

**MINUTES
MAULDIN CITY COUNCIL
JULY 17, 2017
7:00 PM
COUNCIL CHAMBERS**

Members present were Mayor Dennis Raines, Councilmembers Dale Black, Taft Matney, Carol King, Terry Merritt, Scott Crosby and Larry Goodson. City Administrator Trey Eubanks and City Attorney John Duggan were also present.

1. Call to order. – Mayor Raines
 - a. Invocation- Councilwoman King
 - b. Pledge of Allegiance- Councilwoman King
 - c. Welcome- Mayor Raines
2. Proclamations and Presentations-Mauldin Chamber

Trey reported that there are at least two ribbon cuttings next week. The firm of Blair Cato will have a ribbon cutting at 11:00 a.m. on July 25th. Thursday will be the ribbon cutting for St. Clair Signs.

3. Reading and approval of minutes.- Council minutes June 19, 2017; Special Called Council June 21, 2017

Councilman Matney made a motion to approve the minutes with Councilman Crosby seconding. The vote was unanimous (7-0). Councilman Merritt made a motion to approve the special called minutes with Councilwoman King seconding. The vote was unanimous. Councilman Goodson was not present at the meeting and did not vote. (6-0).

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

Demolition has begun at the cultural center parking lot. The contractor is going to work hard to have the lot done by September. Springfield Park concession stand work is slow. A lot of work is done but a lot still needs to be completed.

Three bids came in for the stormwater project on Forrester Woods and they were all high. Bids are being tallied. More information will be sent to council on this item soon. This should come before the PW Committee in August.

The City will hold an eclipse party. We are in part of the country that will experience total darkness. There will be food trucks and other activities at Sunset Park. More details on that will be forthcoming. This will be August 21st.

Councilman Merritt asked for a meeting with Jay Martin regarding some things that were previously discussed that are not being done at the cultural center. Councilman Merritt then stated the perimeter fence at Sunset Park looks good. He asked why it didn't come up and attach near the retention pond. They said he would look into that.

Councilman Merritt then said he is not happy with the lack of progress on the concession stand at Springfield Park. Work is only being done two days per week. He said in the future the City should look at instilling penalties for being late with the completion of projects. Football season is fast approaching. The other restroom is locked down with no water or power. Councilman Goodson asked why the power and water are off in the other restroom. Councilman Merritt said there was a leak during the installation of the parking lot paving. Water was making the lights go on and off so the power to the building was cut. Councilman Goodson said he has some knowledge on the lines and would be happy to assist.

6. Reports from Standing Committees

- a. Building Codes (Chairman Black)- The report is on file.
- b. Recreation (Chairman Merritt)- The report is on file.
- c. Finance and Policy (Chairwoman King) - The report is on file.
- d. Public Safety (Chairman Crosby) - The report is on file.
- e. Public Works (Chairman Goodson) - The report is on file. Councilwoman King commended employees, especially those in the public works and public safety departments, for their work on the Beachin Friday's series. Councilman Goodson asked about the feathering on the side of the road at Winchester Court and Neely Ferry Road where the road paving was just done. He said there is a steep drop-off on the side.
- f. Economic Planning and Development (Chairman Matney) - The report is on file.

7. Unfinished Business

- a. Consideration and action on dogs in parks ordinance (Rec)- This is second reading with a couple of amendments from last month. Operating hours and definition of service dogs were added. Chairman Merritt made a motion to bring this ordinance to a vote with Councilwoman King seconding. Councilman Black said he saw some dogs being walked on leashes at the cultural center. One dog passed another and they started tussling with each other. He is concerned about dogs in the parks and the liability issues. The vote was 5-2 with Councilman Black and Chairman Merritt dissenting.

- b. Consideration and action on annexation of 2.85 acre parcel on West Butler Road (Building Codes)- This is property next Shanks Driving Range. Chairman Black made a motion to pass this ordinance on second reading with Councilman Crosby seconding. the vote was unanimous (7-0).
- c. Consideration and action on rezoning at 1016 West Butler Road (Building Codes)- This is the property adjacent to the property above. It is 44.59 acres and is Shanks Driving Range. They want to be rezoned RM. Chairman Black made a motion to pass this ordinance on second reading with Councilwoman King seconding. the vote was unanimous (7-0).
- d. Consideration and action on rezoning at 215 and 255 Service Bay Road (Building Codes)- This is the old 84 Lumber location. C2 is what the property owner is requesting. Chairman Black made a motion to pass this on second reading with Councilman Goodson seconding. The vote was unanimous (7-0).

8. New Business

- a. Consideration and action on annexation at 603 Brooks Road (Committee of the Whole)- Councilman Merritt made a motion to consider this item as Committee of the Whole with Councilman Crosby seconding. The vote was unanimous (7-0). This is a 27.6 acre parcel they are requesting R8 zoning. Chairman Black made a motion to pass this on first reading with Councilman Goodson seconding. The vote was unanimous (7-0).
- b. Discussion on capital expenditure purchases (Committee of the Whole)- Councilman Merritt made a motion to consider this item as Committee of the Whole with Councilman Crosby seconding. The vote was unanimous (7-0). Councilwoman King said there were some requests to have this discussion. Our current policy states that items approved in the budget need no additional approval as long as items are bid out and either at or under the budgeted amount. Councilman Goodson said when we go through the budget process, we don't have exact prices- they are estimates. Council approves the financing and he thinks committee should approve the purchases. Councilman Goodson wants to make sure the City is getting the best price on our purchases and being fiscally responsible with taxpayers' money.

Mayor Raines asked if Councilman Goodson meant that even though council had already approved the expenditure in the budget, committee should approve the purchase. Councilman Goodson said that was correct. He doesn't think due diligence was done in this budget on proposed pricing.

John Duggan asked for this proposal in writing. He does not know if a subset of council has the final say on budgetary matters after the entire council has already approved it. Councilman Goodson said he asked twice if the capital purchases would come back to committee before equipment was bought and he was answered yes. Councilman Merritt agreed with what Councilman Goodson is saying. Councilman Merritt said he is glad committees are reasserting themselves. The City of Mauldin has the best kept secrets because things are not communicated as well as they could be. Van Broad is helping with marketing and economic development, but things need to be communicated internally as well. He would like to see this item go to the Finance Committee. If it is a big ticket item, before the purchase is made, it comes back to the committee so that council is aware of the purchase. This would allow the

purchase to be reviewed again before it is final in case the price has changed or any other circumstance.

Councilman Matney made a motion to send this to Finance with a relocation to be brought back to council. Councilman Merritt seconded the motion. John Duggan asked what if the purchase exceeds the budgeted amount- this needs to be considered as well. Councilwoman King said the current purchasing policy states if the purchase is for a budgeted item and the bid awarded is for less than or equal to the budget, no additional formal Council approval is needed. However, the department head and City Administrator will communicate all such purchases to the Council in the monthly reports and during committee meetings.

Councilman Crosby said we have had 5-2 votes for the budget and two of those votes are on the same committee. He said he could see this as an opportunity to shut the budgeted items down. He requests that if this idea goes forward, it could be sent back to full council. John Duggan said this does pose a problem because then the committee would be undoing action of the council.

Councilman Black said if there is a budgeted amount for a tractor at \$50,000, but the City can purchase one for less than \$50,000, make sure that we buy one for less. Just because it is approved in the budget does not mean we have to spend the entire budgeted amount. This will save the taxpayers' money. If the item costs more than the budgeted amount, that has to come back to council. Council is not trying to stop the purchase of equipment.

Mr. Eubanks said he would put some information in writing for John Duggan and for council. He also stated that Mr. Goodson met with the PW Department on their capital requests so that he was well versed in the needs of the department. Councilman Goodson said he hopes next year when capital goes through committees, we will have a better idea on pricing.

The vote to send this item to the Finance committee was unanimous (7-0).

9. Public Comment

Councilman Black said that the decorations committee met on July 10th. \$25,000 is in the budget for Christmas decorations. The committee is made of Council members Carol King, Taft Matney, and Chairman Dale Black, as well as staff members from Public Works and a few citizens. The City will purchase as many 5 foot wreaths with LED lights as can be obtained with the \$25,000. The committee also talked about the possibility of buying some decorations from the Roper Mountain Science Center after their displays are completed.

10. Consideration and action on executive session- State Statute Section 30-4-70 (a) (2), Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened or potential claim, or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary positions involving the assertion against the agency of a claim.- Legal advice pertaining to resolutions in support of multi-county industrial park projects and property acquisition.

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

Councilman Merritt said these are extremely important items and suggested that the audience stay until council comes back into session.

Councilman Matney reported from executive session that no decisions were made and no votes were taken.

11. Possible action on items discussed in executive session

- a. Resolution in support of Centerpointe project- Councilman Matney made a motion to adopt the resolution in support of the Centerpointe project as well as the intergovernmental agreement. Councilman Merritt seconded the motion. Mayor Raines called for a roll call vote. Councilman Matney- yes, Councilwoman King-yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Councilman Black- yes, and Councilman Goodson- yes. The vote was unanimous (7-0).

- b. Resolution in support of Downtown Mauldin project- Councilman Matney made a motion to adopt the resolution in support of the Downtown Mauldin project as well as the intergovernmental agreement. Councilman Crosby seconded the motion. Mayor Raines called for a roll call vote. Councilman Matney- yes, Councilwoman King-yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Councilman Black- yes, and Councilman Goodson- yes. The vote was unanimous (7-0).

- c. Property acquisition- Councilman Matney made a motion to approve on first reading the purchase of property pursuant to terms and conditions of the contract known as project Season. Councilman Goodson seconded the motion. Mayor Raines called for a roll call vote. Councilman Matney- yes, Councilwoman King-yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Councilman Black- no, and Councilman Goodson- yes. The vote was (6-1).

12. Council requests- None

13. Adjournment.- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk