

A PUBLIC HEARING ON THE BUDGET WILL BE HELD BEFORE THE COUNCIL MEETING AT 7:00 P.M.

There is no tax or fee increase. The budget is balanced at \$18,188,367. There is an increase of about \$151,000 over last year. There have been five budget workshops to date.

The public hearing closed at 7:10 p.m.

Mayor Raines called the Mauldin City Council meeting to order.

**MINUTES
MAULDIN CITY COUNCIL
MAY 16, 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 Goodson
 - b. Pledge of Allegiance- Councilman Goodson
 - c. Welcome- Mayor Raines
2. Proclamations and Presentations-Mauldin Chamber; Basketball recognition; MHS Basketball coach Adam McClain introduction

Mayor Raines read the proclamation for OB Hospitalist.

Mayor Raines introduced Adam McClain and then Chairman Merritt passed out certificates for the 8U and 12U basketball teams.

Pat Pomeroy reported on the chamber's activities. The golf tournament went well.

3. Reading and approval of minutes.- Council minutes April 18, 2016; Special called minutes April 26, 2016

Councilman Matney made a motion to approve the April 18, 2016 minutes.

Councilman Merritt asked a question about the roll call vote. The Mayor's vote was not written down. The next amendment was that the minute order did not reflect tattoo parlors and automotive business items being moved to the front of the agenda. There were also a couple upcoming meetings that did not have

dates. With these changes, Councilman Merritt seconded the motion and the vote was unanimous (7-0).

Councilman Merritt made a motion to approve the April 26th special called minutes with Councilman Matney seconding. The vote was 5-0 with Councilman Black and Councilman Goodson abstaining from voting since they were not present at the meeting.

4. Public Comment.

Jeff Stull: I live on Crepe Myrtle Court. I came a couple of weeks ago to a committee meeting. I have lived there since 1995. I talked with my neighbors and the topic came up about policy and precedent and what needs to be done. There is a junction box between Long's and Jones' properties that the City put in around the late 90s. There is already a precedent. The City did work on private property.

John Duggan said if it is private property and the City went in and installed the junction box, that was improper. The City cannot do work on private property without an easement. Doing something wrong does not create a precedent.

5. Report from City Administrator- Trey reported that research is underway on a policy to address these types of issues. He mentioned the Memorial Day event scheduled for 10:00 a.m. on May 30th at the Veteran's Memorial.

Beachin' Fridays will be held on Fridays in June, culminating with a fireworks display on July 2nd.

Saturday June 4th- August 27th will be the Mauldin Market at the cultural center.

6. Reports from Standing Committees- reports are on file

- a. Planning and Economic Development (Chairman Matney)
- b. Public Works (Chairman Goodson)
- c. Finance and Policy (Chairwoman King)
- d. Building Codes (Chairman Black)
- e. Recreation (Chairman Merritt)
- f. Public Safety (Chairman Crosby)- Recognition of firemen; Recognition of

Capt. Roger Tripp

Several firemen were recognized for cardiac saves and one extrication from a burning building.

Captain Roger Tripp was recognized for 30 years of service to the City.

7. Unfinished Business

- a. Consideration and action on Forrester Woods drainage study (PW)-
Chairman Goodson reported that at the May Public Works committee, it was suggested that a policy be developed to address all of the city's drainage issues, not just the one in Forrester Woods. This item stayed in committee and requires no council action.

John Duggan said the pipe dimensions need to be determined so that the City will know the width of the easements we need to obtain.

Councilman Merritt said he agrees with the idea of a policy. The Forrester Woods problem, though, has been ongoing. It needs to be addressed. We can do something about the water that goes into the roadway without obtaining easements. Policies and procedures take time that we shouldn't wait.

Councilman Matney said we do have a need for a storm water policy, but this issue is not just about storm water. It is about safety and the potential of driveways falling in. The study has been done. The sinkholes have been talked about now for 6-8 years. We need to fix this for our residents.

Chairman Goodson said the Libby Lane flooding was horrible. There is a potential loss of life there too. We need to look at the big picture.

Councilman Crosby said he agrees with both sides. He wants to fix the Forrester Woods problem right the first time. He urged committee to come up with a plan.

Councilman Merritt said the overflow at Gilder Creek is a different issue than an overflow at Crepe Myrtle. You can't handle them the same way.

Councilman Matney said there is money appropriated for Forrester Woods. We told the residents we would address the problem.

Councilman Black asked if we tried to put in a temporary fix and it directed water to another person's property, what would be our liability? John Duggan answered that it was difficult to assess the risk. He doesn't know about volume of surface water.

Councilman Merritt said we can take one of the options from the engineering study. One option called for 5 encroachment permits. He wants to have something done. John Duggan said two of the options require 5 or more encroachment permits. If all the property owners do not agree, neither option is available. First, we have to find out if they will agree with an easement. They will have to know the width of the easement. Once a right-of-way is granted, the property owners cannot put a permanent structure on it.

Councilman Matney asked if we could request dimensions for the easements from the engineers and find out how much water is coming through the pipes. They will contact the engineers for answers.

- b. Standing committee rules (Finance)- This item is in committee as information only. Due to the FOIA, these rules need to be amended again. Section 5, item 7, under public comment "including council members not on committee", needs to be struck. This should allow the rules to comply with the freedom of information act. There are two options- one is to not allow council members not on the committee to attend a committee meeting, or to allow them to attend, but advertise it as a council meeting. John Duggan said that a non-committee member can always listen to the meeting or read the minutes to find out what transpired. Chairwoman King said already on our committee agenda, there is a notice at the bottom that says a majority of council may attend a committee meeting. John Duggan said that wasn't enough to comply with FOIA.

Councilman Matney said he would like to have the committee meetings advertised as council meetings. He doesn't want to have to listen to a

recording. First and foremost, he is a citizen, and wants to be able to give his opinion on issues.

John Duggan said the City of Greenville and Travelers Rest has a council meeting that is called a workshop. They meet together and talk about issues, but no action is taken.

Councilman Merritt said this is going to make us drag out our meetings. We couldn't have discussion on items tonight until they were sent to council for an opinion, then back to committee and then back to council for action.

Mayor Raines said he is meeting with the Mayor of Greer to talk to him about the way they hold their meetings. He said he would be happy to invite local Mayors here to talk about how they structure their meetings.

Chairwoman King asked if we advertise as a council meeting, can non-committee members meet and comment? John Duggan said yes, because it was noticed as a council meeting. The problem with that is why would you bother with committees?

Councilman Merritt said under the Economic Development Committee is listed Office of Cultural Affairs. Now we have a Community Development Department, so we don't want to direct matters to the OCA because that is below the director level.

- c. Consideration and action on text amendment: Fencing, Screening and Setback encroachments (Building Codes)- Chairman Black made a motion to accept this ordinance on second reading. Councilman Goodson seconded and the vote was unanimous (7-0).
- d. Consideration and action on Springfield Park restroom/concession building (Rec)- Chairman Merritt made a motion for option 1 and ask Langley to start getting bids for the new building. Councilman Matney seconded. Councilman Black asked if the entrance to the restrooms would face the bleachers. Chairman Merritt said it would face the left side toward the bleachers. The wall to the women's restrooms is parallel to Hyde Circle.

Chairman Merritt also told council that Langley has been asked to also survey the water flow and proposed walkway in the current study. The next step is to look at the parking lot.

Councilman Goodson asked if this will go out to bid and then come back to council. He said there is plans for a complete HVAC system for the restroom and that is not what is normally done. \$284 a square foot is a lot and with the engineering, this is going to be a building close to \$300,000. Chairman Merritt said the numbers were rough and can change.

Councilman Goodson said this amount is a concern. The engineer fees are expensive. If the building gets more expensive, is the engineer fee going to increase? He thinks the amount is high. Councilman Matney said this is not a done deal. If the bid numbers come back too high, we can either stop this completely or make changes. No money will be spent until council approves it.

Chairman Merritt said the water fountains can be removed from the drawings. They will be damaged or ripped off of the wall. The motion is just asking for bids based off of the design. Councilwoman King said she has heartburn on the numbers as well, but this is just the direction to go forward with drawing the plans and gathering bids.

The vote was unanimous (7-0).

8. New Business

- a. GCLDTC participation agreement for road paving (PW)- This is a vote tonight to authorize the Mayor to sign the agreement to get matching funds for road paving. Chairman Goodson made a motion to authorizing the Mayor's signature. Councilman Merritt pointed out that we told the citizens we would pave 4 miles per year. This will only allow for 2.2 miles paving. The county has lowered the amount they will match. Councilman Crosby seconded the motion. The vote was unanimous (7-0).
- b. Municipal internship program (Finance)- George McLeer said this program would be for college students. Clemson and Furman University are definitely interested in the program. The interns will not be managing city business. Chairwoman King said this is a win-win and a lot of degrees require internships before graduation.

Councilman Matney said he wishes internships were as prevalent when he was in college. He had to take some time off and basically create his own internship program so that he would have some experience when he graduated. Job experience is invaluable. Councilman Merritt agreed that real world experience is important. We have had internships without the policy.

This item is still in committee and was presented as information only.

- c. Consideration and action on FY 2017 budget (Finance)- We have had five budget workshops. Chairwoman King made a motion to accept this on first reading with Councilman Crosby seconding.

Councilman Black asked how the vehicle allowance is shown. It is approximately \$29,000. What line item is it? Trey Eubanks said that is part of salary. It is incorporated in the budget in the salary line. Councilman Black said he hopes we are not paying retirement on the vehicle allowance.

Mayor Raines said there has been discussion on another workshop before last reading. Councilman Merritt said there have been discussions on some definitions. Mr. Eubanks said this is a balanced budget. Councilman Merritt said to him it is not balanced because we took money out of the fund balance.

Councilman Goodson said he has voted against the budget before and wants to support it this year. His concern is like Mr. Merritt's. He has some issues with taking fund balance for the capital fund. Chairwoman King said governmental accounting is different than private. She said she promised when she ran for the seat, she promised she would watch the budget here just like she would at home. Any issues can be ironed out during the budget workshop. Councilman Merritt said he has the utmost respect for Holly. She has been very patient and helped him understand the budgeting process. He does say we have been lucky to be able to put money back in the fund balance, but we could have a run of bad luck and have a bad year.

Trey said he appreciates all of council's contributions. For at least the past 6-7 years, our expenses have come under budget and the revenues have exceeded budget. That is because of responsible budgeting. He does respect Councilman Merritt's opinion. Councilman Merritt said if we come under budget, we didn't give the citizens the service we promised them.

The vote for the budget was 4-3 with Councilmen Black, Goodson, and Merritt opposing.

- d. Consideration and action on Senior Center electronic sign (Rec)- Chairman Merritt made a motion to accept the quote from St. Clair Signs in the amount of \$14,166.65. Councilman Goodson seconded the motion and the vote was unanimous (7-0).
- e. Consideration and action on cultural center improvements- stage cover and green room (Rec)- This is to spend some money raised in the capital campaign. A stage cover has been donated and the City is going to do some construction on it and do some renovations in the green room. Chairman Merritt made a motion to approve this expenditure with Councilman Black seconding. The vote was unanimous (7-0).
- f. Consideration and action on easement for parking (Committee of the Whole)- Tropical Grill needs an additional 10 spaces for the number of patrons they will be able to accommodate. This allows them to use spaces in the back of city hall. The agreement is a perpetual easement. This will allow the easement to continue even with different tenants. Councilman Matney made a motion to accept this. Councilman Merritt seconded. A motion needs to be made to go into committee of the whole.

Ford Elliott, the developer of the project, was present. He said the City has been very welcoming. Tropical Grill is a fast casual restaurant. There are four other locations. The upstairs floor will be taken out and the restaurant will have nice high ceilings. A lot of the historical value will be preserved.

John Duggan said the motion should say that the assembly resolves itself into a committee of the whole to take under consideration an ordinance to grant this easement.

Councilman Matney made the motion that the assembly resolves itself into a committee of the whole to take under consideration an ordinance to grant this easement. Councilman Merritt seconded the motion. The vote was unanimous (7-0).

- g. Consideration and action on re-financing 2009 General Obligation Debt (Committee of the Whole)- Councilwoman King made a motion to refinance the bond debt. A little over \$113,000 will be saved by refinancing. Councilman Matney seconded the motion. Councilman Black asked if the bond still expires in 2029 and was answered yes, the term will not change, only the rate. The vote was unanimous (7-0).
- h. Consideration and action on SFA/SFM proposal (Rec)- Councilman Matney made a motion to come out of committee of the whole with Councilwoman King seconding. The vote was unanimous (7-0). This proposal will have SFA/SFM come to our recreation facilities and make recommendations on how we can make them an economic development draw. They will also look at the Sports Center to see if we need to manage it in a different way. The study costs \$42,000 and will come out of hospitality and accommodations money. Councilwoman King seconded the motion.

Councilman Goodson asked about the company that was coming in to help the sports center. Chairman Merritt said that was a marketing company. They have kicked off Get Fit Mauldin. Chairman Merritt said the SFA/SFM study will help make Mauldin a destination and will pay back through economic growth.

Mayor Raines said this group helped develop the Upward complex in Spartanburg as well as facilities in Myrtle Beach, Gatlinburg, and Harrisburg, PA. Councilman Matney said this is really not about recreation, it is about the economic development of Mauldin. We are trying to bring dollars into Mauldin and keep them here.

Councilman Matney said he doesn't believe a city should be in the gym business. Maybe we need a management company to come in and run it. Councilman Goodson said he remembers when we had tournaments here all the time. He is unhappy because he drives to Conestee or Verdae for playground equipment. We don't have enough recreation equipment.

Councilman Matney said youth sports have changed forever due to travel ball. We are partnered back with Dixie Youth, so we will have tournaments again, but it won't be 2000-2500 kids like it used to be.

Chairman Merritt said we are going to get more playground options soon. They will be all-inclusive and nice. That is coming. Councilwoman King

said she is not one for studies, but she has read a lot of stories on economic development for small towns, and it always starts with recreation. John Duggan reminded council that the county would be giving the city recreation money and that can address some of the expenditures.

9. Public Comment

Dean Shook: I live at the hole in yard house on Royal Oak. We could have a water park in my yard. I want to clarify what we are going to do. You are going to get with someone on easements, correct? Stop by anytime. Then it will go back to committee? Ok. Then committee discusses the options.

John Duggan said the engineer will know the depth the easement needs to be. We need to find that out first. Then the question is funding.

Dean Shook: As long as this keeps moving forward, I will work with you guys. Let's get it going.

Brian Jones: I live at 210 Crepe Myrtle. I had a sinkhole in my yard. I am currently a lieutenant at Wade Hampton fire department, and I will get to that in a minute. About 2 years ago, my wife woke me up and said there is some guy from Mauldin. There was a sinkhole in my yard. He said that was the fifth or sixth one in the neighborhood and he would be back with some barricades. That is the last I saw of him. I called PW three to four times a week. The only thing I got is there is no one here that can speak to you. I sent an email to everyone with an email address, including the police chief. Mr. Eubanks finally called me and apologized for what happened. He said the public works manager would be in touch with me. I did meet with him to no avail.

I went to the County and the lady at the Public Works department was extremely helpful. She gave me plats and directed me to the engineering department who told me in the County, if you have a sinkhole around a pipe that services a neighborhood, they will provide all the labor including engineering if the property owner will just buy the materials and sign the right of way agreement. Every third night I am not at home. I have three kids under the age of 5. They like to run around. I had to spend \$2500 of my own money to get the hole fixed. You were discussing whether someone should move to Mauldin. My answer would be no. I have to get up when the alarm goes off whether I am sick or tired or whatever. When I needed the City, it was not there for me. Please take this into consideration. I can't place my property for sale. One yard of red clay weighs 2300 pounds. I have worked three trench collapses. Two were fatalities. The last was a 6'6 guy that collapsed into a ball. I do not want to see a child on the news because they fell into the hole.

9. Council requests.

Councilman Crosby read a press release regarding the bank robbery arrest that was made by the Mauldin Police Department.

Councilman Goodson acknowledged Steven Woods for coming out to a sewer inspection on his way home the other night.

11. Adjournment. – Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk