

**MINUTES
MAULDIN CITY COUNCIL
APRIL 21, 2014
7:00 PM**

Members present were Mayor Dennis Raines, Council members Bob Cook, Gabe Hunter, Taft Matney, Scott Crosby, Dale Black and Larry Goodson. City Attorney John Duggan and City Administrator Trey Eubanks were also present.

1. Call to order. – Mayor Raines
 - a. Invocation- Councilman Black
 - b. Pledge of Allegiance- Councilman Black
 - c. Welcome- Mayor Raines
2. Proclamations and Presentations- Mauldin Chamber; Man Up Conference- Curtis Ingram; National Day of Prayer proclamation

The Mauldin Chamber has a golf tournament coming up as well as business after hours and lunch meetings.

Curtis Ingram spoke to council about the Man Up Conference in May. It is open to boys and men ages 9 and older. He thanked Council and staff for their support.

Mayor Raines read the National Day of Prayer Proclamation.

Mayor Raines presented Gabe Hunter with a plaque. He was inducted into the Hall of Fame at Furman University for his accomplishments in track and field.

3. Reading and approval of minutes.- March 17, 2014; special called meeting April 1, 2014- Councilman Black made a motion to approve the March 17th minutes with Councilman Crosby seconding. The vote was unanimous (7-0). Councilman Black made a motion to approve the April 1, 2014 special called minutes with Councilman Hunter seconding. The vote was unanimous (7-0).

4. Public Comment.

- a. Tom Coffman: I am here to talk about the landscaping ordinance. I am from International Self Storage. We are on the northeastern corner of the City. We petitioned to annex into the City several years ago. We have come across some difficulty with the expansion that we would like to make. We are a 6.6 acre site and are a gated community. We have buildings, asphalt parking, asphalt drives, with 400 units. This is month to month storage for landscaping businesses, mechanics, grocery stockers, and other small businesses. We want to expand to meet the needs of our customers and are looking at a new building.

We had an assessment done by Mauldin staff. We love the folks from Mauldin. They are very professional and know their stuff. That is encouraging. After the assessment, we were told we need to install 136 trees. The problem is of the 6.6 acres, an acre and a half is the detention pond, of the remaining 5.1 acres, I have about .3 acres that I could plant on. I would have to tear up asphalt. I don't think that is what Council intended with this old ordinance. I would need a variance. The variance procedure is almost as arduous as planting the 136 trees. The process gets me away from the people I enjoy working with. You cannot drive to our location from a road in Mauldin. We have no street visibility. We are contiguous through Brookside and over a creek. No one will see the trees. There is a forest around us. I would have to hire a landscape architect for \$10,000 who would say you need to give him a variance. I would like to rely on the professionalism of Mauldin. I would like them to be able to make the call. I trust them. I would like them to have the ability to say you know what, we can fix this. That is why I am here.

We enjoy our business here. I am a sales guy, and 2/3 of any future sales I get are from people I already do business with. They trust me. Government would be about 90% of your business is from people who are already here. Let's use common sense and trust the people who work for the City.

Mayor Raines: Have you seen our first revision?

Tom Coffman: I have not. I couldn't find it.

Mayor Raines: I think you will like it.

Councilman Crosby: I would like your business card so I can follow up with you.

Councilman Goodson: How many trees could you put up?

Tom Coffman: What kinds of trees? I have a lot of asphalt. I don't have a problem with making the place look nice. I do have people come in there with trailers who think they are good at backing those trailers and come to find out, they are not. People have hit our buildings. I don't want the trees to get hit as well. We are happy to work with you, but I don't want to put up 136 trees for the sake of putting in 136 trees. I think it would be nice to look at grandfathering. We like to make our place look nice. We want to make it look like a home. We have pines all around our facility. You can't see us for a reason. We want people to feel safe. I am not trying to color around the lines, but this just won't work.

Councilman Cook: I am not trying to be disrespectful, but who is going to see those trees?

Tom Coffman: Right. It will be me and my staff. We have fox, deer, turkeys, and all sorts of stuff.

Councilman Cook: What we are trying to do, government needs to use common sense. I think that is what you want to see.

Tom Coffman: Yes, sir. I want to get away from one size fits all.

Councilman Cook: They are doing what we directed them to do. We can't blame them for doing that.

Mayor Raines: Thank you for your dedication to the city and also to the chamber.

5. Report from City Administrator- Trey reported on our wellness program. 26 employees have had a substantial change for the better in their conditions and quality of life due to our wellness program. Healthy employees are more productive.

The City has several ways to become more business friendly. We are in the third phase of the signage ordinance to allow for flexibility for signage for large retailers. The City will also go forward with business license incentives. Some language will come forward for consideration next month. This all helps us become more able to recruit and retain businesses. On June 11th, Kim Hamel will do a presentation for the chamber members about zoning and the permitting process.

A senior volunteer will man a desk in the lobby to help direct citizens where to go in city hall.

Olivia had a presentation on the improvements at the cultural center. She showed slides of the new benches, doors, awnings and picnic tables. She also talked about the new lighting that comes on when a person comes into the room. The light bulbs will be replaced by the contractor with LED bulbs at city hall.

6. Reports from Standing Committees
 - a. Public Safety (Chairman Cook)
 - i. Reports and Communications from Police Chief- Chief Turner gave his report regarding calls for service and warnings versus tickets.

Councilman Black asked what is being done for Planters Row and their traffic calming. Chief Turner said some traffic data has been collected. 85% of the cars are going 13mph or under. There is no data to support installation of traffic calming devices. The on-street parking issues have been addressed. The neighborhood has been notified that the police department is watching for this issue.

Chairman Cook asked about the gentleman from Cooper's Lake who talked about parking issues with the elementary and middle schools. Chief Turner is checking some jurisdictional issues. The roadway is not ours. The police department has observed the pickup and drop off for the schools and the number of violations was reduced. The roadway is wide enough in Chief Turner's opinion to put some private property signs up. What was observed did not seem to be a safety issue.

- ii. Reports and Communications from Municipal Clerk of Court /
Administrative Judge- Angela mentioned that jury trials would begin on Monday and be held all week except for Thursday.

 - iii. Reports and Communications from Fire Chief.- Chief Sapp reported that the response time for his department is 2.8 minutes with 225 total calls.
- b. Planning and Economic Development (Chairman Hunter)
- i. Reports and Communications from the Economic Developer- John reported that he is working on the update for the comprehensive plan.

 - ii. Office of Cultural Affairs report- George McLeer reported that March was a very good month for event attendance. The Gregory Porter concert is this weekend and over 600 people are expected. Work is beginning on the BBQ event. The Spring Fling for the Garden Club went very well at the beginning of April.

Councilman Black asked about the street lights that are out at the Sports Center. They said we are waiting on Carolina Power to come out and fix them. We are using the portable lighting in the meantime to maintain the safety of our employees and members. Councilman Goodson said the lights on the side of the building could be set on a timer as spotlights to help with the problem as well.

Councilman Matney asked how the parking situation was going to be handled for the Gregory Porter concert. George said there will be no road closures. There should be enough parking between the cultural center, sports center, and the Methodist church.

- c. Public Works (Chairman Goodson)
 - i. Reports and Communications from the PW Director- The budgets are at or below the ideal remaining percentage in each division. Mike showed the work orders that have been called in for each department as well. Councilman Matney thanked Mike for his department's work on the concession stands.

- d. Finance and Policy (Chairman Black)
 - i. Reports and Communications from Finance Director- Holly reported another property tax payment had been received last week. Business license revenue is still shy of budget, but postings to that account continue and Holly will update council.

- e. Building Codes (Chairman Crosby)
 - i. Reports and Communications from Business and Development Services Director.- Permit activity looks good. Business licenses have been collected. They department got several positive comments on the reminder post cards.

Chick-fil-A should start grading soon to get ready for a late fall opening. They will be located in the K-Mart parking lot.

Councilman Goodson asked that the abatement language be put on the next committee agenda as well as the business license incentives.

f. Recreation (Chairman Matney)

- i. Reports and Communications from Recreation Director- Chairman Matney thanked the departments for their help with the egg drop. It was a success. Cheerleading signups begin May 1st. The Biggest Loser has finished. Joey Phillips, one of our employees, won for the blue team.

Councilman Goodson said he wants to make sure that all the kids get eggs. Van said when the kids check in, they get a goodie bag. Chairman Matney asked if we could quantify the donations that we get for the event. We have businesses who donate food, candy and other things for the egg drop.

7. Unfinished Business

- a. Consideration and action on sewer user fee increase (Committee of the Whole)- John Duggan was asked to look at options to finance maintenance of the sewer lines. General fund monies and property tax revenues cannot be used because they create an inequitable situation. People who get sewer service somewhere else are paying for their service and paying for the City's sewer, which they do not use. A special purpose district could be created, where the users are taxed. A user fee could also be imposed, because the ones using the service would be the ones paying for it. Councilman Black said we pay Greenville Water about \$7,000 a month to collect the money, and could we pay once a year instead to help save money. John Duggan said he has not seen the contract, but it is subject to negotiation when the contract comes up.

Councilman Crosby said it would be good to call other collection agencies to see what they would charge to collect the money. John Duggan said enforcement should be considered. Greenville Water can cut the water off if the bill is not paid, the City doesn't have that option.

Councilman Matney stated we don't have any control over the collection procedure. There are mandates from EPA and DHEC that we can't control. He is concerned about thinking about special purpose districts because the State Legislature's Act 388 may give us less revenue to make bond payments with. The State is also trying to move away from special purpose districts.

The proposed fee is \$10.19. The rate increase is applied to gross and the fee is a little less than earlier reported. The Greenville Water increase as of July 1st will change the per notice fee from \$.90 to \$1.02.

Councilman Black asked what the 9 people that are in the sewer department actually do. There are five drivers and four laborers. 3 employees are part of a dedicated sewer crew who do the routine assessment and cleaning of our sewer system. Another employee does some sewer, mapping, and oversight projects that the PW Director might need. 2 laborers are also paid for out of the sewer budget. They do sewer, parks maintenance, or street projects. They are cross-trained. Councilman Black questioned why those employees are paid for out of the sewer budget and not out of the department they are working for. They emphasized cross training. Other employees in the administration and other departments have been working on sewer projects and have not been paid out of the sewer fund.

Councilman Goodson said \$492,000 in salary and benefits for four people who actually work in the sewer department seems very high. They said the number wasn't for four people, it was for nine. They said he could give council a true cost for personnel who manage the sewer department. Councilman Goodson said he would like that for the four people, but it wouldn't help him to have an estimate for other people in different departments.

Ron Lawson said the question has been every year on whether we needed to have a sewer increase. We have pushed this as far as it will go and now we do need an increase. Mayor Raines asked if there was a standard on how many employees are needed per mileage of sewer line. Ron said he couldn't answer that. Our operations and maintenance number is 40% of what Metro thinks that it should be. Ron said when he has run a profit business, if someone works on a project in another department, it gets charged to that department. Municipalities are not a profit center and can't be run like one. Ron said the sewer department should be paying for every cost that it takes to run the department be it equipment, personnel, legal costs, whatever.

Mayor Raines said there must be a benchmark of how many employees we should have for the mileage of sewer lines. Ron said he could get that information for the region. Councilman Goodson said he does not want the standard, he wants to know why we have four sewer employees and we are paying for nine. Ron Lawson said he City doesn't have a Christmas budget, but the public works department hangs up Christmas lights. Ron said you make the best decision based on the information you have now with the facts you have. Another year from now, we will look at this again, and there may be a different decision then.

Councilman Hunter made a motion to consider the option of a \$10.19 fee and accept this ordinance on first reading. Councilman Crosby seconded the motion. Councilman Matney said his question is how far down the road do we need to go. If there are personnel that are budgeted that are not part of the process and the money could be applied elsewhere, he would like to see that information so that the rate can be the lowest it can be. The motion was 4-3 with Councilmen Matney, Black and Goodson dissenting. Councilman Cook said council needs to make up their minds. This sewer has to be funded. Trey said that if we look at every dime of everyone's salary that is involved in anything to do with sewer, it will be way above the \$492,000. He will get that information for Council to look at.

8. New Business

- a. Consideration and action on mutual aid agreements (Public Safety)-

Chairman Cook made a motion to accept all the mutual aid agreements with Councilman Goodson seconding. The vote was unanimous (7-0).

- b. Consideration and action on city signage (PEDC)-

Chairman Hunter made a motion to accept the proposal for nine signs around the City. This will come out of the hospitality fund. Councilman Cook seconded the motion. Councilman Goodson said he would like a sign on the back of the DOT sign at the 276-417 bridge that says Welcome to Mauldin. Councilman Goodson asked staff to look into that possibility. Councilman Goodson then asked about the cultural center sign. It will be multicolor and images can be loaded onto the sign. The vote was 5-2 with Councilmen Black and Goodson dissenting.

- c. Consideration and action on city hall up-fit (Finance)

Chairman Black made a motion to accept this proposal for design not to exceed \$16,500. Councilman Cook seconded the motion and the vote was unanimous (7-0).

- d. Consideration and action on capital equipment purchase (Finance)

Chairman Black made a motion to purchase lawn equipment for public works and two administrative cars for the police department for use in the detective division. This is not to exceed \$94,000. The police cars will be pre-owned with less than 25,000 miles. Councilman Goodson asked if police cars are automatically replaced at a certain mileage. Chief Turner said no, they are replaced when they start having major problems. Councilman Cook seconded the motion and the vote was unanimous (7-0).

- e. Consideration and action on landscaping phase one (Building Codes)

This will make the landscaping requirements less restrictive. Chairman Crosby made a motion to approve this ordinance on first reading. Councilman Matney seconded the motion. Councilman Cook asked if building codes will be able to use their discretion on these regulations. That will be looked at. Councilman Goodson said existing facilities that have asphalt and concrete need to be considered as well. The vote was unanimous (7-0).

- f. Consideration and action on Destiny Church agreement (Rec)

Chairman Matney made a motion to renew the agreement with Destiny Church. Councilman Hunter seconded the motion and the vote was unanimous (7-0).

g. Consideration and action on cultural center alcohol request (Rec)

Chairman Matney made a motion to accept the alcohol request from Gregory Porter. Councilman Crosby seconded the motion. Councilman Cook said the alcohol will be taken outside because after they drink the alcohol, they are going outside. He said he has a problem with this and he thinks we are getting away from the spirit of the policy. He also said the way the request reads, it sounds like he will drink all of the alcohol himself, not his band. It will be a good show. The vote was unanimous (7-0).

h. Sales and use tax resolution (Committee of the Whole)

This resolution gives Mauldin's support for Greenville County to put a 1% sales and use tax proposition on a referendum. Councilman Hunter made a motion to approve this resolution with Councilman Crosby seconding. The vote was unanimous (7-0).

9. Public Comment

- a. Danny Day: I am Danny Day 912 Fargo Street. I appreciate the discussion on the sewer fund. I was disappointed that it was illegal to use general fund or property tax money to fund this. I was also confused that it is pretty clear that people are being paid for out of the general fund to help with sewer. I don't get that. There must be some confusion. In addition to that, you can only use the Sports Center if you pay to be a member, but tax money is used for that facility. Then, on top of that, all the people that have commercial businesses do not have garbage pickup, and property tax is used to fund that. If I am wrong, let me know. I do appreciate your looking at this, but I am confused.

I understand Ron's frustration, because coming from the private sector, there is no profit making in government. There is no such thing. Anyway, the other thing about the user fee, Greenville Water and ReWa have a user fee, it is a fixed fee. You are charging a fixed rate no matter how much or how little sewer you are using. Again, this is not as clear as it should be. I would point out to you that a user fee is that when it is based on usage. You said that Greenville Water can shut off people's water, but it does get people's attention when you put a tax lien on their property, so you do have some recourse. \$80-100,000 to collect money for sewer? That is very frustrating. \$100,000 is 20% of the fix you are proposing. Nothing worth doing is ever easy. I like Ron's comment, how do we do this to the best advantage of every citizen? If you are absolutely sure we can't use tax money, that is fine, but if you are not sure, you should consult a tax attorney. I am an engineer, I like facts and calculations. They don't lie. We are doing dysfunctional government and politics.

- b. Tommy Shaleuly: 961 Fargo Street. My question is for the attorney. I don't mind saying that we have 4.2 million dollars in the general fund and we can't use it for sewer. You are saying we can only use the money for purchase of real property.

John Duggan: The general fund, I have never seen a City fund a sewer with general fund, they use fees. The only thing I have ever seen is the Taylors Sewer Sub-district, they charge each citizen that district 13 mills for their sewer. They are the only provider in that area. Here, we have other providers, so taxing the citizens to pay for the Mauldin system creates inequity. It would be much easier if Mauldin provided sewer service for everyone. If you have Metro Sewer and you pay them for service, and then you were taxed for Mauldin's sewer, I don't think you would be very happy.

Tommy Shaleuly: You are exactly right. But we could reimburse the small percentage of people who don't have City sewer per year. I am walking on thin water, but that sewage line is real property. We are doing capital improvements just like improvements to this building. Why can't we label it as re-plumbing Mauldin?

John Duggan: Because there are other sewer projects. That is the dilemma. The general fund is composed of tax revenue from property taxes as well as other sources. A very large portion comes from the property taxes.

Tommy Shaluely: So how can we use general fund money to fund the Sports Center when 99% of the citizens don't use it?

John Duggan: Because it is available to everyone, some just choose not to use it. They could if they wanted to. Our sewer system is not available to everyone.

- c. Pat Taylor: I don't understand about the use tax. Are you passing this 1% sales tax?

Mayor Raines: No, ma'am. We have nothing to do with this. The resolution basically states that we support Greenville County putting this on the referendum.

Pat Taylor: That is what Greenville County is going to do. They haven't made their decision yet. And it is not going to be for roads, I can tell you that. It won't be for roads. It will be for bicycles and sidewalks. I was at the meeting last October. They had overage that they could have sent back to the people, but the administrator, the skinny administrator at Greenville County, he stood up and said we can't do that. We will have to run Greenville County without so many ambulances and all that. That is why I am fighting this.

- d. Leo Joyce: As far as the sewer line is concerned, the four people who work in sewer? I understand that the camera truck is down? What happens when it comes back? Who is going to drive it? A ghost? It was never mentioned. There is four of them, and since it is down, we don't need for drivers, we need less than that. Just to confuse you.

10. Council requests. - None

11. Executive session on personnel matter (Committee of the Whole)

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

Councilman Crosby reported out that no action was taken in the executive session.

12. Adjournment.- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk