

**MINUTES
MAULDIN CITY COUNCIL
MARCH 16, 2015
7:00 PM**

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

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

Pat Pomeroy was present from the chamber. She reported that AT&T's ribbon cutting will be March 27th. The chamber is starting a roundtable business connection. Businesses will be invited in and the City will talk to them about what is required from a business in Mauldin. The Chamber will talk to them about chamber activities.
3. Reading and approval of minutes.- Council minutes February 23, 2015

Councilman Cook made a motion to approve the minutes with Councilman Crosby seconding. The vote was unanimous (7-0).
4. Public Comment.- None
5. Report from City Administrator- Trey reported on the bus shelters. Two are installed and we are waiting on word regarding handicapped compliance for the one near Lion's Gate Apartments. Greenlink would like to come and present a council report in Spring or Summer. The walking trail expansion for the Veteran's Walk is complete. The plaques and bases are installed. The walk will be extended to connect it close to the amphitheater.

A lot of work has been completed at city hall. Flooring and painting is done. There are a few small projects that continue.

77 attended the lunch and learn last week.

TMALDI is holding its Get Smart program tonight at the cultural center. Councilman Black asked about the new door over in the police administration department. Trey said that is underway.

Councilman Goodson asked that the walkway be ready by Memorial Day, which is May 25th. Trey said we would do everything we can to meet that goal.

6. Reports from Standing Committees

a. Recreation (Chairman Merritt)

i. Reports and Communications from Recreation Director

Director. – Van reported the Seniors are participating in a lot of programs. The Biggest Loser continues at the Sports Center. The 11-12 youth basketball team went to state, but fell a little short. They represented the city well. The Easter Egg Drop is March 28th. Councilman Black asked about softball and baseball participation. Van will get him the number. There will be another LaCrosse clinic soon.

b. Public Safety (Chairman Cook)

i. Reports and Communications from Police Chief – Trey reported on behalf of Chief Turner. He is at CALEA training today. We had an assessment done in October and got strong indication that we would maintain our certification.

ii. Reports and Communications from Municipal Clerk of Court /

Administrative Judge- Angela reported that she is proud of the basketball team her son plays on. They have been undefeated for many years. They did lose the state championship by twelve points.

There was a jury trial term February 23-27th. 66 cases were disposed of.

iii. Reports and Communications from Fire Chief.- There have been 239 total calls for the year. The overall response time is 2.8 minutes. The new fire trucks will be outside at 5:15 p.m. on April 6th. County Council members and the County Administrator will be present.

c. Planning and Economic Development (Chairman Matney)

- i. Reports and Communications from the Economic Developer- John reported we have had notice that Coca-Cola will be moving. They have been there seventeen years. John has already gotten communications from people who are interested in the facility right now. Coke is starting to introduce a refrigerated milk product.

There has been one new inquiry on 1400 Old Stage Road and one new inquiry on a vacant building in the City.

We are still waiting on an encroachment permit for lighting on East Butler Road.

The gateway signs have been delivered. The City is waiting on utility Markings before installation.

There is a meeting tomorrow with DOT regarding sidewalk at Fowler Circle. Councilman Black asked if Coca-Cola owned the building. John said no, Phil Hughes owns the building.

Councilman Black asked about the lights at the Sports Center. They said the PW Director has located some areas for a few additional lights. We are also looking at wall packs and LED lighting for the street lights.

Councilman Goodson asked about the vehicles that are parked at the Golden Strip shopping center. John said he thinks that is car lot spillover. The cars are not moving. Councilman Matney said they seem to be transportation for rent. Councilman Cook said he heard that from somewhere. Kim said she was not aware of this problem, but would look into it.

Councilman Matney asked about directional way finding DOT signs. John said DOT limits it to three signs on their rights-of-way. They also need to be brief. Councilman Crosby said he has less than perfect vision and would like the signs to be brief.

ii. Office of Cultural Affairs report

There have been 3380 people year to date at the cultural center. The Cultural Council is meeting tomorrow to go over the art submissions. The Cultural Council will approve the artist. This year's theme is Crossroads.

Councilman Black asked if it would be something especially about Mauldin. George said it would relate to Mauldin, but wouldn't be that specific, it would be more general.

d. Public Works (Chairman Goodson)

- i. Reports and Communications from the PW Director- Mike showed his presentation. He had some pictures of the two winter events as well as other activities the department was working on.

e. Finance and Policy (Chairman Black)

- i. Reports and Communications from Finance Director- Holly reported property tax revenues look good. Business licenses are due in April. Chairman Black asked about \$239,000. Is that a sewer transfer? Holly said it is probably what will be released from the sewer fund balance

f. Building Codes (Chairman Crosby)

- i. Reports and Communications from Business and Development Services- Kim reported the department has issued 120 commercial permits. The software is still being developed. Councilman Goodson asked about the shopping center that had the fire. Kim said they have heard that will be demolished due to the structural damage to the restaurant.

7. Unfinished Business

- a. Consideration and action on selection of engineering firm for sewer improvements (PW)- Chairman Goodson thanked council for sending this back to committee. The PW committee had a good meeting regarding this. Chairman Goodson made a motion to select Frazier Engineering as the engineering firm for the sewer improvements. It is not to exceed \$352,340. Councilman Cook seconded the motion. Councilman Black said he voted against the sewer bond because we have equipment in house to do some of this. He said he thinks we should have identified what we can do. We have the cart before the horse. He said we should have gotten everything together before we got Frazier in here. That is the reason he didn't vote for the bond.

Councilman Cook said we can add to the motion that what we can do in-house, we will. They said we are doing work in-house. The City has already almost completed basin one itself. Councilman Black said that doesn't include the basins that Frazier has in the contract. Councilman Black said we should have all the basins cleaned and smoked, send the information to Frazier, and then go out to bid. Councilman Cook said he would like to amend the motion to say if we can do something in-house, we will.

Councilman Merritt asked if all we are voting on now is to select Frazier, not the contract. Mayor Raines said the contract would be done in a separate motion. Chairman Goodson said he checked Frazier's references. The references were all favorable and said each one commented that they came in under budget. Council and Frazier will have the opportunity to meet every month on the progress. Mayor Raines said Frazier will work closely with Public Works as well. The vote was 6-1 with Councilman Black opposing.

Chairman Goodson then made a motion to authorize the Mayor to enter into a contract with Frazier. Councilman Cook seconded the motion. Councilman Merritt raised a concern that the contract approval is not on the agenda. Councilman Black said he has no problem with Frazier, but the City has not identified everything we can do in-house. The vote was 5-2 with Councilmen Merritt and Black dissenting.

- b. Consideration and action on fraud policy (Finance)- Chairman Black asked Attorney John Duggan if he had looked at and approved this policy. John said he did review the policy and made a few small changes. Chairman Black made a motion to pass this policy with the chain of command. Councilman Merritt asked John Duggan if he signs anything that says he reviewed the policy. John said no, but after council pass items, he signs off on them. John said it is the City Administrator's responsibility to send documents to him for review. Sometimes the Mayor will call with questions.

Councilman Merritt proposed an amendment on the 3rd page under 4 where it says Administrator, to add Mayor or City Council. John asked if there was an indication of fraud by the city administrator and that he means if there is, that would go to the Mayor or City Council. Councilman Merritt said that was an example, not that he has any indication of wrongdoing by the city administrator. John said that was fine. The Mayor can be made aware of allegations against the City Administrator. John said that we have to be careful with personnel matters because of confidentiality. John suggested that it say that in the event there is evidence of fraud by the city administrator, that would be reported to the Mayor, who in turn will report it to Council. That adds one chain of command. If a department head has concerns about fraud by the administrator, they should go to the Mayor. The administrator has a different relationship with council because he is contracted.

Chairman Black asked about where it addresses the City Administrator speaking to the media. He would like it to say Administrator or Mayor. John said that was fine. Councilman Goodson asked again about the chain of command. John said that is referenced in the policy. We are just adding another level that the Mayor would handle the addressing to the public if it involves the City Administrator. The policy says to address it to the immediate supervisor, but if it is the immediate supervisor, it goes up the chain of command.

Chairman Black withdrew his motion and made another motion that this policy go back to committee to insert the changes we discussed tonight. Councilman Cook seconded the motion and the vote was unanimous (7-0).

- c. Consideration and action on text amendment to establish to new residential infill Districts and a new conditional use standards section (Building Codes)- This would establish R6 and R8 zoning classification and establish conditional use standards. Chairman Crosby made a motion to adopt this with Councilman Goodson seconding. Councilman Cook said he has a problem with R6. Kim said R6 allows smaller lot sizes. 7.3 units per acre. It would be a dense development with more open space. Councilman Cook asked what would be done at a staff level. Kim said they would be small changes that could be made by staff as long as certain conditions exist. For example, if a church wants to put up a shelter for a bus, staff would be able to approve that instead of it being heard by the Zoning Board.

The Planning Commission voted unanimously to recommend approval. Councilman Cook said that didn't change his mind. He said he brought up concerns either during first reading or at the committee meetings. Kim said she thought that was at a committee meeting. After the meeting, she sent out some additional information on this, including other cities who have dense zoning such as the R6.

Councilman Matney said he was trying to visualize what this would look like and where it would go. Trey said a number of cities have adopted this and it allows for more flexibility. Baxter Village in Fort Mill, Ion in Mount Pleasant, and Verdae in Greenville are examples. The houses are closer together and then there is open space in the back for a park, lake, etc. Councilman Goodson asked if this zoning was for new construction and was answered yes. R6 or R8 has to still come through the planning commission and council.

This item passed unanimously (7-0).

- d. Consideration and action on rezoning request for property located off of East Butler Road from Office to C1. (Building Codes)- This is property near Ashby Park and East Butler Road across from the car wash. Chairman Crosby made a motion to accept this rezoning with Councilman Merritt seconding.

Councilman Black asked if there was any opposition to this. He was answered no. The vote was unanimous (7-0).

- e. Consideration and action on East Butler Road corridor study (PEDC)- 7 firms submitted qualifications for the corridor plan. Three firms were interviewed- Alpha Planning, Land Plan Group, and Toole Design Group. Toole Design is recommended. They are a small group with a very good proposal. The Mayor will be authorized to execute the contract. \$5,446 in local matching funds has been budgeted in the current fiscal year for the project and has been previously approved by City Council. The project also will use \$21,783 in Federal Highway Administration planning funds provided by GPATS. Chairman Matney made a motion to authorize the Mayor to execute this contract. Councilman Cook seconded the motion and the vote was unanimous (7-0).

8. New Business

- a. Consideration and action on GCRA Miller Road project (Committee of the Whole)- Martin Livingstone requested approval for funding for a project on Old Mill and Miller Roads. This would provide affordable housing for lower middle class families, such as teachers, public workers, etc. There will be 18 units- 10 are affordable and 8 are market rate. There is enough room for sidewalks in the future should that be needed. Two people came to the public meeting. There was no opposition. CDBG and HOME funding will be used and paid back to the City. The maximum income will be \$35,000 a year. Imma Nwodubu was also present to answer questions. The income ranges go from \$24,000 to about \$65,000. The rent for two bedrooms will be \$610-800 a month.

Mayor Raines said the City of Mount Pleasant did some of this type of housing. Before this, firemen and police officers could not afford to live in Mt. Pleasant.

Councilman Matney said he had talked to a resident near this area and he was excited about this project. Councilman Cook made a motion to approve this project with Councilman Crosby seconding. Councilman Black asked if that was our sewer and if it could handle it. They said there was sewer capacity to handle the project. The vote was unanimous (7-0).

- b. Consideration and action on two alcohol requests (Rec)- Chairman Merritt made a motion to accept the alcohol request from the Chamber Women's Group. Councilman Cook seconded the motion and the vote was unanimous (7-0).

Chairman Merritt made a motion for this alcohol request. It would be for a banquet in May. Councilman Black seconded the request. Chairman Merritt said he believes this one sets a bad precedent. Minors would be present. He doesn't like the idea of people drinking in front of children and then driving them home. Trey said that there would be a police presence there at the banquet. Councilman Black said we have had weddings before where children were present. As long as the police are there and they meet the criteria, he doesn't think we can discriminate against them. The vote was 6-1 with Chairman Merritt opposing.

- c. Sewer salaries (PW)- This item was sent back to committee by a motion from Chairman Goodson and a second from Councilman Black. The vote was unanimous (7-0).
- d. Sewer laterals (PW)- This item was sent back to committee by a motion from Chairman Goodson and a second from Councilman Black. The vote was unanimous (7-0).
- e. Consideration and action on sign amendment (Building Codes)- This is first reading on a sign amendment. It will correct some discrepancies and allow some flexibility with signage. Chairman Crosby made a motion to adopt this on first reading. No second was given. Councilman Cook said he would like to send this back to committee. There are some concerns he has on the previous banner ordinance that was passed in 2009. Chairman Crosby said he has heard some concerns on this ordinance so he withdrew his motion. Chairman Crosby made another motion to pass this ordinance on first reading and taking the language on banners back to committee. No second was heard on that. Chairman Crosby then made a last motion to send this entire ordinance back to committee. Councilman Cook seconded the motion and the vote was unanimous (7-0).

- f. Consideration and action on neighborhood/ developer meetings (Building Codes)- Chairman Crosby made a motion to pass this on second reading. This is for public meeting notice regarding rezoning and other issues. There have been concerns regarding who will pay for the signs and place them. The City will have the signs and charge a \$30 fee for them. The developer is responsible for placing the signs. Councilman Matney seconded the motion. Councilman Cook apologized for sending this to Trey and then questioning it. Councilman Black brought up the \$30 sign fee. That tells him the applicant will pay for the sign. The Business and Development department will check behind to make sure the signs are placed. This is required for zoning or a planned development.

Councilman Matney thinks this is a good opportunity to be open and honest with affected neighborhoods. There was a meeting held here at city hall that opened up lines of communication for an action that was opposed that ended up being supported. The vote was unanimous (7-0).

- g. Consideration and action on Sunset Park building expansion- Miracle League (Committee of the Whole)- This is a 20X23 building near the Miracle League fields. This has no financial impact to the City. This building will be utilized by the Miracle League as long as they are in existence in the City. Councilman Merritt seconded the motion. The vote was unanimous (7-0).

9. Public Comment

Mayor Raines told the audience that DOT is looking at improving Bethel at Bridges and Bethel to Five Forks. They may include those locations in the project.

- a. Andrew Clark: Thank you. I live on Old Towne Way in Holly Tree. I am here to speak about the proposed subdivision. In a few weeks, your PC is to hear this project. My concern is traffic. On Friday, March 13th, it took me four minutes to make a left turn on to Bethel. There might be 40 people, 40 cars added to the traffic now. There is one way in and one way out of the neighborhood. There is a lot of traffic on Bethel going towards the Elementary School. The subdivision is a high density one and the traffic is my main concern. It is hard for us to get around. You have heard from us in 2007 on the same property. At that time, it was four 8 units with two accesses to Bethel. Bridges is a parking lot from 5:30-6:15pm every day.

What the Mayor mentioned is not going to happen this week or next week. I am concerned about the extra cars that will be trying to get out of one exit at a time in the morning where Bethel is already congested. Our group will probably attend the planning commission meeting. Thank you for the opportunity for you to hear me.

- b. David Buffalo: I live at 205 Old Towne Way. I get up at 4:30 every morning and go to the gym. I am a trainer and I run my own business out of my home. To get back to my home, I try to avoid the traffic from about 6:15 a.m.- 7:30 a.m. and beyond. I am afraid with the traffic I will not make it home on time. Even though a lot of what I do is automated, I still need to be there to make sure everything is running well.

In addition to the traffic, I am concerned about flooding. I know the engineering firms are addressing it, but when you pack that many people in a small area, and you have a slope, the runoff goes to a low spot which is represented by where those properties will be built. That is something that needs to be considered and is my primary concern. We know it will be developed, the key is to make sure that we have smart growth. Let's put some intelligence behind the planning. That is all I have.

- c. Mel Larkin: If I paint a picture of the subdivision, it has problems, but if you look at the property, it is great and is a nice place for something. It is a habit for deer and has some springs. The property downstream floods a lot. The developer wants to leave the center portion alone I think. You can't look at just the plot you have to look at the neighborhood. If you can make the left at Bridges, go up to Holland and take a right, you have several schools. Middle, elementary and then over 385 is the high school. This is a monster. It was in 2007. I had state representatives in my driveway talking about this. If you would make it a three way stop at Bethel and Bridges, that would help. Go 500 yards to Tanner, and you have the same problem. Bethel is a straight shot, but Bridges backs up, Tanner backs up, Highway 14. I go to church in Five Forks and I am at a dead stop at 14. I think everyone is looking for some resolution to this problem. If you look at the bigger picture, the planning has to be a bigger look. They want five homes per acre, and that is a lot of people. Help us look at the total traffic flow in the area. Nothing has changed since 2007.

Mayor Raines said he understands traffic problems. He lives on East Butler Road.

- d. Theresa Kizer: My address is 3004 Bethel Road. I am a neighbor to the City of Mauldin. I am contiguous. I want to give you a brief history lesson for those of you who were not here 8 years ago. The developer requested rezoning to R12 and submitted plans for 48 quadplexes. Council at that time disregarded our concerns and approved the annexation and rezoning. I have a County Council member who loves to say zoning is forever. Shortly after this, the developer went bankrupt. The bank has been marketing this property and now a new developer has submitted plans for 44 homes on 9 acres. The rest of the land is unbuildable due to springs and wetlands. This proposal is for a high density, five homes per acre. This is not compatible

with the half acre lots across the street. In the past 8 years, the traffic has become a greater nightmare . The proposal is worse than the original, with only one entrance and exit. This will create a greater nightmare. Highway 14 and Bethel is a cut through to the interstation. When we first built our home 30 years ago, I would see a car every 30 minutes. Now it is every 30 seconds. I know the Mauldin Planning Commission will hear this in April and I know that Mauldin City Council can overrule or modify the recommendations.

Annexation is sought to raise more revenue. Mark Farris is the President of the GADC. He has created a model to help the City of Mauldin and has come up with the cost of community services for residential versus commercial. For residential, for every \$1.00 in property taxes raised, it costs you a \$1.30 in services. That may surprise you. It did me. In comparison for commercial , for every \$1.00, it only costs \$.31 for service. I am not advocating this be rezoned to commercial. Did you hear that Councilor Cook? I would like an informed decision on development. I would like two entranceways and a less dense development. You don't want to have 44 angry residents here raising holy cane because they can't get out of their entrance onto Bethel because one of your wonderful sanitation workers is blocking the street. You think your phones ring now, that is one that you really don't want to have happen. You can have an impact on that.

My neighbors and I live, work, shop, and eat in Mauldin. We hope our concerns are considered. I would like those who support what I said to please stand up. For the record, I am here as a citizen of Greenville County and that alone.

Councilman Cook: Does this remind you of a county council meeting?

Theresa Kizer: Yes, it does.

Mayor Raines: There has been no submittal yet.

Theresa Kizer: We just wanted to make you aware. Knowledge is power. You will have several weeks to gather information and ask questions.

10. Council requests.

11. Adjournment.- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk