

**7:00 P.M. PUBLIC HEARING ON SEWER PUMP STATION AT THE RETREAT IMMEDIATELY BEFORE THE COUNCIL MEETING**

**The public hearing was held regarding a sewer pump station the City will own. Bond counsel has provided an option for a sewer fee. The pump station operation and maintenance will be paid for via this sewer fee. It will be paid by the owners of each property in the Retreat. If a property is vacant, the developer will pay the fee. Chairman Goodson said he is proud of the work his committee has done on this issue.**

**MINUTES  
MAULDIN CITY COUNCIL  
DECEMBER 18, 2017  
7:00 PM  
COUNCIL CHAMBERS**

**Members present were Mayor Dennis Raines, Council members Carol King, Terry Merritt, 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- Patricia Gwinn, Grace Covenant Presbyterian Church
  - b. Pledge of Allegiance- Councilman Matney
  - c. Welcome- Mayor Raines
2. Proclamations and Presentations-Mauldin Chamber; Leo Joyce proclamation- Mayor Raines read the proclamation.
3. Reading and approval of minutes.- Special Called Council minutes November 13, 2017; Council minutes November 20, 2017

Councilman Matney made a motion to approve the November 20<sup>th</sup> minutes with Councilman Crosby seconding. Councilman Merritt asked for one change in the minutes on page 4. 24 mph should be changed to 25 mph. With that change the minutes were approved 6-0. Councilman Black abstained since he did not attend the meeting.

Councilwoman King made a motion to approve the November 13<sup>th</sup> minutes with Councilman Merritt seconding. The vote was unanimous (7-0).

4. Public Comment.
  - a. Mary Baugh: I live at 102 Watroak Way. Members of council, thank you for your patience and understanding as the Brookside community has brought data to your attention regarding the annexation on Brooks

Road. It is on the agenda later tonight to rescind the annexation and put the property back in Greenville County. As the paperwork for the annexation was not submitted in good order, it is my hope you will vote yes and return this back to the County to be maintained as farm land.

As Mauldin continues to grow and accepts new citizens and properties, we hope the City has learned from this experience and tightens the paperwork requirement to request annexation and rezoning that impacts our city. I am sure our neighborhood is not alone in thinking that high density residential does not belong in lower density, existing neighborhoods. We urge you to listen to your constituents and research not only the interests of the developers, but the residents as well to help us preserve those things that made us choose to live in Mauldin.

b. Art Hodge: I live at 100 Jacobbrook Court in Mauldin. I wanted to add my voice to what Mary has said. I enjoy being down here with the farm and cows. It is very therapeutic for me to walk by. It is one of the reasons we bought our house over 30 years ago. I would appreciate it if you would return this to Greenville County back to agricultural. I think it is a good use of the land. Multi-family high density residential would not have been a good fit for our neighborhood. I appreciate your sending this back to Greenville County.

5. Report from City Administrator- Trey shared some news from the Chamber. There were over 80 units in the Christmas Parade and Breakfast with Santa was sold out with 130 people.

The cultural center project is 98% completed. The George Bomar shelter grading has been done, but needs additional work. The picnic tables and arbors have been installed. Two more tables will be added. The Rotary Club will have a dedication event some time in mid January.

Trey then read an email expressing appreciation for our public safety personnel from Doug Massey.

6. Reports from Standing Committees- The monthly reports are available
  - a. Economic Planning and Development (Chairman Matney)
  - b. Building Codes (Chairman Black)
  - c. Recreation (Chairman Merritt)
  - d. Finance and Policy (Chairwoman King)
  - e. Public Safety (Chairman Crosby)
  - f. Public Works (Chairman Goodson)
7. Unfinished Business
  - a. Consideration and action on sewer maintenance fee for the Retreat (PW)- Chairman Goodson made a motion to accept this ordinance for a fee that will be put on the tax notice to maintain and operate the sewer lift station at the Retreat. Councilman Black seconded the motion. Chairman Goodson asked about the revenues for this station. Trey said the revenues will not come in until 2019. There is a provision in the second amendment to provide \$17,952 to fund the operational and maintenance cost of the lift station until the fee revenues come in beginning January of 2019. Mayor Raines asked for an amendment to the motion to authorize the Mayor to sign the second amendment. Chairman Goodson made an amendment to the motion to authorize the Mayor to sign the second amendment as well. Councilman Merritt seconded the amended motion. The vote on the amendment was unanimous (7-0). The vote on the motion as amended was unanimous (7-0).
  - b. Consideration and action on extension of CRD moratorium (Building Codes)- This is a 120 day extension on the moratorium for some City Center downtown properties. Chairman Black made a motion to extend the moratorium with Councilman Matney seconding. The vote was unanimous (7-0).

The public meeting is tomorrow night at 6:00 p.m. in the courtroom.

## 8. New Business

- a. Consideration and action on sewer bond project (PW)- This sewer bond project has come in under budget and on time. Chairman Goodson said it was a pleasure working with staff and Frazier Engineering. Frazier returned \$50,000 in engineering fees to allow the City to reline more piping. The City has \$75,000 budgeted for rehabilitation work in our current sewer budget. Chairman Goodson made a motion that we apply \$50,000 of the \$75,000 budgeted for rehabilitation work to the \$220,000 remaining in the project budget to get as much CIPP work completed as this amount will provide. He also included in the motion that the City also wishes to extend the contract for another six months with the same unit pricing.

Councilman Crosby seconded the motion and mentioned this puts Mauldin ahead of other cities with this sewer work so we can continue to have the lowest sewer fee in the County. Mayor Raines said we have the lowest I&I in all districts that ReWa services. Trey mentioned that the pricing for some of the work is the lowest Frazier has seen in 20 years. The vote was unanimous (7-0).

- b. Consideration and action on city app (EPD)- Bright City is offering a pilot program to us in which they would develop a City of Mauldin app and let us try it free for six months. After the six months, the fee would be \$12,500 a year if we wish to continue. The money would come out of hospitality and accommodations. Chairman Matney made a motion to enter into the pilot program for six months with Bright City. Councilman Merritt seconded the motion. Councilman Black asked if the network we are currently on will support the app. Trey said it will, but we are also going to have an IT assessment in the near future. Bright City will work with our network so they communicate.

Councilwoman King asked for some feedback from the department head meetings with Bright City last week. Trey said all departments would use the app, but some departments would use it at a smaller level than others. HR and Judicial will not use as much of the app due to their confidential nature. There is an acknowledgement the city needs to do this to keep up with the times.

Ray Waldrop said with each meeting, the department heads became more engaged. His team left last week feeling excited about what could happen in the partnership with the City.

Councilman Merritt said his hope is that the City will be able to use this and the website to communicate more with the citizens. We have positive things going on that we need to push out to our residents. Public Works has a new leaf collection program with zones. That would be perfect to put on the app. Apps are only as good as the information that is being pushed out.

Councilman Goodson said council just voted last month for a new website. He doesn't want staff overloaded with all of this at the same time. He thinks it is a good idea but is concerned with staff time.

Councilwoman King said she doesn't think it is good timing because we are trying to get the website developed. We have limited staff. She has concerns with staffing and has talked to some staff that have concerns as well. Councilman Merritt said we have had problems getting staff to give information to the people who put it on the website. When information is put on the website, it will be put on the app as well. It won't be double posting if it is done right. The app and website will be connected. Mayor Raines asked how much time would be required of the department heads when the app is developed. Ray said the development is their responsibility but they will need feedback from the departments.

Councilman Crosby said two council members are IT people and will watch the project closely. Councilman Crosby said the website should be up quickly. The app will be coming out later. The vote on the motion to participate in the pilot program was 5-2 with Councilman Goodson and Councilwoman King opposing.

- c. Consideration and action on Forrester Drive annexations (Building Codes)- This item was held in committee due to a change that needs to be made to the petition for annexation.
- d. Consideration and action to rescind Brooks Road annexation (Building Codes)- Chairman Black made a motion to rescind the annexation with Councilwoman King seconding. Councilman Matney asked if we have put safeguards into place so this won't happen again. Trey said yes, we are going to work closely with the city attorney's office and have them do a legal review of the petitions.

Councilman Merritt encouraged council to ride down and envision the projects before a vote. Councilman Crosby agreed and said that the purpose of zoning is to protect our citizens. We need to use the spirit of zoning and not just the letter of the law. The vote was unanimous (7-0).

- e. Consideration and action on FY 2019 budget calendar (Finance)- Chairwoman King made a motion to approve the FY19 budget calendar. Councilman Matney seconded the motion and the vote was unanimous (7-0).
- f. Consideration and action on fire training compensation (Finance)- Councilman Goodson recused himself from this item. This was previously discussed in Public Safety. Finance has taken this item because it is a budgetary question. The proposal is to pay firefighters for off-duty training. There are two parts of this- the off duty compensation and compensation for EMT and Paramedic designations. The EMT incentive would go from \$500 a year to \$750 and the Paramedic would increase from \$1500 to \$2250 a year. The financial impact from both parts is estimated to be about \$73,000. Chairwoman King made a motion to support the payment for firefighter training as well as the EMT and Paramedic incentive increases. Councilman Crosby seconded the motion.

John Duggan wanted to make council aware that they may want to consider implementing a policy that if an employee receives training that would have a considerable cost to the city and then they leave employment to go to another agency within a certain amount of time, the employee will reimburse the city for the training costs.

Chairwoman King said the committee spoke to Chief Stewart and she asked if our on-staff training officer could conduct some of the training to alleviate some unnecessary costs. She was answered yes. Also, there is criteria stating the class has to be included in the Career Development Program or approved by the Fire Chief, classes attended must be in the proper rank level for the position held, and all class registrations must be approved by the employee's shift Captain and the Training Officer.

Councilman Black said he brought this up before. If you leave employment after graduating from the police academy within 2 years, reimbursement is due the city. Councilman Crosby said a policy could be developed by Human Resources to go through the Finance Committee.

Councilman Black said we are obligated to pay for required training that is job related. We need to pay for the training but put a policy in for the comp and class plan where EMTs and Paramedics are a different tier.

Mayor Raines said a comp and class plan proposal will be coming through committees soon. They said it may come to Finance next month.

Councilman Black said he would like to pay them like we have been until we get this looked at and the comp plan in place. Councilman Merritt said the comp/class plan has different levels with multiple titles allowing for some employees to make different money due to their training. Councilman Merritt said he has lived here all his life and thinks the fire department is terrific. If an employee gets additional training, he should receive more money. Chief Stewart stated we do require firefighters to reimburse the City should they leave shortly after they receive the training.

The vote on the motion to compensate firefighters for off duty training beginning January 1, 2018 and to boost the EMT and Paramedic incentives was unanimous (6-0).

- g. Consideration and action on cost recovery proposal (PS)- This is a proposal to recover some associated costs with traffic accident response from the fire department. Chairman Crosby said this is a charge the insurance companies pay that the agents don't even know about. The drivers of the vehicles never know about this and never receive a bill. Chairman Crosby made a motion to accept this partnership with Innovapad. Councilman Matney seconded the motion.

Councilwoman King asked if Councilman Crosby had talked to any insurance agents and asked if they knew about this fee. She finds it hard to comprehend they would not know. Councilwoman King said she has talked to some agents. Her issue is she keeps being told that the end user won't see any increase in insurance. If the insurance company has to pay out money, someone has to absorb the loss. It is not going to be the insurance company, it is going to be me and you. Councilwoman King said she was told today that State Farm lost \$6.5 billion last year on vehicle claims. She said she wouldn't have as much of a problem with a flat fee. It seems to be inconsistent.

The code section that authorizes fee collection sounds like it could also be applied to someone who may have a kitchen fire the fire department responds to.

Councilman Matney said if your insurance goes up, it is because you had a wreck, not because of a cost recovery company. Gambling is designed for the house to win. Insurance is the same way.

Councilman Matney said the ambulance service gets reimbursed because they are the transporting agency. The fire department does all the work because they are first responders.

Councilman Merritt said he is conflicted on this. He is for cost recovery. But, when his insurance company gets a claim for money associated with him, he gets a letter. There are 16 agencies listed. Only two are municipalities. The rest are special purpose districts. He asked John Duggan a question about the ordinance section 3 regarding the statement that states "or any person or entity causing the need for the fire or emergency services department to respond and/or provide any emergency response service (the "Responsible Party") shall pay the cost of such service." Councilman Merritt said that sounds to him that anybody could be asked to pay the charges. He disagrees that the end user will not know about it.

John Duggan said he has the same concerns. He has defended wreck cases for insurance companies and has sued insurance companies many times. This cost recovery portion relates to the at-fault driver, not just any person. Even if you are the at-fault driver, your insurance does not automatically go up. There are many factors that go into that consideration by the underwriters.

John said insurance companies don't lose money. They are trying to convince the rate commissioners to let them raise rates. State Farm is not folding up. They cook the books in a way that shows a loss.

Mr. Duggan says there are a few things in the contract he is concerned about, but he has not looked at it carefully since it was up for a vote. He didn't know what council's action would be.

Councilman Goodson said this issue is personal for him. He has problems that after a terrible accident in which someone has lost a family member, we have to get someone's drivers license to scan into an Ipad. We will take care of you, but we are going to make you pay. This law is a spiller pay law. A wreck is a spill under this law. What does this say about us? We are going to make a payday on someone's wreck.

Councilwoman King pointed out an inconsistency. Council was told last month the average recovery cost was \$500 per accident. In the packet, we are told the revenue is approximately \$25,000. We run about 300 wrecks per year. That is \$83 a wreck. That doesn't add up. There is no standard rate that is charged.

Councilman Matney said this is not about us getting all the money we can. It is not a revenue generator. It is getting a portion of the money we spent back. Those council people who support this are not looking for a payday.

Chairman Crosby said the fee is based on what resources we use. A flat fee would not take that into consideration. Also, the \$25,000 figure was a conservative number.

Councilman Goodson said he takes issue with charging \$3,000.00 for a wreck. It makes us look like we are taking advantage of someone's wreck. Councilman Matney said our goal is no wrecks, so no cost recovery. We are not trying to hit a dollar figure.

John Duggan reminded council that the insurance company doesn't have to pay. They can negotiate. We could also put a cap on the maximum we would charge per accident.

Mayor Raines asked if this was a model ordinance and was told yes. The Chief Operating Officer of Innovapad was present. She said the feedback she has received from the other department is that Innovapad helps them. They buy new equipment and train the firefighters with the money recovered. Every claim is not recovered. Less than 50% are recovered.

Mayor Raines asked how the fee schedule was developed. The COO said they took a sample of different fire departments and budgets and took averages of the cost of equipment and average number of firefighters who go out on a truck.

Mayor Raines asked about the wording of item 3 that Councilman Merritt brought up. John said that through the current wording, we would be allowed to go to the responsible party directly, not just the insurance company. John Duggan said that section would need to be amended to clean up the language and make it clearer. Mayor said if we were going with the model ordinance as it is, he would not support this.

The COO said Innovapad does not bill individuals. There is a clause in the contract that says do you agree Innovapad will not bill individuals.

Mayor Raines then asked if Innovapad would accept a cap on the charges. The COO said yes. The owner said essentially Innovapad is the City's agent.

Councilman Goodson asked what each of the 16 departments that participate get each year. The owner of Innovapad said it depends, but he could get the numbers. A minimum is \$535. That is one truck on a scene for one hour. The COO said about \$10,000 per 100 claims filed. Councilman Goodson asked if the pay schedule was based on the fact that some companies would not pay. Is it inflated? The COO said no.

John Duggan said think of the fee schedule like business license. Different businesses pay different rates. It is based on an assessment by the federal government. The rate is based on actual analysis of what that industry makes. The rate schedule has to be defensible in case of a lawsuit.

Councilman Black asked if the City of Greenville had been approached about this. The owner said there are political reasons. Councilman Black said the Mayor is an attorney. There has to be a reason they are not participating.

The COO said people feel uncomfortable about fire departments charging. Councilman Black said everything that is collected, Innovapad gets 25%. Councilman Merritt said what if the determination of who is at fault is wrong? It is a negotiation game between insurance companies. Councilman Merritt said this is free money that is not costing anything right now. The money is there and we could potentially get some back. Councilman Merritt asked Holly where the money would go.

Holly said it would go to the general fund to reduce the cost the city gives the fire department budget. It is not extra money for the fire department to use.

The vote for the motion to adopt this ordinance to use Innovapad on first reading was 4-3 with Councilwoman King, Councilman Black and Councilman Goodson opposing.

This item will go back to committee for more discussion before second reading.

- h. Consideration and action on Crestwood traffic concerns (PS)- There has been reports of traffic issues and excess speeding on Crestwood Drive. The residents of Crestwood Drive have requested traffic

calming measures. Chief Turner recommends two speed humps be installed on Crestwood Drive. Chairman Crosby made a motion to install two speed humps and appropriate signage on Crestwood Drive. Councilman Goodson seconded the motion. Mayor Raines pointed out there is a difference between humps and bumps and the recommendation here is speed humps. They said the cost per hump is about \$1000 plus other contingency costs, so not to exceed \$2750. There is funding in the street budget. The vote was unanimous (7-0).

9. Public Comment

Joel Ann Chandler wished everyone a Merry Christmas and then thanked council for grinding the stump at the cultural center where the snake nest was.

Councilman Crosby thanked council for all of their good works this year.

The City has a good executive board.

Councilman Matney and Mayor Raines wished everyone a Merry Christmas.

10. Council requests

11. Adjournment- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk