

**PUBLIC HEARING ON TATTOO AND PIERCING PARLORS AS WELL AS
AUTOMOBILE DEALERSHIP REQUIREMENTS AT 7:00 P.M.**

1. Jason Dennis: I own the Tire Exchange and bought it in 2014. I was raised in this business and have seen a lot of changes. Our margins are a lot different than they used to be. We build sweat equity in our business and one day that sweat will hopefully turn into being able to retire after selling it. I have read the ordinance and it is vague. The opportunity for someone to, and I understand that I am ok, but the opportunity for someone to buy my business seems vague. I have a question as to what is the difference between a major and minor repair business? Who makes the distinction? What is primary versus ancillary use? What if we are sick or injured and had to be out of business for more than 90 days.

The other question I have is why devalue the property by limiting its use? As it sits, I would suggest the council votes against this based on all the questions.

2. Dallah Forrest: Thank you. My family has owned the property at Main Street and Knollwood Drive for 60 years. I ran a Nissan dealership there for years. The property is leased to an automobile dealer. I have always supported the City of Mauldin in every way. Ask John Gardner. I was Vice-Chairman of the Greenville County Transportation Commission. We allocated money from gasoline tax. Mauldin would come to our committee often asking for money and I always supported Mauldin and got that done. I felt like a second class citizen when I read this ordinance. It says we are going to take these people away and replace them with people that are more desirable. That is what it says. It is condescending at best. I feel insulted.

I would like to read these and most of this is rhetorical. I am going to suggest a solution to these things. My wife lived here for forty years. My kids went to school here. I have roots here and I feel like these regulations are way out of line to people in my profession. I would call your attention to this. Page 1, paragraph 3 says the automobile business is likely to have an impact on preferred people coming in. In other words, get rid of these people. Regulations, the United States is eaten up with regulations. Some of these are unattainable. There are standards that cannot be met. This ordinance said if the standards are not met, the business cannot be sold. My property is too close to Knollwood. I cannot meet the variances. If I leave that is coming. They say 1500 feet that is five football fields. I was operating there before Knollwood subdivision was built. That is unreasonable. Unconscionable.

What kind of negative impact do we have on the community? Second class? Quite condescending. Then it says minimize visually. That is the opposite of what you do to promote your business. If you don't show off your business, you cannot prosper. Paragraph 2, page 2 says protect the health, safety and welfare of the citizens. I would like someone to tell me how. I mean, come on. Who thought that up? Wouldn't this apply to all businesses if it is true? How does this affect property values? This blew my mind. I know property values well. How is that? I would like to see that. I am a developer and builder. Adverse affect on the citizens of Mauldin. This is

getting deeper and deeper. I have a restaurant on my tract beside the car lot. The ordinance states you can't do that and don't ask for a variance. It says only one business on each parcel. I can stay there but not sell it. Storage space. I have one and a half acres of storage fenced behind my building. This says I have to pave it or build a building to put storage cars in it. I can't explain it. Do you know the cost of that? It ain't cheap. No variance. It is impossible to conform to these regulations. They couldn't do it in my building. I recommend to council to vote this down in its entirety and invited the owners to a roundtable. I didn't know about this until it was done. My friend John Gardner can get us together and we can work out a solution.

3. Mitch Gault: I own Kent Gault and the Stow and Go, it is a rental car place. I appreciate this opportunity. I have talked to everyone twice. Thank you for taking my call. Dennis, I don't think you have the first vote. This is a bad amendment. He said most of it. It is a financial strain. Too fast, too much, virtually zero time. Kim and Van came to my office Friday at 10:00 a.m. I got this the day before and then there was an amendment. Right hand before the Lord. I am disappointed the way we handled this. We have blood in the game. Trey told me, and I love him, he is a gamecock. Trey said we put this on Mauldin e-blast. I about fell out of my chair. This is not Mauldin Chamber. E blast is announcements being blasted out. Some of these people are not chamber members. I was on the board for 20 years and I don't read it. I know sometimes you write letters and make it warm and fuzzy and put it on the Mauldin site. Chick fil A. This could have been included. We are good people. This is not the way you treat people like us.

Thankfully we have people who run around and give us the secondhand copy. You are good people. I have a lot of friends up there. But, it seems to me this was a knee jerk reaction. Someone needed to get something done. To hell with the property owners. This is not the way you get something done. You need to be open, transparent and inclusive. This needs to be torn up and gotten rid of. We all want good things for this City. If there is a demand for office developments, it will get done. Van is a good man and he will get the job done. Let's be fair. The businesses you are targeting didn't keep Chick fil A away, not Bojangles. McKenzie firm put out an article and it says city planning needs to be a consensus between parties, not dictated. Two way communication is key. I think this needs to be trashed as far as I am concerned.

4. Nick Prosis: Good evening. Thank you for your time. I work at Kent Gault. Less than a week ago, we got a copy of this proposed ordinance. Seems a little late for something that is going to affect our livelihood. In the original proposed ordinance and the revised, one thing stands out to me. Proliferation and cluster of automobile facilities have a detrimental affect on local property values. I am no expert, but I know how to do research online. I am not suggesting that there are no studies that advocate this, but I couldn't find any information to support this. The stakeholders here need to see if this communication is accurate. I did some research on city development. I found one study from the Brooking Institute. It basically says all stakeholders should be engaged to foster economic development. We need to have a roundtable discussion. When a previously leased business closed, the only types of businesses that inquired were automobile.

The big auto parts stores are based on commercial accounts with local service

stations. Less service stations means less accounts. Less places to get them serviced, so you have to go to the dealership. This amendment has such a big impact on local businesses that to not get public input is just wrong. We are not against change but progress in the City needs to be inclusive going forward.

5. Steve Killian: I am with Advanced Tire and Auto. I thought I had some friends here but I came and sat over here and everyone else sat on the other side. I noticed that. I remember that. I have been here in Mauldin almost 11 years. A few people who have known me still do business with me. I really like it here. I have been in Simpsonville and Fountain Inn but I want to stay here. The business atmosphere is great. I can always get any auto parts from Napa or O'Reilly.

I got a letter from Paula in the codes department. They probably know about it. One of the signs blew out last summer. I am getting quotes to upgrade and put in new signage and I got rid of the blue on the building, Terry. On a personal note, that is what I am doing. I have sold businesses before. We were both happy- the buyer and seller. But if this goes in effect, I won't be able to sell the business or pass it on to kids. That is what sticks with me. What can I do in the future? My wife told me to wait and see what happens. I think it will all work out. These guys were a lot better prepared than I was, so that is all I have to say.

6. Brett Hayes: I am with B&R Automotive. I know I am grandfathered in because of the gas, but I have made a large investment here. Gas is not where the business is. I feel like any changes we want to make, you are working against us, not with us. My business comes from Gaffney, Simpsonville, Fountain Inn, Lyman. They come to us because they are not getting what they need. They specifically come here for automobile services. The proposals you have made, I would have to bulldoze the building and start over just to come into compliance. How do you think that makes the businesses feel? I don't have anything else to say, but you are working in the wrong direction.
7. Anne Henderson: We own some plazas. My parents built the business and I have tried to continue with what they worked hard to do. Our roots are Mauldin. We want good things for Mauldin. We do appreciate you and the good people of Mauldin. I have sold a property to a car dealer. I hope if you haven't gone to see it, you will. He has put a lot of money and time into the property. I know people come from all over with all the online things. One thing Mauldin used to do, and when my parents were here, there was a most improved business award here. If you don't do that anymore, or maybe we haven't done anything since then to earn it, but that would be nice. It encourages people. We care about Mauldin. I reiterate what the other people said. If you would invited us, it should be teamwork, one for all. We all have the goal that we want Mauldin to be an inviting place.

I have another business that is in one of our buildings, Tattoo on Main. I am not going to tell you my age, but I have to admit I had some reservations. My realtor said this guy has worked on Woodruff Road, it is very nice and he does it right. It will be a good tenant. This man would be here tonight, but he is a family man and he has taken his children and wife to a 90th birthday party for a family member.

He did offer to do a Clemson paw on my ankle. I was close. My blood runs orange. I will tell you, and I hope if you haven't stopped by there, I haven't frequented a lot of tattoo places, but this young man has spent more on the rental property, than I have. His first concern is about good health. It is the 21st Century and these are businesses where young people want to come. I am not sure where our encouragement is for young people who want to come to Mauldin. I am a guidance counselor in an elementary school, and I am all about teaching teamwork. We can do this all together, more than we could do alone.

8. Sandra Guardia: I am the new girl on the block. My brother and I will be opening a jewelry store at Allison Plaza. I wanted to talk about the precious metal ordinance, but I have spoken to Kim and we will talk about that later. I just wanted to introduce myself.
9. RC Jones: I have no business here tonight. I will tell you a story. In 1975, I moved here from Fort Lauderdale. I struggled, but opened a store on Murray Drive. After 5 years, I moved into a store near you, Mr. Mayor, on Old Mill Road. Not having any money, I borrowed \$300,000 from the bank. I struggled and struggled. Everything worked out ok. I have a gentleman in my old building. He bought the business. I decided to trust him and sold him the business. This man, the lease was \$3800 a month back in 1987. He has worked 10-12 hours a day for the last 30 years. Today, I could not sell him the business. You work all that time trying to get to a position to retire and sell it or give it to the kids. Does this make any sense that you are putting them in a position they can't sell it? I have no business here. Jimmy wanted me to come speak for him. I kept saying no, but I finally said yes this afternoon. I sat in that chair for 8 years and I know what you are going through, but this does not make any sense. Only one of you have a business, the other work for people. Council should not make this hard on them. You don't need this kind of crowd in here for something the City is doing that is not right. You need to vote this down.
10. Carl Wood: I am from Carway Auto. Thank you. I wasn't really prepared, but I wanted to raise my objection. A wise man once said where there is no vision, people perish. Council has a vision for the future of Mauldin and is trying to make something. I appreciate that. I don't appreciate the method. Let me say I have been here in Mauldin for over a quarter of a century. I built this business from nothing. This is my retirement and my children's future. My family cannot continue this business with this ordinance. Mauldin has been a great location. But I notice there are concerns that the planning commission and is trying to encourage sustainable development. I love Mauldin. I wouldn't be here if I didn't. We are different from other communities, as we don't really have a downtown like Greenville, Simpsonville and Fountain Inn. 276 is Main Street, so Mauldin was built around that. We don't have a conventional main street. We do have a thriving business atmosphere.

I came here before BMW chose South Carolina. Since the 1970s, with Michelin and BMW, they brought industries we couldn't imagine. We now need support businesses for the automobile industry. Airplane manufacturers are coming in as well and we are responsible to repair that equipment. I have customers that come from all over the area for our services. We bring business to Mauldin that otherwise would not stop. 276 is a pass through and has been for years. There is the traffic

to Greenville and traffic to 85. If we can get them to stop here, that helps the whole City. I have people who come as far away as Atlanta, Georgia. When it comes time to sell and enjoy the benefits of our labors, this ordinance is contrary to that. Even my own children could not continue the business.

I know you are not trying to run us out of business, but we are important to the City. I just paid my business license fee. The revenue that comes in from us is a big part of Mauldin's economy. When people drop their cars off, they may go to Kmart or to one of the new restaurants, so our business is an offshoot of that. Thank you for your consideration and I suggest that you reject this ordinance. We have a business district and our repair industry is not hindering other businesses from coming to Mauldin. I know you have to have regulations and ordinances, but these requirements are contrary to sustaining businesses.

11. Nick: I am from Distinctive Details. I have two dogs in this fight. I own a business here and I own a piece of property that is a major part of the new development for downtown Mauldin. First, I want to thank council for being patient. I will be brief. The ordinance says the concentration of automobile businesses are creating traffic problems. Well, you want traffic as a business owner. We need traffic to come to our businesses. What business doesn't do that. 30 years ago I rented a building from Brookshire's and then I moved. Sure, the traffic is heavier. As business owners, we love the traffic. I have people coming from Anderson, Spartanburg and Woodruff. I get no days off for sickness. I want to point out, when I saw sustainable development, agenda 21. It is 300 pages, but most of the Republican party is against it because it takes away property owners' rights. This proposal takes our rights away. I do want to retire and sell my business.

We were here not long ago on the downtown development. We wanted transparency. That is what we asked for. Dr. McPhail was told the day of the meeting. He let you hold it. We want transparency from council. That is what we look for. I looked at Cottman Transmission, I would have been out of your hair, but I was told it couldn't be an automobile business. A car lot is going on. Lost opportunity. I worry about eminent domain. You tried to sweep this through and it back fired on you. It really makes you look bad. It makes us feel inferior. Let's face it. In our election process, it is awful, but it is the government. So many people in Washington have forgotten they are public servants. We the people need to tell you what we need. All we are asking for is transparency. I guess I will work until I can't work anymore. Do not table this, kill it today.

12. Leon Jacobs: Thank you. I own Advanced Transmissions along with my brother Monty. We came to America in 1992 and love this place. There was nothing around us when we built our property. We worked many years for 18 years and have a great business. We take care of Simpsonville's police car. Our son is working for us. We do over 200 cars a month now. A lot of our business is from Charlotte.

We are very concerned about our future. We have saved money and have gotten a quote from Panagakos Paving. It will be \$55,000. Are we going to invest in Mauldin or let it deteriorate? We want to see a better city. Traffic is a problem, because we can't get out of our shop at 4:00 p.m. It is not the businesses that are causing that, it is the connection between 85 and 385 and people don't want to pay

the toll. That is about it. We have worked many years and I can't let my son take it over and that is what we have worked for.

13. Doug Sprayberry- Key Real Estate, I deal with this almost every day. Today I was showing property today for a couple from New York that wants to open a fine restaurant and they are looking at Mauldin. I got this question- how is the business climate? What should I say? I represent the owner of the property. Should I tell them that it depends on the council's decision? How do I answer that? Chevrolet is not the heartbeat of America, small business is. Any time you try to restrict property owner's lives, you are hurting those who have invested everything. I have used these people- Carl and Brett are great mechanics. I ask you to vote sensibly for property owners' rights.
14. Garrett Jacobs- I am Leroy's son. We opened the business in 1992. We moved the goats off the property and set the place up. After a few semesters at Clemson, I wasn't going where I wanted to. Not Clemson's fault, just the engineering part. I grew up, I have known most of the shop owners. I grew up with these guys. Every one has worked their fingers to the bone. They work hard and miss family time. Dad missed awards ceremonies because the business had to survive. All the time missed and all the time working amounts to nil at the end of the day if you can't pass it on. I will have to move and start from scratch and be in the position that he worked so hard to try and keep us out of.
15. Whitney Pence: I am from Magic Rooster Tattoo. The only additional thing with tattoo shops. The state already has a zoning restriction on tattoo shops that they can not be within a thousand feet of a church, school, public park or daycare . So that stops the proliferation of tattoo shops. It was very difficult to find a place that met state law. I am not sure why we have this ordinance when state law already prevents that.
16. Robbie Kellett: That is the people who are going to benefit from the business going forward, the children. I will be honest, I was raised in a grease pit, and I have been around automobiles my whole life. We started the Shell station in 1953. There was Hall's Barber Shop and everything else is gone. It was the last station to Clemson. On Saturday you couldn't get another car in there if you had to.

They have been there for 20 something years on Main Street. My family has put their blood, sweat and tears in the business. I have called and talked to everyone here the past two weeks. If you want to talk to them and don't know how to get in touch with them, I will tell you or let's go talk to them. You don't know what is in it, tell us ahead of time. If Mauldin benefits, we benefit and if we benefit, Mauldin benefits. Please vote this down. We can bury the hatchet tonight. Thank you for the people who came to see me- Larry, Carol, Dale.
17. Jeremy Sark: I own Sark's Automotive. We have been here two years. Moving in was so painful. I had problem with signs and landscaping. I have a four foot hole in front of my biasness. I want to give this to my son eventually. I might as well take my business to Greenville County if you do this. Let's fix holes and drainage first.

We did \$20,000 of landscaping and the mulch runs down the road.

18. Jay Jaloli: I came to Mauldin in 1990. I own 25 pieces of property. I heard about this ordinance and first I said let's get out of Mauldin. I feel like we are not classy enough for you.
19. James Jones: My name is James Jones. I work for BMW. I have lived in the area for 8 years. I am amazed. I am inspired by this man's message. I come home and go to small businesses for gas and sandwiches. I travel to Germany for work and when I came back this happened. My son was out driving and while I was in Germany the engine blew up. Due to my relationship with Mr. Sark, I sent him my problem on Facebook. He said don't worry and we brought the car all the way from Greensboro, NC. My son was up there visiting his girlfriend. I could have gotten it fixed up there. I wanted it fixed at Sark's Automobile.

My point is I stay in Mauldin because of the community. I am from a small town in Ohio and this feels like one. I feel passionate about it. I wanted my son to get this experience that you come and express your concerns about things. As a member of the community and as someone who supports small businesses, I want them here. I want to support them so that they are here for me when I need them. I expect you to support these people.

20. Tommy Kellett: Is anyone on the board in business in Mauldin? So you don't know how it feels. I have been sitting over there listening and I have a solution to the whole thing. Let's have it appraised, business, property and building and we will sell it to you and you can do what you want to.
21. Leroy Jacobs: How would you like it if someone came up to you and said, that retirement you planned for, it's gone. Come up with something up. Make a new plan. Thank you.

Trey Eubanks thanked everyone for coming and said we could take a vote while everyone was here if council wishes. The comments resonated well. The businesses are the heart and soul of the City. This is how it is supposed to work and we can do a better job of being inclusive and getting more input.

The public hearing ended at 8:15 p.m.

**MINUTES
MAULDIN CITY COUNCIL
APRIL 18, 2016
7:00 PM**

Members present were Mayor Dennis Raines, Council members Taft Matney, Terry Merritt, Carol King, Scott Crosby, Dale Black and Larry Goodson. City Administrator Trey Eubanks and City Attorney John Duggan 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; Music Week proclamation; Peace Officers proclamation

Mayor Raines read the two proclamations.

- 3. Reading and approval of minutes.- Council minutes March 21, 2016
Councilman Matney made a motion to approve the minutes with Councilman Goodson seconding. Councilman Merritt asked that on the last page, Bethel Road be changed to Bethel Drive. With that change, the minutes were approved unanimously (7-0).

- 4. Public Comment.

- a. Kelly Lewis: 205 Oakwood Court. This is for Corn and Miller Roads.
Everyone made my point. Are we going to come back in 30 years and say I wish we hadn't put this development near the homes. I know you have gotten a letter from Walt Miller about the potential for future expansion. I wanted to have you keep in mind to look ahead and have vision for Mauldin. I had some other comments about setbacks. This development has shorter setbacks of 25 feet. I was here at the planning commission and they were bringing up concerns about the business hours. They are already waffling and saying they might be able to get an exemption on the hours. That worries me so I wanted to mention it. Thank you so much for your time.
- b. John Hopkins: My name is John Hopkins and I represent the Leopard family. We have listened to all the comments and tried to come up with the best solution. I really think that everything that could be said has been said with one exception. The first time I met with the Leopards, I met Carrie Lee Leopard, or Kitty as we call her. She will soon be 95. She recalled her arrival at the property by a mule driven wagon. She told me that night that deciding to sell was a difficult decision, but she knew the time had come. However, she wanted to make sure that whatever followed her was something to be proud of. She asked me to offer the property to the school district for Mauldin High School. I did on four separate occasions, but they turned us down. She said she would like to see a church there, and I offered it to five different churches.

I spoke to the County and they said we could put a single wide mobile home park, a communication tower, landscaping business, outdoor shooting range, burial for cremated remains, group home for special needs individuals, etc. The parcel that is next to Forrester Cove is owned by Corn Trust in Houston, TX. The trustee out there said just sell it, we don't care what goes there. I told Kitty and she said we will see about that. Two days later I got a call that said we want Aunt Kitty to be happy. Just work to put something nice there and we will be happy. I realize some people will never be happy with change, but change is coming. The builder of the townhomes has been very innovative in changing their plans to accommodate the residents. He is offering a higher quality product with more greenspace. This effort takes up 84% of the property. We have taken the other 16% and proposed three office spaces. We are going to limit what goes in, landscaping, signage, and hours. This is something to be proud of. Think of what could go there if it stays a doughnut hole. After prayerful consideration, I hope you will vote for this. Thank you for your patience and allowing us to craft a compromise.

- c. Keith Hardin: 107 Forrester Creek Drive. Thank you for allowing me to speak. When you look at this, there are winners and losers. The last meeting demonstrated it. The seller is a winner, the developer is a winner. Mauldin City will get more tax revenue. My neighbors and I have been paying taxes for years. We are looking at more traffic and possible decline in property values. How about the new drivers at the high school. No one has objected to the current zoning, but we are against the commercial part. Ideas become projects. I have worked for Michelin for 32 years and not all projects yield the desired results. I request once again we take into account all the stakeholders in the area.
5. Report from City Administrator- Trey reported an update with Public Works. They continue to work on grounds maintenance. Opening Day was a success. The Spring Fling went very well and was well attended. Trey thanked Terry Merritt, George and Van for their help. Public Works has been active in safety training. Mr. Goodson attended the monthly sewer meeting. The project is a little ahead of schedule. There have been a few complaints about cutting and replacing. The new PW Director will start at the end of May.

Councilman Black said a lady approached him and there is a rut in the road from some of the sewer work. We are going to go out and fix that. It is around 300 Drury Lane and North Golden Strip Road.

6. Reports from Standing Committees

- a. Public Safety (Chairman Crosby)- The report is on file.
- b. Planning and Economic Development (Chairman Matney)- The report is on file.
- c. Public Works (Chairman Goodson)- The report is on file.
- d. Finance and Policy (Chairwoman King)- The report is on file.
- e. Building Codes (Chairman Black)- The report is on file.
- f. Recreation (Chairman Merritt)- Public Art Trail. Chairman Merritt referenced Making Mauldin Work. Amanda Duffie is highlighted this month.

George McLeer showed the new piece that will be installed on the art trail. It is a palmetto tree with black magnolia flowers at the base signifying the strength of South Carolina along with the flooding and church tragedy that occurred last year.

a.Consideration and action on separation requirements for tattoo and piercing parlors (Building Codes)- Chairman Black made a motion to suspend the rules to consider item 8d and 8e at the front of the agenda. Councilman Goodson seconded the motion. The vote was unanimous (7-0).

Chairman Black made a motion to deny any amendment and deny the new ordinance. The ordinance will stay the same as previously. Councilman Merritt seconded.

Councilman Matney asked if we vote this down, the matter cannot come back for consideration for 6 months. Trey said he would have to check, but he believes that is correct. Councilman Matney said he understands the intent, and to be fair to the Building and Development Services Committee, nothing was done in secret. The committee meetings are open to the public. Councilman Matney said he doesn't support the ordinance as written, but thinks this is a workable concept. He would like to see it go back to committee to get more public input in a roundtable forum. Councilman Merritt

said he doesn't understand why six months is not a good time to get public input. He thinks it would be time well spent. Councilman Goodson apologized for making the business community afraid for their livelihood.

The vote by roll call was as follows: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- yes, Councilman Crosby- yes, Mayor Raines- yes, Chairman Black- yes, Councilman Goodson- yes. The vote was unanimous (7-0) to deny the changes.

b. Consideration and action on separation requirements for automobile dealerships (Building Codes)

Chairman Black made a motion to deny any amendment and deny the new ordinance. Councilman Crosby seconded the motion.

The vote by roll call was as follows: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Chairman Black- yes, Councilman Goodson- yes. The vote was unanimous (7-0) to deny the changes.

7. Unfinished Business

Mayor Raines said he supports the property coming into the City so that the City will have some control. If the property stays in the County and citizens have complaints, there will be nothing the City can do to help them.

Councilman Crosby said he supports this because there will not be added traffic since the housing will target empty nesters. Walt Miller had brought up his concern regarding additional commercial development, but Councilman Crosby said that was not part of Mauldin's comprehensive plan.

Councilman Merritt asked about the setbacks. They will vary. The mean is 35 feet. Kim said there can be a patio, but the walls have to be set back that far. Councilman Merritt said he doesn't want to go on record saying traffic will be impacted. The City has taken their time on this development and has heard from the public. The majority of the residents have no problem with the residential side of this development, only with the commercial part. Councilman Merritt said this is

the part that gives him heartburn as well. It is a hard pill to swallow. He has done his research and is a skeptic. Two acres are close to stopping him for voting for the annexation. He said he does like the restrictions the City has made.

Councilwoman King said council has the residents' best interests at heart. There is no control over the property if it stays in the County. Mauldin has set a precedent very high through the process.

- a. Consideration and action on annexation at Corn and Miller Roads- Lee Leopard (Committee of the Whole)- Councilman Matney made a motion to approve this annexation with Councilman Crosby seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Chairman Black- no, Councilman Goodson- yes. The motion passed 6-1 with Councilman Black opposing.
- b. Consideration and action on annexation at Corn and Miller Roads- Don Leopard (Committee of the Whole)- Councilman Matney made a motion to approve this annexation with Councilwoman King seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Chairman Black- no, Councilman Goodson- yes. The motion passed 6-1 with Councilman Black opposing.
- c. Consideration and action on annexation at Corn and Miller Roads- Carrie Leopard (Committee of the Whole)- Councilman Crosby made a motion to approve this annexation with Councilman Matney seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Mayor Raines- yes, Councilman Merritt-yes, Councilman Crosby- yes, Chairman Black- no, Councilman Goodson- yes. The motion passed 6-1 with Councilman Black opposing.
- d. Consideration and action on annexation at Corn and Miller Roads- Carrie Leopard (Committee of the Whole)- Councilwoman King made a motion to

approve this annexation with Councilman Crosby seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- yes, Mayor Raines- yes, Councilman Crosby- yes, Chairman Black- no, Councilman Goodson-yes. The motion passed 6-1 with Councilman Black opposing.

- e. Consideration and action on annexation at Corn and Miller Roads
(Committee of the Whole)- Carrie Leapard-

Councilman Crosby made a motion to approve this annexation with Councilman Matney seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- no.

Councilman Crosby made a motion to amend the motion to restrict the hours of the commercial property to 7am-7pm M-F and 7am-12pm Saturday with a cap of 45 hours a week. Mayor Raines seconded the motion. Councilman Merritt said he thinks this is best handled when the final development plan is brought back. Councilman Matney said he agreed with Councilman Merritt. We have said 8am-5pm and to change now feels like a bait and switch. Councilman Merritt asked if there could be different hours for each building. Kim said that would have to come back to council because it is a major change. John Duggan said different hours for different buildings are allowed. Councilwoman King asked if someone is in the building working, would that be an issue? John Duggan said no, the hours mean open to the public. The employees can work during non-hours.

The amendment was defeated unanimously.

After the discussion, roll call resumed. Councilman Crosby- yes, Chairman Black- no, Councilman Goodson- yes.

The motion passed 5-2 with Councilman Black and Councilman Merritt opposing.

- f. Consideration and action on annexation at Corn and Miller Roads Committee of the Whole)- Norma Jean Corn- Councilman Crosby made a motion to approve this annexation with Councilwoman King seconding. The rollcall vote was: Councilman Matney- yes, Councilwoman King- yes, Councilman Merritt- no, Mayor Raines- yes, Councilman Crosby- yes, Chairman Black- no, Councilman Goodson- no. The motion passed 4-3 with Councilman Black, Councilman Merritt and Councilman Goodson opposing.

Kelly Lewis said she had a petition that called for a super majority vote of council. John Duggan said the petition is improper for several reasons. One, the petition signors have no standing because they are not residents of the City of Mauldin. Two, the ordinance provisions does not apply. This section applies to a property that is already in the city that would be rezoned. This property is not already in the City and is up for initial rezoning. The last reason is that one of the signors does not own the property. The property owner himself has to sign the petition.

8. New Business

- a. Consideration and action on TIGER grant (Committee of the Whole)- This is a Greenlink grant. John Gardner provided a presentation. This grant application proposes to acquire 8 Proterra battery electric buses, which are manufactured in Greenville, to develop an express bus service in Greenville County. Staff has identified three options for an express bus station in Mauldin. The station should be designed to accommodate up to 3 buses – the express bus and up to two “feeder route” buses.

Option 1: A station could be located on the 0.65 acre site that is our former Sanitation Department; a very general “concept plan” for an express bus station on this site is attached, and could include a sidewalk to connect a major gap in our sidewalk network, a pocket park similar to some along the Swamp Rabbit Trail in Travelers Rest, and a replica of the old Mauldin railroad depot. This is generally consistent with the downtown master plan for the area, which included a replica of the railroad depot in a slightly different location.

Option 2: A station could be developed as an “on-street” station on Jenkins Street, which would require much less land than shown in option 1; about 20 feet of additional right of way width along approximately 150 feet of street frontage would be needed to provide a bus turn-out so buses would not

block the street and a space for a smaller waiting area, similar to existing bus stop shelters at some Greenlink stops.

Option 3: An on-street station could be developed on Murray Drive at the existing bus stop location; as in Option 2, about 20 feet of additional street right of way width would be required to provide a bus turn out.

No action was taken on the item. A special called Economic Development and Planning Committee meeting will be held Friday, April 22nd at 5:00 pm to discuss.

b. Consideration and action on standing committee rules (Finance)-

Chairwoman King made a motion to accept these rules. Councilman Merritt seconded the motion. Councilman Crosby made an amendment to the motion and said he would like to change the section regarding the Mayor's appointments of committee members. He would ask that approval be taken out and consent put back in. There will be no council vote on committee appointments. Councilman Matney seconded the amendment.

Councilman Merritt said the Mayor is like the rest of the council members, who only has one vote. Committee appointments are very important. Mayor Raines said he is concerned that having the council vote on appointments makes it a public process, which may bring out personal information. Mayor Raines said he takes untold hours considering these appointments and always asks each council member for consent before the appointments. Councilman Merritt said we have heard tonight about transparency.

Chairwoman King said in this case, consent is approval. Councilman Merritt asked why these concerns were not raised during the committee meeting? Council members were asked for their opinion during Public Comment. Councilman Merritt said he would rather the amendment be withdrawn and the rules go back to committee. Councilman Matney said once it gets to council, that is when other council members can voice their concerns or make amendments. There is no need for the item to go back to committee. Councilman Crosby said committee meetings are for committee discussion, not for comment from council members. The amendment passed 4-3 with Councilman Merritt, Councilman Black and Councilman Goodson opposing.

Councilman Crosby made a motion for another amendment and asked that the cultural center be moved to the Economic Planning and Development Committee. Councilman Matney seconded the motion. Councilman Merritt said the cultural center has always been under Recreation. Councilman Goodson said the Office of Cultural Affairs is under economic development. Councilman Merritt said there was not a good definition for cultural affairs, so we changed it to community development. He has not heard any feedback on this before and this is taking him by surprise. Councilman Crosby said he would like the Office of Cultural Affairs to be put under the Economic Planning and Development committee tasks. The vote was 5-2 with Councilman Merritt and Councilman Black opposing the amendment.

Councilman Black said we have been back and forth on these standing committee rules. Council has had opportunity to weigh in on the item. He wants council to contact the chair beforehand with any concerns.

John Duggan said that is improper. You cannot get feedback on agenda items from other council members who are not on a certain committee because then it becomes a council meeting that was not advertised. Councilman Black asked for a ruling. John said that is case law. As non members of a committee meeting, council members cannot participate or communicate on what the committee is doing. If you form an opinion on what is being done, then that is a violation of FOIA. Non committee members cannot give their opinion in a non-public meeting. Councilman Merritt said the committee meetings were public meetings. John said the minute another member discusses an item on the committee agenda, it then is a council meeting that was not advertised. Four members of council becomes a council meeting since that is a quorum.

Councilman Merritt asked if he solicits Councilman Crosby's opinion on something, it is just him talking to Mr. Crosby, they are not on the same committee. John Duggan said you can't do that, it is against FOIA. If

another council member makes input into what the committee is doing, it is a council meeting. You can't give a committee input. There are cases that have gone to the Supreme Court about this.

Councilman Merritt asked if he and Mayor Raines sit down to talk about committee members, would that require a public meeting? John said no, that does not require a public vote. Councilman Merritt said yes, because that was just taken out of the standing committee rules. Attorney Duggan said the Mayor is designated that authority and he is just received input before he uses his authority.

Councilman Crosby asked what if he gets together with Councilman Merritt at Dunkin Doughnuts to talk about something that is coming up on a committee agenda. John Duggan said you can't do that.

Councilman Black asked about said he made a motion at the committee meetings to suspend the rules to bring public comment forward on the automotive and tattoo shops so council could be involved in getting input on these ordinances. John said you can't do that. Councilman Black said no one challenged that. John said the minute you get input from non-committee members it is a council meeting. Councilman Black said that was the public comments section. Council members are not council members, they are the public at that time. John said no, that was not correct. Do not do it.

The motion as amended was 6-1 with Councilman Merritt opposing.

- c. Consideration and action on fencing regulations (Building Codes)- Chiarman Black made a motion to accept this ordinance on first reading. It provides that front yard fencing that is located within the front yard and positioned to run parallel with the side property line(s) may exceed thirty-six (36) inches in height when such fencing meets the following standards:

Fencing is of a decorative, non-opaque material and is setback a minimum of ten (10) feet from the street.

Fencing does not exceed five (5) feet in height when it extends beyond the primary building façade.

Councilman Merritt asked if chain link fencing is considered non-opaque. Kim said yes. Councilman Merritt asked that the motion be amended to change the height requirement on section A from 36" to 48". Councilman Merritt said dogs can clear 36" fences. This would be for non-HOA neighborhoods. HOA would trump council's regulations. The vote on the amendment was unanimous (7-0). The vote on the motion as amended was unanimous (7-0).

d. Consideration and action on fireworks display approval (Rec)

Chairman Merritt made a motion to approve allowing a fireworks display at the end of the last Beachin' Fridays, on June 3rd. This will be in city hall's parking lot. This will be a class C display and could cost \$7,000. The city is looking for sponsors for the event. The vote was unanimous (7-0).

9. Public Comment- Leo asked why, if the committee meetings are open to the public, is there a problem with council members participating? He thinks it shouldn't matter.

John Duggan said the state Supreme Court respectfully disagree with Leo's legal opinion.

10. Council requests.

11. Consideration and action on executive session pertaining to SC Code 30-4-70 (a) (2)- Discussion of negotiations incident to proposed contractual arrangements. Intergovernmental agreement between the City of Mauldin and Greenville County regarding Recreation.

Councilman Merritt made a motion to go into executive session pertaining to SC Code 30-4-70 (a) (2)- Discussion of negotiations incident to proposed contractual arrangements with Councilman Matney seconding. The vote was unanimous (7-0).

Mayor Raines reconvened the council meeting.

Councilman Merritt reported out that no action or votes were taken in executive session.

12. Consideration and action on intergovernmental agreement between the City of Mauldin and Greenville County regarding Recreation. (Committee of the Whole)

Councilman Merritt made a motion to accept the contract that has been placed before them and to authorize the Mayor to sign the contract on behalf of the City. Councilman Matney seconded the motion. The vote was unanimous (7-0).

Councilman Goodson asked about amendment?

A special called Economic Planning committee meeting will be held Friday, April 22, 2016 at 5:00 pm.

The meeting at Springfield Park with Langley will be held Thursday, April 21st at 3:30 p.m.

13. Adjournment. – Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk