

**MINUTES  
MAULDIN CITY COUNCIL  
JUNE 15, 2015  
7:00 PM**

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

1. Call to order. – Mayor Raines
  - a. Invocation- Councilman Matney
  - b. Pledge of Allegiance- Councilman Matney
  - c. Welcome- Mayor Raines
2. Proclamations and Presentations- Mauldin Chamber- None
3. Reading and approval of minutes.- Council minutes May 18, 2015; special called Council meetings June 1, 2015; June 4, 2015

Councilman Cook made a motion to approve the May 18, 2015 council minutes with Councilman Crosby seconding. Councilman Merritt made one change, saying that one of the votes that were labeled unanimous was actually 6-1. With that change, the minutes were approved unanimously (7-0). Councilman Merritt made a motion to approve the June 1, 2015 minutes with Councilman Black seconding. The vote was unanimous (7-0). Councilman Matney made a motion to approve the June 4, 2015 minutes with Councilman Merritt seconding. The vote was unanimous (7-0).

4. Public Comment.

Dean Kirkland: What is the Office of Cultural Affairs?

Mayor Raines: That is our cultural center.

Dean Kirkland: Does that include Memorial Day services?

Mayor Raines: Yes.

Dean Kirkland: I am a Veteran. I have a great credit rating all over the United States and I do not have a criminal record. I offered to sing Arlington last year for the vets and this year I was turned down. I was told that I was not the kind of people they want there. I am going to ask why come the police and fire departments don't put it on instead of one church. Vets come from all different

faiths and we die for all if we have to. I would like for you to make a note and consider making a change to bring it back to the City. I was baptized First Baptist, so I am not being partial, but I would like to sing that song in honor of the vets.

When will we on Fargo Street get to pick out our fence, when is the completion date and why hasn't the City looked at options to close Danbury Lane? Chief Sherbert and Renee signed it. They are two signatures. You don't back down unless your commander calls me down and my commander has not called me down. My document on Trey Eubanks and Mike Lambert is true. Why are they still employed by the City of Mauldin?

Mayor Raines: That is a personnel matter, Sir. I will ask you to refrain from commenting on personnel matters. Please don't talk about our employees.

Dean Kirkland: Oh, it is? Ok. I am sorry I did that. Some people laugh about me because I say I am a prophet. They don't laugh at Charles Stanley at In Touch Ministries. They say prophets are judgmental and crazy. I don't fit that. I am what I am by the grace of God. My three minutes are up.

5. Report from City Administrator- Trey reported 66 employees attended the lunch and learn. On June 23<sup>rd</sup>, a trip will be taken to Georgia to view cities that have had success with a downtown master plan.

The RFPs for improvements to Springfield Park have been sent out and are due June 29<sup>th</sup>.

There will be a recommendation on a contractor for the sewer bond project at the July PW committee meeting.

The gateway signage will be dressed up a little more. We have received positive feedback. The way finding sign bids will be updated and council will be apprised of an updated installation date.

The encroachment permit is finally in and 14 decorative street lights will soon be installed at Butler and Corn.

Councilman Goodson asked if the sewer bond ordinance would be handled like the ball field lighting bond. The contractor will give a recommendation on what should be done. Trey said yes, that was a good analogy.

Councilman Black asked about the activity on Loblolly Lane. Trey said on Friday morning, a contractor was clearing an area for a driveway to be poured. The mud ended up being pushed out into the street. PW, Police and Fire responded trying to help with the situation. Officer Ryan came out to speak with the property owner and contractor and the contractor committed to cleaning up the spill in the road Friday afternoon. The clean-up was not completed on Friday. The encroachment permit was pulled and will not be released until the clean up is done. The contractor was told to protect the storm drains, but after an inspection, the storm drains are full of mud and dirt from the spill. These are DOT storm drains. Greenville County came out today and provided a notice of violation and will require a letter of corrective action from the contractor. The City has issued a summons.

Councilman Black asked if the contractor is liable for the inconvenience caused to the neighbors. Trey said that would be a legal question. They have been issued fines and they still have work to complete. The City is going to look at the situation again tomorrow and if it is not remedied, more violations will be levied.

Councilman Matney said he talked to the property owner yesterday and she has offered to pay for car washes and pressure wash the mailboxes for the neighbors who have been affected. Councilman Black said he went by yesterday and contractors had a pressure washer washing the mud into the storm drains as fast as they could.

Councilman Goodson made a motion to suspend the rules to allow any residents to comment at this time. Councilman Matney seconded the motion and the vote was unanimous (7-0).

Cathy Jones: I live at 209 Loblolly Lane. If you are looking at the house, it is the one on the right. I am just wondering if the construction is permanently on hold until this is resolved.

Trey Eubanks: The encroachment permit is what is preventing additional work from taking place. The conditions placed on the contractor are to clean up the roadway and resolve the issues with the storm drains. When those issues are resolved, we can release the encroachment permit so they can complete the driveway.

Cathy Jones: I am assuming some kind of charges will be filed so that Mauldin citizens do not have to pay to clean this up?

Trey Eubanks: Yes. This is the responsibility of the contractor and ultimately the property owners.

Cathy Jones: While we are grateful for the neighbors offering to pay for this and do a neighbor to neighbor type of thing, these relationships are terrible. I would never, after the events of the past three days, I would never go over there and speak with her. I can't walk my dog. My kids can't ride their bikes to the pool. It is causing residual affects. Thank you. The City of Mauldin, Public Works, the Police Department, Codes Enforcement have become my friends, Business Development, I talked with you today. And Taft on vacation. I am so sorry. We decided it wasn't a vacation, he was just at the beach. Everyone has been amazing and we so appreciate everything you have done.

## 6. Reports from Standing Committees

### a. Public Works (Chairman Goodson)

- i. Reports and Communications from the PW Director- Mike presented his numbers for the month. Councilman Merritt asked how often the grass clippings are picked up. Mike said the trash truck drivers make a list of what they see on their rounds. A bag truck comes out to pick up the clippings as manpower allows. Councilman Matney said he has noticed sometimes the

clippings sit out for a couple of weeks. He also asked how citizens are notified if they put out carpet, which we do not pick up. Mike said if carpet is brought to the street, a tag is put on the carpet advising the homeowner that we do not pick it up. It shouldn't go longer than a week before it is tagged. Mike said if it has been out for three weeks, he assumes that the homeowner has not taken care of it. If the carpet is still out there the second week, Codes Enforcement is involved.

Chairman Goodson said he would like to put on the public works committee to look at what we can do to make sure things are picked up promptly. Mike said that was fine, a limb truck runs every day. We tell people that their limbs will be picked up at least in ten days.

Chairman Goodson asked if there was a maintenance policy where departments could notify public works if they notice a maintenance issue that needs to be fixed. Trey said the department heads weigh in during department head meetings and that he will mention that again in the next staff meeting. Councilman Cook said we have a work order system and that is what they need to use. Trey said they do.

Mayor Raines asked if the GPS systems are still in the garbage trucks. Mike said they are not operational and the company is out of business. He did say that the drivers write down where they have been each day.

b. Finance and Policy (Chairman Black)

- i. Reports and Communications from Finance Director- Holly reported that a property tax check had been received today. We are above budget by about \$200,000. Business licenses and franchise fees are above budget as well. The first insurance tax payment regarding business license from the MASC will be coming soon.

c. Building Codes (Chairman Crosby)

Reports and Communications from Business and Development Services – Kim reported 214 commercial permits have been pulled this year and 245

residential permits have been issued for the year. 102 plan reviews have been done this year. 55 tenant occupancies have been done. Councilman Goodson asked about the landscape ordinance. She said that should be to committee in July or August. Mayor Raines asked if RCI was still under budget. Kim answered yes.

d. Recreation (Chairman Merritt)

- i. Reports and Communications from Recreation Director. – Van Brannon reported 2616 Seniors participated in events in May. The Summer Fun program has been started at the Sports Center. The Trevor Booker basketball camp ended on Friday. The wheel chair softball tournament was this past weekend.

Councilman Goodson asked about an advisory board of coaches that was talked about a couple of years ago. Van said there is not a formal board, but they do meet more often than they used to. He doesn't think we would get a lot of participation on a formal board. Councilman Matney said he was talking to some people about the Recreation activities. He said the people said we are leaps and bounds from where we were two years ago. They were very complimentary on what we have done.

Councilman Goodson asked if we are going to look at an affiliation. Van said there have already been meetings about that. Van said the organization would have a board, but Mauldin Recreation would not participate on the board, but we would talk to the District Director.

e. Public Safety (Chairman Cook)

- i. Reports and Communications from Police Chief- Chief Turner gave his report. Property crimes increase in the summer when schools are out, so the department anticipates that. It is a target issue. The Girls' Academy is going on now. The graduation will be held next Friday at 10:00 a.m. The adult academy is starting registrations as well and will be going on August through November.

Councilman Black asked about body cameras. Chief Turner said we have been looking at these for a while. The City is working on a grant for these cameras. Our crime rate sometimes does not qualify, but we are still applying. We budgeted this year for ten cameras. Councilman Black said he talked to some officers about the lapel and glass cameras. Chief said they are looking at the pros and cons of both.

Councilman Merritt asked if Chief Turner has had any complaints about the intersection of Owens and Butler Roads at Tony's Pizza. Chief said not that he knows of, but he can pull the accident history. He said he would drive out and check it out. Councilman Merritt said patrol might notice it and report those situations to someone. Chief Turner said the patrolmen look at a lot of violations when they are out. They said on July 7<sup>th</sup> and 21<sup>st</sup> we will hold public meetings on the Butler Road corridor. Staff has already noted the traffic issue at Owens Lane. Councilman Merritt said he appreciates that, but he doesn't want to delay this with a study, he would like something done.

Councilman Matney asked about the body camera grant and if we should look at doing a multi-jurisdictional grant. Chief said they are done by population, so we can't do a multi-jurisdictional. There are only 18 grants that will be given.

Councilman Matney asked about the new recruits. We have 6 new recruits that are at the academy now. Three are about halfway done and the others are there now. When they are done at the academy, Chief will present them to council.

- ii. Reports and Communications from Municipal Clerk of Court /  
Administrative Judge- Jury trial dates have been set. The set off debt collection continues and a number should be provided to council soon on how much was collected.
  
- iii. Reports and Communications from Fire Chief.- Response times are three

minutes. 262 total calls were run last month. The Career Center is starting their second year of the firefighter program. 30 students will be going through it. They are certified Firefighter 1 when they finish the program. Chief Sapp thanked everyone for their participation in preparations for Chief James Moore.

- f. Planning and Economic Development (Chairman Matney)
  - i. Reports and Communications from the Economic Developer- John was not present. They reminded council we will hold public hearings for comments on the East Butler corridor. Alta Planning will be looking into options for tying into the Swamp Rabbit trail.

Trey made a presentation to Cardinal Estates last Tuesday for a possible annexation. We have had a couple of inquiries for warehouse space, we continue to tout 1400 Old Stage Road, and there will be a 60,000 square foot development at Brookfield. The Old Miller/Miller residential project should start in October.

- ii. Office of Cultural Affairs report- George McLeer reported there has been 980 events with 9200 attendees so far. The capital campaign continues. Plays by Shakespeare will begin this weekend. Councilman Merritt asked about the capital campaign. George said he has had a few verbal pledges, though nothing is formal yet.

## 7. Unfinished Business

- a. Consideration and action on clothing allowance (Finance)- This has been a subject that has been brought up for about four years. The proposal now is to add the amount everyone receives as clothing allowance to their salary one-time with deductions taken out so it will be revenue neutral. Chairman Black does not agree with this since it is not equal across the board. Some employees receive the allowance and some do not. Chairman Black said this is not truly a one time adjustment since it raises a salary. Chairman Black said this goes against the personnel policy, which states that pay raises will be merit based. Chairman Black made a motion to approve this

item, but would not vote for it. Councilman Cook seconded. Councilman Goodson said he agrees that it is not fair since not everyone receives the allowance. He said the MASC stated we are the only City that gives a clothing allowance. Councilman Cook asked Trey to elaborate. Trey said there are a number of police departments that receive clothing allowance- at least a dozen of them. Sometimes it is for executives in the police department, sometimes for investigators. Councilman Goodson asked if they receive a lump sum or if they have to spend it somewhere specifically on specific clothing. Trey said it is a reimbursement for what they purchase.

Councilman Goodson said if we break this down, it would average around \$400. He would like for employees to be able to buy logo clothing through a company. Councilman Goodson made an amendment to allow those who do not get an allowance now to spend \$400 on logo clothing through an embroidery company. There was no second for the amendment.

Councilman Merritt said he respects Councilman Black for trying to address this. This is a clothing allowance for a select few. It has nothing to do with police and fire uniforms. We are not limiting that. This would take away a perk. In companies, certain executives get clothing that not everyone else gets. Adding this to the salary removes this discussion. It is not a lot of extra money for these employees who may or may not have been promised this as part of their benefits. Councilman Merritt said he just wants it off the table. Buy your clothes with your salary and come to work. Not everyone gets the allowance because life is not equitable. The guy who punches a time card was not promised a clothing allowance. It is not fair and life never will be.

Councilman Matney said he has heard that the employees don't care what is done as long as someone tells them what we are going to do and quit talking about it year after year. He said his disagreement is this will not permanently be on the city books. Most people do not start and end their careers with the City. There is some turnover. Eventually this will be eliminated by attrition. Councilman Merritt is right, not everyone receives the

same type of benefits. This was probably put into place to attract high caliber employees to manage the departments. Chairman Black said the personnel policy is being ignored and a new policy needs to be written to allow salary adjustments not based on merit. Councilman Matney said it is not a performance based adjustment, so the policy doesn't need to be changed. Chairman Black said it says performance only salary adjustments.

Councilman Merritt asked where this would show up on a W2. Is it a part of salary? Holly said it will be on the W2 as part of the salary and will be taxed as such. Councilman Crosby said this is part of the pay they were promised, it will just take another form.

The vote was 5-2 with Councilmen Black and Goodson opposing.

- b. Consideration and action on FY2016 budget ordinance (Finance)- This is consideration and action on second reading of the budget ordinance. This will be without the clothing allowance. Chairman Black made a motion to accept this. Councilman Merritt seconded the motion. Councilman Merritt said this has been an educational process. There are certain items he doesn't like but does not want to hold up the budget. This will be revenue neutral in regards to the clothing allowance. Councilman Goodson said staff puts a lot of work into this and holds the City financially secure. Councilman Crosby thanked the department heads as well for holding to the budget. The vote was 5-2 with Councilmen Black and Goodson opposing.

## 8. New Business

- a. Consideration and action on lighting at City Center and Recreation (PW)- Mayor Raines recused himself from this vote due to a conflict of interest. Chairman Goodson said we may either want to do this all at once or in phases. Councilman Cook said we could appropriate the money but do it in phases. Chairman Goodson made a motion to appropriate \$22,644.60 and start with the parking lot lighting. Councilman Cook seconded the motion. Councilman Black said he is confused because there are several different figures in the summary. Trey said the \$6600 is the average annual utility savings. The total cost of the lighting is approximately \$31,000. We need to appropriate the total amount for the lighting. Councilman Merritt said the summary mentions security issues in the sports center. He has never heard

of this and doesn't think this adds up at all. There are also no guarantees for the savings. This is the first he has heard of lighting in the Sports Center and finds this to be an affront to him as the Recreation chair. The bulbs were just replaced. He would ask for the respect as the chair to see this and know about it beforehand.

Chairman Goodson said he only wants to do the parking lot piece first, not the inside of the Sports Center. Trey said there are 28 street lights included in the parking lot for \$8385. Councilman Cook made an amendment to only do the security lights outside. Councilman Black asked all street lights or the ones on the wall? Councilman Cook said only the parking lot lights. Trey said there is new lighting on the wall of the sports center for the parking lot. That has already been installed. The additional external lighting is the 28 street lights for \$8385. The interior lighting is \$22,644.60. Councilman Cook said council needs to look and make sure that this is what we want. Trey said that was fine and we could do more if we need to. Councilman Cook withdrew his amendment. Councilman Merritt said he would like this item to go back to committee so we can do due diligence. Chairman Goodson withdrew his original motion and made a motion to send this back to committee. PW and Rec can meet jointly on this matter. Councilman Black seconded the motion and the vote was unanimous (6-0) with Mayor Raines' recusal. John Duggan reminded council that if the committees meet jointly, if there are four different members of council present, that constitutes a council meeting and must have notice.

- b. Consideration and action on usage of park property (Rec)- We have been approached by a local group to use part of our newly acquired land at Sunset Park for Cricket. An agreement was drawn up. Chairman Merritt made a motion to send this back to committee. Councilman Goodson seconded. Councilman Matney said this was a fantastic opportunity for Mauldin. He looked at the contract and thinks there are holes to be filled and clarifications to be made. He does not want to use this as an excuse not to hold it up though. Chairman Merritt said the committee supports this. Cricket is the second most popular sport in the world. It comes from the

British Empire. This group has been playing since 2007 and does not have a permanent playing field now. They played at Camperdown until it was sold. We just need some more wording in the contract. Some logistical issues need to be addressed. This group is made up of men who pay business licenses, hospitality taxes and they are residents. They are us and we want to support them. The vote was unanimous (7-0) to return this to committee.

- c. Consideration and action on DOT easement at Fowler Circle (Committee of the Whole)- This is permission to put a sidewalk at Fowler Circle and part of it will be on Sunset Park grounds. Councilman Matney made a motion to approve this and request the Mayor be authorized to sign this after review and approval by the City Attorney. Councilman Cook seconded the motion. Councilman Black asked where the sidewalk would start. This sidewalk will be on the eastern side of Fowler Circle on the other side of the tavern and go to the park. Councilman Goodson asked if this could be a link to the Swamp Rabbit trail. Trey said it could. This may serve as a link at some point. The vote was unanimous (7-0).
- d. Consideration and action on sewer agreement (PW)- Chairman Goodson made a motion to place this item on hold pending legal advice. Councilman Matney seconded the motion and the vote was unanimous (7-0).

## 9. Public Comment

Dean Kirkland: A lot of times I wear black like Johnny Cash, for the same reason he did, to identify with the lost ones. I hope today I will be better than yesterday and tomorrow better than today. Anyway, the hole in the trash can thing. You said you had to leave them open so the inspectors could come by. If they close it, you don't have to drill a hole in them. If they leave thee open, things get wet and there are juices in there that start to smell. If they don't get picked up, don't you think the citizens are smart enough to call the department and have them pick up their trash? There is also a form available that they will come in your yard, pick it up and put it right back.

Mr. Mayor, do you remember I needed to talk to the attorney about the palm tree. You wrote it down? I got mad about alcohol. We voted it down one time, two times. That is like saying God didn't know what he was doing when he had you vote it down. God always knows what he is doing. Alcohol around children is wrong. Adults who drink too much are wrong. God doesn't like alcohol. That is the reason I got mad. If I offended you, I apologize. That is God's opinion.

I have no right to seduce your wives or daughters and you don't either. Last month, I said Ichabod. Does anyone know what that means? Did anyone bother to look that up? Ichabod means Gods has departed.

Mayor Raines: Your three minutes is up.

Dean Kirkland: That's alright. I look forward to meeting with our Counselor.

John Duggan: When this body authorizes me to talk to citizens about city business, I will. If I bill the City each time a citizen wants to talk to me, it could be a substantial amount of money. If they authorize me to talk to you and they will pay the bill, I will. But, not until then.

Dean Kirkland: The Mayor said I could talk to you.

John Duggan: Well, until then, I don't talk to citizens. It will require a vote of this body to authorize it. My responsibility is to do what this body requires me to do. I haven't returned your calls for that reason. I can't do that.

Dean Kirkland: I want a document about Danbury and the palm tree. Is there a problem from this council to talk to him.

Mayor Raines: Mr. Kirkland your three minutes is up.

Dean Kirkland: I want to talk to him.

Mayor Raines: Mr. Kirkland, I am not going to ask you again. Please sit down.

Dean Kirkland: Everyone knows what is going on.

10. Executive session for a contractual and a personnel matter (Committee of the Whole)- Councilman Matney made a motion to go into executive session with Councilman Goodson seconding. The vote was unanimous (7-0).

Councilman Matney reported out of executive session. No decisions were made and no action was taken.

Chairman Goodson made a motion to move the sewer contract to the next PW committee meeting. Councilman Crosby seconded the motion. Councilman Black asked that it be stated that all legal documentation be received before this comes back for a decision. The vote was unanimous (7-0).

11. Council requests.

12. Adjournment. – Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller  
Municipal Clerk