayor Godbey: In the future, we can have the cultural center board in communication with the recreation committee. The length of time isn't noted on here and we are giving them a lot of flexibility.

Councilman Hunter: This was forwarded to council by the board.

Trey Eubanks: Sgt. Cobb directly called and asked about it. I will ask our clerk.

Cindy Miller: He sent an email to the Mayor that was forwarded to me and I forwarded it to the cultural center chairman.

Councilman Hunter: Did the board send it to council as a recommendation?

Cindy Miller: I believe so. Is that correct?

Brian Daughhete: It was done at the last meeting and the email came in and we did forward this.

Councilman Hunter: Are they asking that a room be dedicated to them?

Cindy Miller: They did not ask for a specific room in the request I got. Whatever is available.

Councilman Black: Who is responsible for setup, clean up, is the director responsible for that? Right now, Bart and his staff are called in to clean up.

Mayor Godbey: Deferring that to Mr. Reynolds' committee would be the right step. If you would, put this on your agenda.

Councilwoman Gettys: Is this for unlimited time?

Mayor Godbey: It is not specified. At this point, it allows the board and the recreation committee to work with the American Legion to have the facility available.

Councilwoman Gettys: Five years, ten years?

Councilman Cook: One question that just hit me, do we need a contract?

John Duggan: In the past I have suggested a lease agreement. One concern is if someone breaks something, who is responsible for that? If you don't have something in writing, we can get into a problem. My recommendation is that we should.

Trey Eubanks: We have that sort of language in the lease agreement. I will make sure you get a copy.

John Duggan: We originally drafted that for you.

Councilman Cook: We have it, let's stick with it.

Councilman Kennedy: Are we going to have a limit on how many entities can come in?

Trey Eubanks: Yes. That would be a good problem to have. It is exciting what the cultural center board has already achieved. I look forward to seeing the progression as you do. I will work with Mr. Reynolds for his committee. We will have to keep an eye on the use of the facility and I want to emphasize that we only need one entity in charge of that. Recreation staff is currently the contact point on that building and if we have more than one entity coordinating the use of it, we could run in to problems. We have to adapt as we have more and more use of it. I would like the city to continue to be the coordinator of the use of that facility.

Councilman Kennedy: I need a copy of that for liability.

The vote was unanimous (7-0).

## 9. Public Comment.

a. Skeet Prinze: Council, I am Skeet Prinze at 117 Hyde Circle. It was my understanding that it was \$50.00 an hour for a cultural center room. I heard this at a council meeting some time back. You might want to check. My second question is, when you are talking about non-profits, are you talking about churches for the signage? Do they pay \$15.00? Once a year? I will use the Methodist Church, if they put up a sign in the spring for one thing and then one in the fall for something else, do you pay another \$15.00 or is it \$15.00 a year?

Councilman Hunter: One time.

Skeet Prinze: I understand with the elections and stuff, but when they put the little signs up and put four in one spot. That doesn't look nice. I am really against charging churches. I think that is wrong and I want that stated. When a city charges non-profits of that nature, we are in trouble.

b. Cassie Gorton: 103 Stapleford. I heard Greg talking about the leaves being double we expected. I wanted to follow up on something I spoke to council about several months ago and that is the compost bin sale. I don't know if I made myself clear about the purchase of 100 bins at \$47 with the idea that we would turn around and sell those at the spring fling for the same if not more money. That was based on the county's compost bin sale at Whole Foods. I haven't had follow-through on that and we are running out of time and I wanted to point out that our organization has done a lot of legwork and research to make that happen and we are still interested in doing this. Since the citizens themselves would be purchasing this, the impact on the leaves would be significant since the citizens are making an investment as well.

Trey Eubanks: I want to say I appreciate what you compiled about this as well as the successful sale at Whole Foods. I provided this information to the PW Director and we intend to bring this up at the PW Committee next week. It is certainly something both Greg and I have looked at and as you pointed out, we need to purchase these soon and then the citizens will pay this back. This will be a flow through and I look forward to presenting this to the public works committee. Greg and I both support this effort. It is hand in glove with some of goals from city council and something Greg has been supporting in his department.

Cassie Gorton: One more quick issue. There was an agreement that council DVDs would be provided to the library. When we met, the last DVD available was October, there were none for November or December. I wanted a firm date as to when those would be available.

Trey Eubanks: We made those available last week and we apologize for the delay in those two months. We are going to work to get those up quickly to the library moving forward. On that same topic, we hope to have, and have been told by the consultant working on our website that will be a tab on our website. We discussed this in fall.

Chairman Reynolds: I believe Bob mentioned it might be an option to purchase some equipment to make the cds faster. Is that something we need to look at?

Trey Eubanks: If we could acquire some better equipment, that would help but that is one of the areas that we are keeping an eye on our budget.

Mayor Godbey: That might be something for the budget.

Zoning Board applicants- Three candidates had four votes each. The ballots were passed out again.

Euphemia Moore and Joe Sentelle were appointed to the Zoning Board.

Councilwoman Gettys made a motion to approve the two with a second by Councilman Hunter. The vote was unanimous (7-0).

10. Council requests.

11. Adjournment. – Mayor Godbey adjourned the meeting at 9:05 pm.

Respectfully Submitted,

Cindy Miller

Municipal Clerk