

**MINUTES  
MAULDIN CITY COUNCIL  
JULY 21, 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- Councilwoman Gettys
  - b. Pledge of Allegiance- Councilman Cook
  - c. Welcome- Mayor Godbey
  - d. Proclamations and Presentations- Pat Pomeroy, Mauldin Chamber; Representatives from Young Marines; Randy Britton, Duke Energy; Exchange Club presentation for Van Brannon; Brian Daughhetee- CCFB April Silvaggio, 1<sup>st</sup> Sergeant Schumacher, Anna Fusie, and Nick Silvaggio from the Young Marines were present and asked for a room at the cultural center to meet in.

Randy Britton of Duke Energy made a presentation on the underground utilities program. Duke Energy will contribute .5% (estimated at \$60,000 to \$70,000 per year) of all municipal franchise fee money with a match from the City towards underground power lines. The money will be put into an escrow account each quarter until the City is ready to match the funds and use the money.

Chief Turner presented three new officers- Richard Montalbano, Bobby Cruthirds, and Adam Lawrence. They were administered the oath of office by Clerk of Court Angela Martin.

Three young men graduated the Cadet Academy and were presented to council. These were Jeffrey Willis, Carson Steinmetz, and Cody Harrell.

Three cadets from the Boys Youth Camp came forward with Bran Copeland of the Bridges Crossing Homeowners' Association. Mr. Copeland was impressed by the program and presented a check to the police department from the HOA and one from him personally towards the youth camp to help defray some of the costs of the camp.

MPO Almus Rose presented the girls from the Police Youth Camp. They are learning leadership, civics and teamwork skills.

Capt. Phillip Brown presented the Exchange Club Star Award to Van Brannon for his work and support in the community.

Mayor Godbey announced that he is appointing Brian Daughhettee as Chairman of the Cultural Center Foundation Board.

2. Reading and approval of minutes.- Councilman Hunter made a motion to approve the minutes with Councilman Black seconding. The vote was unanimous (7-0).
3. Public Comment.
  - a. Mark Steinmetz: I live at 15 Hickory Hollow in Forrester Cove. I developed Carson's Pointe and I remember Gabe was on one of the boards I had to present to and at that time I thought that a lot of the thought processes that individuals had toward limiting the square footage of the buildings was incorrect. After building the first five buildings and watching the occupants come in, and currently there are four occupants. I had a telephone call from Paula Foltz that they want to develop the upstairs of all the buildings. Currently with four buildings, almost 60% of the parking is taken up. It is not every day that it is taken up, but on Tuesday, Wednesday, and Thursday parking is 60% full. I knew there was a problem at that time. That is the only comment I have. If you developed the upstairs and get another doctor or so up there, you have a real parking problem on your hands. That is basically all I had.
  - b. James Julian: I live at 981 Fargo Street. I wanted to honor the Mayor and Council. In Proverbs 20<sup>th</sup> Chapter, the first verse says wine is a strong drink and who ever receives it is not wise. It also says in the 21<sup>st</sup> Chapter in the 30<sup>th</sup> verse that there is no wisdom, understanding, or counsel against the Lord.

I had a piece here that I wanted to read by Patterson. You can get the paper out of the box out here. Patterson says alcohol is the biggest scam in the country. Alcohol costs the state more than \$3 billion in health and property damage. The industry pays \$152 million in taxes. It costs the taxpayers a lot of money to foot the bill in these things. Also it says that the governor has the control over alcoholic beverages but does not have the courage to call them drug pushers. They have the financial power to tell the government what to do. No one is held accountable for the problems it causes. If the government can sue tobacco companies and automobile manufacturers for the problems they cause, they could sue the alcoholic beverage manufacturers if they had the will and the courage. I am against it.

- c. Tobie Tolbert: I live at 412 Sealwood Circle in Simpsonville. I don't live here, but I am here every day. About two weeks ago, I got hit by a drunk driver on Butler Road. He pulled out in front of me. I never thought I would be in a wheelchair and have a metal rod in my leg. That is permanent. I don't think you should make it legal for another day for this to happen. It happened on a Thursday at 10:15 at night and two hours after the wreck he blew a .23, you know the legal limit is .08, so he was pretty drunk. I don't know if he came from a bar in Mauldin, but I don't

think you should make it legal. Thank you. I have pictures if you want to pass them around and I will pick them up after.

- d. Vicki Switzer: I have lived 30 plus years at 210 Hyde Circle here in Mauldin. In light of this young lady's speech, I feel kind of silly talking about parking, but that is what I came to talk about. I read an article in the Tribune Times about Mauldin going up on their parking fines. It said that the fines had been very lenient in year's past. I don't have any objection personally to the fines being increased in Mauldin, I understand though, that parking on the sidewalk has been against the law for many years in the city. However, this law has not been enforced around Springfield Park. For many years, parking on the sidewalk was a common practice. For the first few years after Sunset Park was built, the problem was all but eliminated. However, I have noticed this has again started to take place between baseball and football seasons even though you have added an extra lot where the tennis courts used to be.

The problem arises when the first people arrive for the first game and then for the second game and the first game is not over. The coaches want the kids to be there early to warm up. People start parking on the sidewalk. I have not observed any tickets being issued or any police presence asking people to move their cars. I have addressed this issue on two other occasions with the council and both times was told that the City was aware that people were parking illegally on Hyde Circle, but there wasn't enough parking at the time and there were plans to build Sunset Park. If the city intends to enforce this long standing law in the future, I would suggest the citizens, especially those whose children participate in baseball and football, be informed of the law and that it will be enforced and especially around Springfield Park. I suggest this notification be in writing when people register their children for these programs and signs should be clearly placed around Springfield Park. They have been allowed to do this for years with no consequences, and if the fine is going from \$10.00 to \$50.00 you are going to have a lot of mad people if you just start giving out tickets.

I feel the city is taking a big liability risk by allowing people to park on the street. If they are not allowed to park on the sidewalk, that will move the cars out into the street. It is easy enough for a child to run out in front of a car in the parking lot, but at least in a parking lot, hopefully that driver is going at a lower speed. If people are going to park in the street and they run out into the street, they will be hit by a car at a higher rate of speed. That park is at the bottom of two hills and people don't go 25 mph, myself included, down the street like we should. I would suggest to you that perhaps the better solution might be to not allow people to park on the street or on the sidewalk for the safety of the children.

- e. James Wagner: I live at 109 Sugar Creek Lane in Greer and I am a business owner in Mauldin. I came here as a minority in presence but not in population, I am sure. We lose a lot of business to Greenville City on Sunday. I know there has been a lot of talk about drunk driving. One day a week, the alcohol problem is not going to be fixed with that. Drunk

driving is a bad situation and I am not encouraging that. Sunday alcohol would bring a lot of tax revenue in the city. This fine recreational facility we talk about is funded by hospitality tax, which would increase dramatically if we could get some the businesses that are moving into Greenville. I know several restaurants on Woodruff Road that are willing to be annexed into the city and have their gross sales taxed by Mauldin to do good things in the city. I myself go to church every Sunday to First Presbyterian downtown, I am a big believer, but I don't think religion should come into the factor when we determine whether citizens should choose what to do with their lives.

Tobacco is a horrible thing and causes more deaths than alcohol and tobacco is legal to be smoked in the house, car, wherever and throwing cigarette butts out and making a mess. I choose not to allow smoking in my facility. It is not required by the City of Mauldin, but I do it as a personal choice. Sunday alcohol, it is the job of the council to put this up as a vote. If it comes back the citizens of Mauldin don't want it, then we honor that. I think it is a grave mistake to not give them the opportunity to voice their opinion on what they would like. We have the facility by Pawley's that has been trying to get restaurants into the city for a long time. Go one mile up the road and serve a glass of wine on Sunday. People will drive drunk all the way back to Greenville. If we think Mauldin citizens don't drive to Greenville on Sundays to drink and watch football, we would be mistaken. A lot of my regulars go to Greenville on Sunday because they want to eat some wings and drink a beer. They are not driving around drunk, that is their personal choice.

Bob Cook: The man made a comment about Woodruff Road hospitality tax, doesn't the county collect the hospitality tax already?

Trey Eubanks: The county collects the accommodations tax but not the hospitality tax.

- f. Dr. Bill McDonald: Good evening. I am from the Cathedral Community Church in Mauldin. I am glad to be here. I believe that everything comes under the faith of believers. I believe this does. My aunt called me in one day when I was 15 years old, growing up in Laurens, to tell me that it is written in the bible you are never going to drink. No alcoholic beverages. I wasn't a Christian, but I knew the Bible, and I believed the Bible. I don't believe you make a vow to God that you don't keep, so I kept it. I kept it through high school, through the army years, which was a problem, and I kept it at Wofford College, which was a problem. I came through my life sober. I have faced all the things that people need to face and have done it sober. When I look at these young people and think about what one of them said about being drug free, that is one of the things, these programs are beautiful, wonderful. I knew we were doing some of this, but I didn't know we were doing this much. I congratulate you. Let's do better. Let's vote this down and keep Sundays free. That is what we need to do. Do the right thing.

- g. Jerry Smith: Mayor and Council, it is grateful of you to let us speak our minds tonight. For the record, I am not opposed to anyone wanting to drink. That is their right and privilege. As I give my comments tonight, if there is something that sounds negative, and there probably is, it was not meant to be that way. It is a statement of reality as it occurs in life and this community. The thing I am opposed to is the fact that giving the people that drink on Sunday the opportunity to come here and drink and get on the highways, is a way of endangering the lives of others. I find it interesting that the City with all the restaurants, our next door neighbor Simpsonville, is not the one instigating a change in the Sunday blue laws. Mauldin's slogan is Expect Great Things, liquor by the drink on Sunday.

The latest issue of US News and World Report states more and more states are repealing Blue Laws, since 2002, 13 states have taken the blue laws off the book and realized \$300 million in extra revenue for each year. The article did not mention the net. The net is realized after all the expenses related to accidents, injuries and death are removed. Speaking of that, in 2005-2006, SC led the nation in highway deaths. 50% of those deaths were alcohol related.

A recent story in the Tribune Times indicated that police were tightening up the surveillance of alcohol sales to minors. On the other end, you want to abolish laws controlling the sale of alcohol on Sunday in the hopes of raising revenues. What irony. Mauldin is compared to Greenville and Rock Hill. Both cities have triple the population of Mauldin. According to my figures, the total retail outlets in Greenville are 956, Rock Hill has 325 and Mauldin has 35. On premise consumption is 412 in Greenville, 116 in Rock Hill and 24 in Mauldin. Where is the big boom in gross revenues. I drove Woodruff Road east from 385 to Hwy 14 and determined that there are not enough restaurants in the area if they were all annexed into the wet city to be enough to pay the extra expenses of police on Sunday in order to keep order. Mauldin will become the oasis for drinkers from bars and restaurants closing at midnight in dry Greenville County. The plastic sheets that cover the beer and wine on Sundays will come down and expose the merchandise for sale on Sundays. The restaurants and hotels will continue to jump over Mauldin and come to Simpsonville. From a marketing and economic standpoint, the best place for a restaurant is close to another restaurant. That is where all the people are.

For those of you that vote yes for liquor by the drink on Sunday, let our city management know who you are and perhaps they can find a way to prorate the \$7000 in costs this will involve in putting the referendum on the ballot in November. That could be their way of thanking you for what you created. It will take a good many alcohol sales to replace that money back into the general fund. I mentioned the article from US News and World Report, it stated there is a recent study published in the quarterly journal of Economics that states that where the blue laws have been repealed, there has been a 15% decline in weekly church attendance. 15%. Along with a 25% drop in donations. Just like people switch cars when gas goes up, this is a change in the price of going to church says

Jonathan Gruber, Co-author of the article and Economics Professor at MIT. You can do something else instead and that has changed behavior. Our nation was founded on the belief that God had directed our existence. It appears our foundation is being weakened by events like this eating away at it.

- h. Vera Ballock: Mayor and Council, I spoke at the other meeting and I just have a few other things to say. I am for putting this on the ballot so every citizen has the right to say yes or no. My husband was in sales and traveled seven states before his retirement. His job required him to entertain customers. This area has a lot of visitor and business people. They may be here a week, a month, a year, or they may even decide to move here. I understand Mauldin has an excellent school system and an excellent police department under Chief Turner, and I believe the citizens of Mauldin should have the right to vote for or against liquor sales on Sunday.
- i. Joan Haygood Norris: Good evening citizens, Mayor, Police Chief, staff, everyone, I spoke last week also and thank you for giving me the opportunity to do the same. Last week I made a comment and I want to go back and make sure I am documented correctly. I said that with the sale of Sunday alcohol, we are allowing our city to become a possible haven for injury, crime, and most of all, are we setting a good example for our youth. I noticed in the newspaper that it was quoted but the part about the youth was not included. I hope that we include our youth. We are setting an example for them. For those people who would like to drink, that is their business. I don't have anything negative to say about them, but as far as getting on the highway and drinking, then yes, I do. When I saw this little girl that rolled up here a few minutes ago, my heart opened up. Perhaps that is because I have worked with children for 29 years of my life. Thank you.
- j. Angelo Drusennis: 411 West Butler Road. I brought here a petition with signatures. There were about 500 signatures of people that believe they have the right to drink one beer on Sunday. I don't think there is a problem in Mauldin. The majority of people who drink in restaurants, not in bars, because Mauldin only has one bar, they drink one or two when they go in there. The majority of my business is not beer and wine, it is tea and coke. There are a few people who want a glass of wine or beer when they eat. It won't make a big difference in me selling on Sunday, but the thing is giving people what they want. At the same time, we need to give the community revenue it needs to stay afloat. If the City has no revenue, what is it going to do? Today, the thing is about economy and what you bring in any city, Mauldin, Greenville, whatever. If you don't have revenue, you will not have a city pretty soon. No one will invest in a city if you don't have a future. If you don't have a future, you might as well be dead.
- k. Robin Tolbert: I am Tobie's mom. She kind of didn't explain everything. She had two other passengers with her and the guy that hit her is 23, so he is young, it messed up his life too. Four lives that have changed

because of his decision to drink and drive. Restaurants are saying they can get more business if they serve alcohol, they have delivery, take it home, where everyone should be drinking.

#### 4. Report from City Administrator

Trey Eubanks: I want to start with the Main Street project. The steering committee met July 10<sup>th</sup>. Our first public meeting will be August 21<sup>st</sup>. Please keep that in mind. We want a lot of public input. Surveys were put on the website and surveys will be mailed out. We would like them returned by August 8<sup>th</sup> if we can. We want something substantive to share at the first public meeting. I appreciate the articles that have highlighted this and our chamber of commerce is going to get this out to its membership. It will go out direct mail to about 10% of the folks in the City. This council approved going after some funding from GPATS. We got \$30,000 from them last November and then another \$15,000 last month to meet half of the cost of the design of the project. This will be for traffic studies, land use, and design standards and beautification. This will give it its best shot to be successful. Please stay tuned and mark your calendars for the 21<sup>st</sup> of August.

A quick update on our comprehensive plan. We are asking for a lot of input. Every five years, every local government is required by the 1994 Local Government Comprehensive Planning Act to update their 20 year plan. I want to show you some key elements- population, housing, land use, natural resources, transportation, community facilities, priority investment and economic development and cultural resources. We have added a 10<sup>th</sup> element and that is City Center development. We want to talk about what we can do with our cultural center. It is a wonderful resource. On May 29<sup>th</sup>, we had about 75 people show up to weigh in on the project and a number of you are serving on focus groups and sub-committees. There is room for anyone who wants to get involved so feel free to contact me, our Economic Development Planner John Gardner, or our clerk, Cindy Miller if you are interested. This project is rolling well and this council wants a working, living document that will provide a lot of focus to staff, our boards and commissions, and our council as we plan for our future.

On our cultural center, the city attorney and a member of his firm are working on by-laws and other documents associated with the foundation board. We look to schedule a meeting in the near future with that board. We are making a great deal of progress and Mayor Godbey made an appointment tonight. We will schedule our next meeting soon. C&S Wholesale gave a donation and that was to be directed towards our auditorium. We have developed a set of specifications, advertised, and have received bids from 6 firms. I have asked the Mayor, Mr. Black, who is also the Vice-Chairman of the Foundation Board, and staff to assist in reviewing these bids. We will have a report for the August committees on the firm we think will be best suited for this project. On the grounds, some of you were out there a week or so ago with a shovel and a wheelbarrow helping to finish off some of the excellent work that was done. Durant Ashmore is taking the lead on this project. It has been a pleasure to work with him. He should have a detailed report for the August 18<sup>th</sup> city council meeting. It is very near completion. I want to commend Durant and he incorporated input from our Garden Club and the Tree Board in the design he

developed. He has worked hard to oversee the development of this plan. I specifically want to mention the Garden Club. Not only have they put a lot of sweat equity in from their own membership, but they have put a lot of their own money into it. The club stepped up and put a significant amount into the hardscaping including the benches and archway off of Murray Drive and a walkway near the cabin area parking lot.

Moving to the Homes of Home project, in November 2005, council approved \$150,000 for the 32 unit project. Homes of Hope is affiliated with the Greenville County Redevelopment Authority and HUD and finds opportunities for housing for low income residents. We are always looking for a good project to use our appropriation from the federal government for housing. Sometimes that is a challenge. This project came back in November of last year and council committed \$300,000 for a project up to 20 units. That hinged on the SC Housing and Finance Authority putting a significant contribution towards the project. Earlier this month we received word that the project was approved by the state. At this point the game plan is to build five two story flat duplexes which are Charleston style with the big front porches. The location is down Miller Road, if you leave city hall and go down Murray to Miller, this site is on Miller prior to Rainbow Circle. There is an old dilapidated house there that will be demolished as part of the project. These units will be 1166 square feet apiece, three bedroom and two baths, they will have refrigerators, stove, dishwashers, and hookups for washers and dryers. There will be a park area, benches, and a gazebo. You have to be income eligible for this. The family has to earn at or below 60% of the median income for the County to become eligible. Our median income for Greenville County for a family of four is \$56,500. 60% means a four member family with a single earner at \$33,900 or less is eligible to reside in this housing.

I want to comment on some population data that was released 10 days ago. Mauldin was the 10<sup>th</sup> fastest growing city in the state. We are ranked 19<sup>th</sup> in population in a state that has 270 municipalities. We have experienced a great deal of growth. It means that Mauldin is a great place to live and that we do have a high quality of life. It also is a call to attention to all of us to make sure we can meet the demand the growth will place on our services. We have to step up to the plate and stay ahead of this growth. Updating our comprehensive plan is critical for us to be able to focus at budget time and when we make policy decisions on the growth that is coming and the demand for services it will bring.

The final thing I want to touch on is the Young Marines. I have some dated material and April brought in some documents tonight that includes a letter from Congressman Inglis. I have met with our Recreation Director and staff and at this point want to recommend that we provide a home for the Young Marines at our cultural center. We talked about this in our PEDC meeting. There are about three rooms over there that are unfinished but available. This organization fits hand in glove with some things we are doing here with this facility. Part of what they can do as community service could be to help finish off a room. I think there are ways they can earn it. We ask that this room be available for our youth and the scope be a little more than just the Young Marines. We had an excellent presentation for two months in a row from our police chief on the Youth Academy. We have had a growing demand for our summer youth programs and

I would like the Young Marines to put their awards up but I think it would be a good space for other youth related events in the City.

Councilman Cook: The aid to subdivisions, when did they get their population growth? The MASC shows less than this and that is where we get our money from. The more population we have, the more money we get. Where do they get that? Do we need to wake them up and tell them what we have? That is a lot of money.

Trey Eubanks: That is an excellent point and a point of concern. That 15,000 is 2000 Census Data. The State Aid to Subdivisions distributes to municipalities based on the latest census data. In this past legislative session which just ended the 1<sup>st</sup> week of June, the 2006 population data had 19,884. I will go back and check on this.

Councilman Cook: The Municipal Association shows 15,000 and we were given \$525,000 but that is not right. If they went back to 2006 where we had 19,000, we should get some more money.

Trey Eubanks: Yes, sir. Let me check into that. I know they have a number of columns on that table and you are right that the municipal association does post their revenues when they are released. I will double check that.

Councilman Reynolds: I appreciate you and Van taking the lead on trying to find the Young Marines a home.

Trey Eubanks: Thank you. I think we were all impressed.

Councilman Cook: What action do you want to take? Committee? Suspend the rules?

Trey Eubanks: If you feel a motion is necessary, you can suspend the rules and authorize me to work with our staff and the young Marines. Maybe they can put some equity into finishing the room off.

Mayor Godbey: We will have Mr. Reynolds take that under consideration when it comes to his committee.

5. Reports from Standing Committees
  - a. Fire (Chairwoman Gettys)
    - i. Reports and Communications from Fire Chief

Chief Sapp: Thank you. I have a sinus problem, so you might have a hard time understanding me. Last month, the fire department had a 2.7 minute response time. We ran 219 fire and medical calls. The total calls for the month was 221. We had twelve false alarms and none of those were unjustified. 6 in the City and 6 in the fire district. That is high for this month and we are watching that. We will receive the new truck on the 29<sup>th</sup> or 30<sup>th</sup>. We are flying down on the 28<sup>th</sup> and bringing it back at that time.

Councilman Black: Do you know the approximate date it will be put into service after you bring it back?

Chief Sapp: I am looking at about 3 weeks, maybe a little less. We have to get the equipment placed on it. We are going to do this truck a little differently. We are going to mount it a little differently. We found a way that will look better and works better for the equipment.

Mayor Godbey: Chief Sapp, I would excuse you. Get yourself rested up.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chief Turner: Mayor and Council, you had before you about a week ago the monthly summary for the department. As of last Monday, we are fully staffed. Most of the departments in the county are not and some are very understaffed. We are fortunate to have the group of guys and girls that we have. It is not hard for us to hire good quality candidates and we will continue to do so as vacancies come up. I value every day I work here because out of what I have seen in the past, I have a good group and I feel totally confident in their ability to enforce the laws and to make judgment calls when it is needed.

I do have one award we received that I want to mention. We received an enforcement award for the AET 13<sup>th</sup> Circuit. This deals with purchases of alcohol from businesses to minors. I am proud to say that in the Upstate, we have the lowest county non-compliance rate. When we sent undercover people into the businesses with decoys to purchase alcohol, our vendors and merchants said no. They are doing the checking they need to do. It speaks highly of those people because it is hard to turn down a \$20.00 bill and they have done that. I want to thank our guys. We received a \$1500 grant for this that we used this year. It was a budgeted item, but we didn't have to use that money since we got the grant. We are budgeting that again if by chance we don't get the grant again this year. I believe we are in good standing to pick that up again. That is something for us to be proud of.

Chairman Cook: Please relate to your staff that we appreciate the work they are doing. We have seen a lot of initiative in that department that we can be proud of and the citizens can be proud of.

Councilman Hunter: I second that, Chief.

ii. Reports and Communications from Municipal Clerk of Court /

Administrative Judge

Angela Martin: You have my report in your packets. Our next Night Court term is scheduled for August 5<sup>th</sup>. Our next jury trial term is August 18-22<sup>nd</sup>. Judge Stilwell is back and has been on the bench for

about three weeks now. He is doing an excellent job and we are glad to have him back.

Chairman Cook: The officers call Ms. Martin at all hours of the night. She got off of vacation Friday and they started calling her before she got home.

Angela Martin: Before I could return the rental car.

Chairman Cook: She does a good job.

Mayor Godbey: Rob Stilwell was in Afghanistan with the National Guard and that reflects well on our country and we appreciate having him back safely.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: I want to update you on some activities and projects we have going on. We had over 2000 participants in our Senior activities. Kay and her staff are doing a wonderful job. They went to Furman last week for a summer concert.

Our summer program has about 50 kids and is going well utilizing the sports and cultural centers. We have a young lady that formerly participated in our Miracle League and she gave me a call six months ago and she is getting married. She will be married on the Miracle League field this Saturday so that is unique.

Things continue to go well with the sports center. We have 20-30 kids for the summer fun. We are also working on some additional activities like volleyball and possibly adult softball. We are trying to bring in some new activities. On the Pine Forest Park- the paving has been completed and we will begin working on the bids to go out for the playground equipment. I understand that there has already been a lot of traffic on the track already at Pine Forest.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: You should have found a sizable packet at your seats which include code enforcement cases for the last month. Before you become alarmed about the number of trees that may have been slaughtered in making the packet, it was recycled paper. When you get home, please recycle this. Our new Combination Inspector is now on his own and is doing very well which frees me up to do my job. I should be able to get more heavily involved in the comprehensive plan process and hopefully the 276 corridor plan.

Councilman Black: What is the update on the house?

Peter Nomikos: I talked to the attorney this afternoon in anticipation of your question and what happened was Citibank was the company that had the mortgage and filed foreclosure a week before the fire happened. They have collected on the homeowner's policy and said the property had not been foreclosed. The property is owned by the daughter who is 19 years old and has no money to proceed with the demolition. The bank owns the property and we have cited the bank previously. We are going to pick up with tickets at this point. They have been trying to play both sides and get the daughter to take down the house while they are holding title to the property. It has been confusing and at this point we are back to the bank. They have had ample time to do something and we are going to issue tickets.

Councilman Cook: Would it help if we get our illustrious attorney got involved? Let's get something done. He ought to have some clout and he needs to show us what he's got.

Peter Nomikos: A title search would be helpful at this point so we could clarify who owns the property. It is in our best interest particularly if we are going to pursue prosecution with the bank.

Councilman Cook: I suggest that the administrator and Mr. Nomikos sit down with the attorney and let's get this thing done. We have been sitting on this, and if we get our attorney involved, he should be able to do more than a layman can do, no disrespect. We need to tell our attorney that his job depends on it.

Trey Eubanks: Something on his letterhead might be very helpful. One thing I want to mention too is Peter and I met with Martin Livingston about two weeks ago and he has started the process to get the Redevelopment Authority involved. This terrible event happened December 12<sup>th</sup> and here it is July.

Councilman Cook: Please give us a report in the next committee meeting. Thank you.

Chairman Hunter: The trimming of the trees, can you bring us up to date on that?

Peter Nomikos: The company doing the work is ABC Tree Service out of Houston. We checked into it last week and they didn't have a business license. I stopped one of their representatives and told them to come in and get a license. Paula was off line today so we are not sure whether they came in or not. I will check in the morning. If they did not, we will contact Duke Power and ABC Tree Service.

Chairman Hunter: Did they present a tree trimming plan?

Peter Nomikos: No, they did not.

Chairman Hunter: That is required by ordinance isn't it?

Peter Nomikos: Our ordinance pertaining to historic trees pertains to private property. These trees are in the right of way. The power company has the ability contained in their franchise agreement to maintain their power lines. We haven't had any further interaction with them other than requiring that their contactor be licensed with the City.

Mayor Godbey: I recommend you forward a copy of the letter to Randy Britton.

Chairman Hunter: Mr. Britton called me today and we have a meeting next Monday with the arborist and Randy to discuss the trimming of trees in the City of Mauldin.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: It is kind of a small world, this young fellow and I have the same barber and attend the same church. His son is attending one of the finest institutions in the USA and that is the US Naval Academy in Annapolis. Good fellow there. I will vouch for him even though he is a Marine. They are shallow water sailors, but he is a good man.

To give you an update, we are busy. A lot of paving is going on in the Pine Forest Community. I can't tell you which street we are on now because we are moving at a rapid pace. We are going back in and raising up some manhole covers and doing some work on the speed humps. We are going to leave those in.

Two boom trucks are on the way. They are being painted Mauldin blue. This should speed stuff up. We have a lot of tournaments and have gotten a lot of compliments on the way our fields look. Jimmy Whitesides and his crew certainly do a pretty good job there. At Sunset Park you will see the mulch we are taking up there. That is brush that we ground up and are putting back into the city parks now. We are waste not, want not. We are looking at other options and found some grant money we can get from DHEC because of our recycling efforts.

I went to the APWA conference last week. In talking to some of the folks that were down there, and I wanted to get some enlightenment on how they operate, but seemed like they were interested in what we were doing. When I tried to ask them questions, they asked me three questions for every one of my questions. I had two PW Directors that came through Mauldin from the lower part of the state and got behind one of our trash trucks. They asked me how we get our guys to pick up trash in between the houses. I said you got lucky that day. They said they followed the trash truck for about 45 minutes and they were amazed. I saw some interesting things and some things that will benefit us in the future when it comes to economics and right now we are all trying to save money on fuel. Some of you saw some stuff at the conference you went to that coincides with this. The vendor said it was idiot proof. We have a lot going on. We are mowing right of ways, but not cutting any trees.

Councilman Black; I want to commend you and your staff and Jimmy Whitesides, I noticed them out on 385 with mowers going around crepe myrtles, trimming and picking up trash.

Councilman Cook: At 385 and 417, that looks good. You folks need to ride out there. That is a state road. I don't want them to take credit for it.

Greg Fincher: We are going to fix the sign out there. That is one of the projects we are going to get to- the Welcome to Mauldin sign. Not like this end of town, but there are some things we can do in-house to spruce it up.

Councilman Cook: Make a sign that says work done by Mauldin Public Works.

Greg Fincher: And I would appreciate some documentation. If anyone needs woodchips or mulch. If you have a dump truck, I have mulch. If you have three or four dump trucks, I've got mulch. Come get it. It is free.

Councilman Black: That chipper is working well.

Greg Fincher: It works. We have it going 7.5 hours a day and if you have never seen an 18-20 inch tree disappear, you need to see this. We make toothpicks with it.

Councilman Reynolds: If you do have all of that extra mulch, can we get it on the website?

Trey Eubanks: That and the cable channel.

Chairman Kennedy: I appreciate the day I spent with you going around

and looking at what you have done and the mulch.  
Greg Fincher: If anyone wants to go and see what we are doing, give me a call and we will make time.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

Trey Eubanks : We do have a new employee that started July 14<sup>th</sup>. Margaret Westervelt is with us. She is doing a great job for us.

Councilman Cook: She is my neighbor.

Mayor Godbey: I am going to request Mr. Reynolds, if you have a motion regarding the Marines?

Councilman Reynolds: What I would like to do is Mr. Eubanks get together with Mr. Brannon and get exactly what we want and send it to committee. Thank you.

6. Unfinished Business

a. Consideration and action on Sunday alcohol sales ordinance. (Committee of the Whole)

Chairman Hunter: I believe our citizens should have the right to vote on whether to allow or not Sunday alcohol sales. This will allow our citizens to speak. This is not an endorsement of alcohol sales nor is it a condemnation. This is our citizens' preference. I would like to make a motion to put the referendum on the November ballot and this is second reading.

Councilwoman Gettys seconded.

Councilman Black; I am not endorsing this, but I think the citizens deserve the right to make the decision. The Council shouldn't tell 20,000 or so people what they can or cannot do. Either way we go, we will have a lot of people opposed to the decision. This is not an endorsement, but they deserve the right to get their people out for or against. We didn't have enough signatures on a petition to get this on the referendum, so this is the other way to get it on the ballot.

The vote was unanimous (7-0).

7. New Business

a. Consideration and action on candy day request from Knights of Columbus (Police)

Chairman Cook made a motion to approve the candy day request on September 13<sup>th</sup> and 14<sup>th</sup>. Councilman Black seconded the motion and the vote was unanimous (7-0).

b. Consideration and action on walking plus membership (Recreation)

Chairman Reynolds: Since the Mauldin Sports Center has opened there has been one type of walking membership. This membership is \$20 per year and only includes use of the walking track. They have several requests from walking members to be able to utilize the lockers and showers. There has also been request to be able to take group classes. Sports Center staff has recommended adding a Walking Plus membership to our membership types. It has been recommended to charge \$150 per year for city residents and \$200 per year for non-city residents. I make this as a motion.

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

c. Consideration and action on Mauldin Family Pharmacy business license penalty appeal (PEDC)

Chairman Hunter: Mauldin Pharmacy 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. Mauldin Pharmacy sent in the renewal form on April 17, 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, and that a 5% late fee was now due. The tax return with 5% penalty was not received until May 20, at which time the amount of the late penalty due was now 10%. A letter advising that the late penalty was now 10 % was mailed May 22. Mr. Tidmarsh came in on May 29 to pay the late penalty. Mauldin Pharmacy is asking for a refund of the \$64.92 late penalty. Apparently there was some misunderstanding between them and their accountant and the city. We have asked Mr. Nomikos to highlight that requirement on the forms. I make a motion to make the refund to the pharmacy.

Councilman Black seconded the motion.

Councilman Reynolds: I am in favor of refunding, but with Stock Building Supply, how similar are these?

Peter Nomikos: Stock Building Supply had appealed the year before also and it was the same situation. We told them to file the tax return and they failed to do so last year and this year and in both instances they appealed and the first time we granted the appeal and the second we denied it.

Councilman Reynolds: My concern was that we were treating one differently than the other.

The vote was unanimous (7-0).

d. Discussion on guidelines for removal of commission members (PEDC)

Chairman Hunter: Currently in the guidelines, there is no definition of poor attendance. We asked for words such as members who miss four meetings per year or three consecutive meetings without cause will result in dismissal. I would like to make a motion to adopt this revision to the code.

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

e. Consideration and action on reimbursement resolution (Finance)

Chairman Black: In January of 2007 the City of Mauldin adopted a reimbursement resolution declaring its official intent to be reimbursed up to \$875,000 from the proceeds of tax exempt obligations for expenditures related to the acquisition of land and building at McDougal Court. The City has been fortunate to have enough revenue to not have to reimburse this money. Staff does not recommend issuance of G.O. bonds at this time. This will also save our 8% debt limit. I make a motion that we do not issue the GO Bonds.

Councilman Hunter: We also save the cost of interest. I second the motion.

The vote was unanimous (7-0).

f. Consideration and action on bid award for Capital Equipment Financing (Finance)

Chairman Black: This came through Finance. The FY2009 Budget includes \$472,890 in capital lease proceeds to purchase capital equipment. The City advertised and had four vendors bid on this. BB&T is low bidder 3.38% for 4 years no prepayment penalty and no fees. I move we accept BB&T's bid.

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

g. Consideration and action on court fines (Finance)

Chairman Black: Ms. Martin touched on this. The court fee schedule has not been updated since 1994. This recommendation came from staff and I move we adopt the new fee schedule.

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

- h. Consideration and action on vehicle and equipment replacement guidelines.

Chairman Black: This came about in one of our committee meetings that we had no guideline in place. Everyone has the proposed guidelines for vehicles and equipment so we will not be caught with a lot of replacements at one time. I move we adopt this.

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

- i. Consideration and action on water conservation tips resolution (Finance)

Chairman Black: This is a volunteer measure. On June 30, 2008 The South Carolina Department of Natural Resources Drought Response Committee elevated drought status from severe to extreme for five upstate counties including Greenville. While the committee did not impose mandatory restrictions, they did encourage water systems in these areas to reduce water use as much as possible.

The Finance and Policy committee endorsed the City of Mauldin promoting voluntary water conservation measures by displaying information on our web site and the city channel. Furthermore, the city has taken steps to reduce water use by cutting back on irrigation and washing vehicles. Also, the city has inspected plumbing in city facilities and made repairs when necessary.

I would like to adopt this voluntary measure.

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

Mayor Godbey: We are doing what we can do and the Governor is supposed to make an announcement today on this.

- 8. Public Comment.- None
- 9. Council requests.- None
- 10. Adjournment. – Mayor Godbey adjourned the meeting at 9:15 pm.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk

