

**MINUTES
MAULDIN CITY COUNCIL
OCTOBER 20, 2008
7:00 PM**

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

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Reynolds
 - b. Pledge of Allegiance- Councilman Cook
 - c. Welcome- Mayor Godbey
2. Proclamations and Presentations- Brian Daughhetee, CCFB; Mary Beth McCubbin- Department of Planning and Landscape Architecture at Clemson
 - a. Brian Daughhetee: Brian Daughhetee asked the nominees to the cultural center board to stand up. Those were Eddie Phillips and Sharon Scott.

Greg Fincher recognized Charlie Kirksey's work with Mauldinfest. He has done a tremendous job with the festival for the last several years. Mr. Kersey also contributes a lot to Public Works in general. Councilman Reynolds said he appreciated his hard work.

Mayor Godbey reported that the grand opening for MoTowne would be happening this week. It is going in Blue Cue's place and will be a jazz and blues club.

Ms. McCubbin is with the Department of Landscape Architecture and Planning at Clemson. She reported on the other projects they have worked on with municipalities. These are projects that undergraduate and graduate students work on. They do the research and presentations to the City on different landscape and planning concepts.

3. Reading and approval of minutes.

Councilman Black made a motion to approve the minutes with Councilman Hunter seconding. The vote was unanimous (6-0).

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

Trey Eubanks: It is with pleasure that I announce the first annual benefits and health fair for the City tomorrow from 9am-12pm. Margaret Westervelt has worked very hard and done a tremendous job in pulling this together. This is a benefit we are offering to our employees. You can get a flu shot, lab work done for cholesterol and glucose levels, and there will be a ton of participants. This

will be free of charge and a lot of information will be given to the employees. I hope you will attend. I expect some good turnout.

You have a general overview from the highway 276 report and I will ask John Gardner to give a report.

John Gardner showed some pictures of larger medians with trees and more landscaping also showed some examples of trees that could be used to help beautify the city. These images will still preserve left turn access.

I want to recognize John's hard work and also that of our consultant, Land Design. They have done everything they said they were going to do and more. We are really getting a lot of good information from them. As John mentioned, there are other components of this. Future land use will be critical. There will be a lot of property along this corridor that will develop or redevelop in the next decade. We are designing right now what we will grow into. Finally, I want to touch on some economic data. There will be more data at a later date, but the market data for our corridor is very strong. The consultant used the chain of Ruby Tuesday's as an example of how nice our market fits what they are looking for. I hear and a lot of you hear that restaurants are what we want. This implementation is important to us. Our zip code includes about 13,300 people and our population is over 21,000. We are well on pace to get a design in place by the end of January.

Mayor Godbey: One thing I might mention, the 276 plan, the comprehensive plan and the cultural center, are all inter-related and have a meaningful role in what the next decade for Mauldin will look like. All those are going forward and are connected with 276.

Trey Eubanks: As you know we have in our current budget funds to update our current website and to make improvements to our current network. We are making some good improvements. We are backing up data and we have a much more secure network. The next thing we are working on is our website. Karin Von Kaenel has provided a sheet of information for you to complete. We want our Mayor and Council on our website. Websites are more and more a tool that citizens and businesses use to learn about the community and we will have a lot more information to present publicly. Karin is doing a tremendous job working with our department heads and keeping this project moving forward. I have asked her to present to you next month exactly what it will look like. Please get this information in to her.

Two final things- United Way kickoff was last Thursday. Julia Monson is on this and you will hear from her.

The final thing I want to touch on is the state of our finances. Overall, we are solid financially. I feel like we have a very good budget document to work with this year. Our expenditures are a quarter of the way through and we are about 4% under budget. We have \$3 million budgeted in capital and we have spent about \$951,000 so far. Expenditure wise we are in pretty good shape. We will continue to monitor that. Our department heads do a good job managing their budget. They understand the situation we are in and they will continue to do their

jobs. A couple of things, we have made moves with public works changing some equipment around resulting in a savings of \$71,000. We do want to purchase one additional item and can hold off until the end of the fiscal year if we need to, but Greg wants a New Holland. He is a little nervous about it. The other thing in the budget is we moved a capital project from a project to a contingency with direction from council to hold off on that until we know how we are going to do fiscally this year. We do not have to spend this money until we get into the latter part of the year and see how we are doing. We also have \$50,000 added to our contingency line item for fuel. We are 1% over expenditure for fuel right now. We are ok right now, but we do have this money that we can tap if needed. Council made this decision in the third budget workshop.

Let me talk about the challenges. One of the first things we need to keep an eye on is hospitality and accommodations. We are about 2% under where we were last year at this time. We are about on budget, because we acted conservatively and scaled back the projection for hospitality and accommodation tax revenue. We will watch this. On to permit revenues- people are not building. We are way under as Pete will talk about. We anticipated this to some extent and scaled back some. We are seeing very slow activity right now. We are going to absolutely keep an eye on this revenue line item. We have a major project in front of us. If that goes through, I think we will be close to our budget. Let's just continue to keep an eye on that line item because the state of the economy is going to effect building and other permit revenue.

The other thing I want to touch on is our state aid to subdivisions revenue. We budgeted \$526,627 in the current budget. The state cut 3% or about \$15,800 from that line item. They are in Columbia right now looking to carve out another 6%. We are not going to be spared. If they cut another 6%, we are looking at \$47,000 less in state aid to subdivision revenue. We are going to have to monitor this. The state is cutting the budget and we are going to take a hit because of that. I want to conclude by stating this. Our reserves are strong and our expenditures are very good. We can manage a lot of those. I am going to continue to give you reports in the council and committee meetings. There are key line items that we will monitor. Our financial state is strong at this time and I feel we have a good budget document to work with. I feel the City of Mauldin is going to be in good shape to weather what we are dealing with. I just wanted to take some time to get into that. Our Finance Chairman had some questions last week and wanted information on our finances.

Chairman Black: I appreciate that. I wanted to make sure that there are no surprises down the road.

Councilman Cook: The budget cuts the state is doing, they can come back in mid year and cut another whopper, right?

Trey Eubanks: They have already taken 3 and that amounted to \$15,800. They are looking at taking 6 for a total; of about \$48,000. Depending on what happens, they could come in to the new session in January and go even further. At any time, they can do what they are doing.

Councilman Cook: The aid to subdivision is what they are going to hit. They don't care too much about us, they are going to look after themselves.

Trey Eubanks: We will not be spared.

6. Reports from Standing Committees

a. Fire (Chairwoman Gettys)

i. Reports and Communications from Fire Chief

Captain Scott Gurley: For the month, we had 229 total calls. 77 fire 150 medical and two miscellaneous. Our response time average was 2.7,minutes.

Councilman Black: Was that better than Charlie's?

Captain Gurley: That is tough to beat. I am not touching that one.

Trey Eubanks: Captain Gurley is married to the famous Mauldin High School tennis coach. The team is looking to have an undefeated season this year. She is doing a tremendous job.

Captain Gurley: Thank you, Mr. Eubanks. They are currently 13 and 0. They have a really good chance to go to state and maybe win it.

Councilman Black: You taught her well.

Captain Gurley: I would like to add one more thing. We are also expecting our first child.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chairman Cook: The police chief is taking some time off.

Captain Tripp: We included our monthly report in your packets. There are a couple of other things I wanted to report. You were just talking about the state budget- this won't be affected by those cuts. The traffic safety grant has been renewed. Their portion is \$99,536 and the city's match is \$24,883 for a total of \$124,420. Mr. Eubanks recently signed off on that and that has been forwarded to Columbia. The second item is we are in the final stages of hiring three additional officers that were already in the budge. We will fill those vacancies hopefully by the end of the month.

Finally, I would like to introduce our newest addition, Kim Johnson, we would like to say welcome. She also helped with our Weight Watchers. Can you recall how much weight we had lost from your final group?

Kim Johnson: About 300.

Councilman Cook: That's where the Chief went. He lost the 300. We appreciate what the department is doing. The cars aren't parked behind the building like they used to be. We see them out there.

Trey Eubanks: The Captain was trying to brag on him and the Chief, but they are both part of weight watchers and are doing a great job. The other thing I wanted to mention, this grant is budgeted and is the second year for it and hopefully we will be successful one more year.

Chairman Cook: I think my buddy Chris is in weight watchers, too.

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

Trey Eubanks: The Judge is working on a youth court at the high school. She looks forward to getting more into this as it is defined.

Chairman Cook: She is taking some vacation time. The citizens may not know that she is called in at all hours of the night to help the police department.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: Thank you. I want to update you on the activities going on. Fall sports are closing out now. We will have basketball signups next month. Over 2700 seniors participated in programs last month. They went to the Peace Center last month to hear the Air Force Band and had a really good time. They are planning their Halloween celebration. They are going to have pizza and play bingo. The kickball league is off and running. We all used to play kickball. Fall Frenzy will be November 8th from 8:00 am to 1:00 pm. We will have pancakes, cake walk, hay rides, and it is for the entire community.

Next Friday on Halloween night when Mauldin plays Byrnes, it will be on channel 40. We will have a spot on the Mauldin Sports Center. One great thing about that is they came in and shot the spot last week and it was a little after our public works director benched 500 pounds. It is a good spot and we will be able to use it for future marketing tools.

- d. Planning and Economic Development (Chairman Hunter)
 - i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: You have your department report at your stations. Permits are down substantially due to the economic times. Over September, we had 46 permits issued for a total of \$290,000 as opposed to 50 permits for \$4,877,000 during the month of August. This indicates a drastic decrease in new construction activity. Commercial activity had been dropping due to tightening money markets. Renovations, electrical changeovers, and heating and air conditioning are what we are seeing- decks, porches, windows, minor stuff. We have also had a corresponding decline in business license revenues. It continues to be slow because of the sub-prime mortgage crisis. Contractors are on a pay as you go basis for their business licenses and permits. Also, renewals are not due until January 1st for out of town businesses and April 15th for in-city businesses. There have been some businesses we lost. Salad Creations closed for business Friday and it joins Quiznos.

Permit revenue is currently \$25,910. On a positive note, Josh Cross passed the commercial electrical exam on the 13th of September and now is certified to be our Combination Inspector. He was not able to be here tonight due to illness. Hopefully he will make it to the next meeting. We have had continuing site work at the Project Teal location on Holland Road. They are going to pull permits for the foundation. At this point, even if Project Teal doesn't materialize, a foundation and building shell will still be erected. It could be upfitted for another tenant. The sign meeting for the non-profit organizations is scheduled for October 30th at 6:00 p.m. I will deliver notices tomorrow afternoon to churches and non-profits to invite them.

We took the Ford Escape Hybrid to Hickory Knob State Park for the Upper State Code Enforcement meeting. It got 30 miles per gallon. It performed nicely, though took some getting used to when the engine shuts off at a stoplight.

On a sad note, Gordon Love, who resigned from our Planning Commission on October 3rd, passed away on October 9th. I just found out about it this morning and apparently my staff found out about it while I was away on Friday.

Chairman Hunter: All of our revenues are down that your department generates. Do you have any idea what the total might be?

Peter Nomikos: Permit and business license revenue for the same time last year, we went from \$69,140 last year to \$25,910 this year so far. Business licenses went from \$112,000 to \$64,519 this year. It is a pretty substantial decline.

Councilman Cook: Have you heard anything about Tractor Supply?

Peter Nomikos: I have not heard anything.

Councilman Cook: I heard they were going to move to Easley. You might want to check and see if there is something we can do to keep them here. What about the lumber place? I see they have cleaned it up.

Peter Nomikos: An environmental company that works with Vopak is going to be located there. It is an engineering remediation company. They will rent the facility. The property was purchased by Renaissance Development and they have no long term plans for the property. They talked about taking down the metal building and sub-dividing the property and develop as possibly an office development. There is a lack of money during the current crisis.

Councilman Cook: You mentioned rebuilding. Are we working with Mr. Fincher that those folks are not piling that stuff on the side of the road? Are we citing for that?

Peter Nomikos: When Public Works makes us aware of that, we go out and follow-up on that. We have issued a few tickets and I think one is coming up this Wednesday.

Councilman Cook: We are doing some work on Saturdays also?

Peter Nomikos: I have not started Josh on that yet, but now that he has gotten familiar with it, I am going to get him to go out and start maybe one Saturday a month and scout for anyone working without a business license. He seems to have settled in and about ready to take on that task.

Councilman Cook: I have no comment.

Councilman Black: What is going on next to and across the street from Mutt's?

Peter Nomikos: Edge Properties has had the parcels for a while. There are no plans right now for either side of the road. They are doing the grading to get the sites ready for development on the premise that would make it more marketable. The problem on the Mutt's side was the drop-off on the side of the road and they want to build that elevation up so that the sites are more readily visible. Once they have completed the work, there will be three sites that are ready to go.

Councilman Black: What will that do, if anything, to that drainage easement where they are building those walls?

Peter Nomikos: There is a drain pipe that goes under the road on the right side of Mutt's from this property. There is another pipe that runs between the McKinney property and Mutt's property. Any grading they will do will have to take that into account. We have had some discussion with them on piping that.

Councilman Black: It would have to be engineered, correct? To protect the people in Glendale?

Peter Nomikos: Thank you, that is all I had.

Mayor Godbey: This is the last council meeting before the general election. We have under PEDC the Sunday alcohol sales and I wanted to ask about the progress in getting our ducks in a row as far as having personnel here and you have gotten some communication from the Chamber of Commerce.

Trey Eubanks: That is correct. The chamber's board issued a statement in support of passage of the question on the ballot. I will get that information to council. In response to initial part of your question, our clerk has done a great job working with Conway Belangia at the Election's office coordinating everything with him. Signs are made, the ballots are printed, Mr. Belangia's office has the ballots they requested for absentee votes and we do have a few more than the required amount of poll workers. Each of our nine precincts, those Mauldin residents have to go through a separate line and vote the Mauldin special election. We have made signs to make things flow easily on election day. I think we are ready to go. Cindy, if you want to add. She has done a great job working with Conway.

Mayor Godbey: We have how many high school students?

Cindy Miller: 15 high school students. I think we have about 22 in total and they will conduct poll worker training next Monday at 6:00 p.m.

Mayor Godbey: We are also employing some of our younger citizens and encouraging them to participate which is meaningful.

Councilman Reynolds: Whoever printed your packets please let them know I appreciate that they are printed front and back to save paper.

Peter Nomikos: I was going to suggest an addendum to Mr. Reynolds' invocation that we pray the elections are over soon.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: Mr. Mayor, Council, we used to have to explain everything we are doing, now you see a lot of stuff going on. We have

been doing a lot of manhole rehab and we have drainage issues on Murray. Through some investigation, Mr. Kirksey found out that the contractor left silt fencing over the top of the drainage pipe and that is one reason we have a backup. That should help that situation. We have jetted out 10,000 feet of sewer line and that is being proactive instead of reactive. Everything is flowing well and there is no blockage, we are keeping up with our work plan.

There was an email sent around about trees blocking our street lights and areas where the city was dark. That list has been completed. With the GIS, one of the categories is overhanging limbs. The rule of thumb was if it hit a garbage truck it needed to be trimmed back. We have taken care of this. We have been doing sidewalk repair. I had a lady call the other day and she is in a wheelchair, but does use sidewalks on Miller Road and asked about getting that repaired. That has been taken care of and I got a phone call back from her and she was thankful that she could get up and down the sidewalk.

We have a lot of stuff going on. Part of that is because of the GIS and Trey will be nice and let me get that New Holland, that will help. We have been good stewards. We realize it is not our money- it is in the budget, but it is not our money, Trey has led by example. If we need something, that is one thing. But it is need, not want. I am a little OCD with it, but we look pretty good in all of our entities.

Councilman Cook: I have to do this when I am thinking about it. Texize on the right side going down, all those street lights, who owns those? Do we or the company? They never burn on the right side.

Greg Fincher: Those are their own street lights. We can make contact with them and see if we can get them on.

Councilman Cook: There are some past Texize too.

Greg Fincher: We let Bryan's department use one of our units to report the street lights that are out. I have been over her two or three times at 10:30 or 11 at night, but if you ride for a week, you are not covering the whole city. Mainly what happens, someone will call it in and we either go through Duke Power or Laurens Electric. We email them and that way we have a record of the contact. We are at their mercy.

Councilman Cook: I was just saying if we are paying for them, we are not getting our money's worth. If Texize owns them, that is a different story.

Trey Eubanks: If I could comment on that, Greg is good about being proactive and about three months ago we asked our third shift police officers to take a list and every street light that was out, we communicated that to either Laurens Electric or Duke. Both were very responsive. We are going to do that a couple of times a year. Those

lights at Texize, if they are public lights, we will contact the entity and let them know they are out.

Councilman Cook: They have been out a long time.

Councilman Reynolds: We asked you to keep us up to date on the fuel savings. How is that going?

Greg Fincher: We talked about the 210 gallons of fuel we saved and I imagine there is a decrease in fuel usage. By the next committee meeting we will see more savings, but then it will spike up again because you are going to have leaf season. It will fluctuate some. One other thing, when we talk, I tend to think about recycling. You will see by the end of the week rollout carts, they are like the green carts but they are blue and recycle. There will be one upstairs in city hall, at the fire department and sports center. We can't ask people to recycle if we aren't doing it ourselves. This will make it a little easier on folks. The sports center recycles plastic bottles. I got 30 of them.

Chairman Kennedy: Did you recently purchase a hybrid?

Trey Eubanks: That is an administrative vehicle. We leased the vehicle so we can assess the maintenance costs of it and how it holds up. There have been good reports from a couple of large cities. We are going to have a test case. It got 30 miles to the gallon.

Chairman Kennedy: It will probably be in our long range plans.

Trey Eubanks: That certainly fits in those plans.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

Chairman Black: I think Mr. Eubanks covered everything a while ago.

7. Unfinished Business

8. New Business

a. Consideration and action on putting high school logo on fire apparatus

(Fire)

Councilman Black: This came out of committee unanimous . The Mauldin Fire Department over the past years has supported the high school by the attending the football games on Thursday and Friday nights. In relation to this the Chief would like to place the Mauldin Maverick logo on the right and left rear department doors on all fire apparatus to show community support by the fire department and the City. The department will seek funds for these decals from the Booster club or other civic organizations in the city. I think this is great for the City and we all work hand in hand. I move to adopt this.

Councilman Hunter seconded the motion and the vote was unanimous (6-0).

b. Consideration and action on financial program form (Rec)

Chairman Reynolds: Staff has developed an Application for Financial Assistance at the Sports Center. Research was done to help develop this form and give us a tool and also provide better documentation when assistance is given. Staff has recommended that assistance be given only to residents of the City of Mauldin. Redevelopment Authority income figures will be used to qualify applicants. Staff will keep a close eye on the number of applications that are approved. This goes hand in hand with the scholarship program that we adopted last council meeting. I make a motion to approve this.

Councilman Cook seconded the motion. The vote was unanimous (6-0).

c. Consideration and action on Spectrum Retirement annexation and rezoning (PEDC)

Chairman Hunter: I make a motion to approve this annexation.

Councilman Cook seconded the motion and the vote was unanimous (6-

0),

d. Consideration and action on paying employees who do not take city's health insurance (Finance)

Chairman Black: This came from the auditor that this has been an ongoing procedure and Mr. Eubanks drew this up and it is cut and dried. We have done this for several years. They have to show proof that they have insurance with their spouses. I move we adopt this.

Councilman Cook seconded the motion.

Mayor Godbey: Ms. Gettys asked that this does not specify full time employees, that is implied. Should it state that in the policy?

Trey Eubanks: Full time employees are the only ones eligible for insurance.

The vote was unanimous (6-0).

Chairman Kennedy advised council that Councilman Reynolds would sit on the Western Carolina Sewer Authority Board.

e. Consideration and action on Cultural Center Foundation Board action.

Chairman Hunter: The Cultural Center Foundation Board met on September 18th and on October 7th. The CCFB previously adopted

amended and restated by-laws and these were ratified by City Council on September 15th.

The CCFB has appointed citizens (list attached) to fill out membership on the board. These appointments must be approved by City Council in accordance with Article V. Section 2 of the By-laws.

Chairman Hunter made a motion to adopt the candidates as given to council by the Cultural Center Foundation Board. Councilman Cook seconded the motion and the vote was unanimous (6-0) after the alternate was named- that is John Thornton.

Councilman Black: A member of the Garden Club was mentioned to be on the board because they work hand in hand with the cultural center and I didn't see a member of the club.

Brian Daughhete: We are in the process of setting up committees that will work with the board. That will be one of the committees. We appreciate all the work the Garden Club has done.

Chairman Hunter: This is consideration of the Clemson project. I make a motion to approve the project with the \$10,000 expenditure.

Councilman Reynolds seconded the motion.

Councilman Cook: Mr. Mayor, listening to our financial report, I can't support this at this time. We don't know what is down the road and I think we will send the wrong message to our taxpayers that we are spending money we shouldn't be.

Councilman Black: I agree with Mr. Cook. Maybe we can readdress it in January when we see what is going to happen with the finances. I hate to obligate the money even through it is \$10,000 out of a \$17 million budget. I am like Mr. Cook.

Mayor Godbey: This is bargain basement prices for an updated version of the master plan. We have had the 1967 wing knocked down and added the log cabin. It will be an economic development prospective to help us move forward. It is throwing good money after bad if we don't spend this little bit. If I am swaying you, I hope so.

Councilman Cook: You aren't swaying me, Mr. Mayor.

Mayor Godbey: Mr. Daughhetee wants to say something.

Councilman Cook: I don't think so. Let's vote.

The vote was defeated with a vote of 2-4. Mayor Godbey and Councilman Hunter voted for the motion.

- f. Executive session for legal advice on a contractual matter.

Chairman Hunter made a motion to go into executive session with Councilman Black seconding. The vote was unanimous (6-0).

Council returned from executive session and reported that no action had been taken.

- 9. Public Comment.

Brian Daughhetee: I wanted to thank you for the support you have shown us. We are very excited and looking forward to getting started over there. We want to continue to earn the honor from you.

- 10. Council requests.

- 11. Adjournment.- Mayor Godbey adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk