

**MINUTES
MAULDIN CITY COUNCIL
DECEMBER 15, 2008
7:00 PM**

Members present were Mayor Don Godbey, Council members Bob Cook, Patricia Gettys, Gabe Hunter, James Kennedy, Dale Black and Michael Reynolds. City Attorney John Duggan and City Administrator Trey Eubanks were also present.

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Hunter
 - b. Pledge of Allegiance- Councilman Cook
 - c. Welcome- Mayor Godbey
2. Proclamations and Presentations- Everette Babb, CCFB; Pat Pomeroy, Mauldin Chamber; Swearing in and recognition of new police officers; Arbor Day proclamation; Audit presentation; Auditorium presentation by Neal Prince
Attorney Andrew Culbreath was welcomed back after serving in Iraq. He was awarded the Bronze Star.

Mr. Babb reported that the cultural center board is off and running. There will be an auditorium public hearing on Friday at 5:30 p.m. and again on December 30th at 5:30 p.m. There will soon be a mission and vision statement for the board as well as a website.

Dave Benham came to the council to report on the auditorium public hearing. There are three goals- preserving Mauldin's history, linking to the community, and creating a destination for the City of Mauldin. The community input will be very important because it is the citizen's center.

Chief Turner presented Tito Munoz and Nick Andes and Angela Martin administered the oath of office.

Stuart Ford presented the audit draft and gave an unqualified opinion. There were some suggestions for some internal controls for some departments in the management letter that will be addressed. This will be Stuart's last audit with the City of Mauldin as he has taken a new job in Lexington.

3. Reading and approval of minutes.
Councilman Kennedy made a motion to approve the minutes with Councilman Hunter seconding. Mayor Godbey pointed out a misspelling, and it was changed. The vote was unanimous (7-0).
4. Public Comment.- None

5. Report from City Administrator

Trey Eubanks: I need to make you aware of some things. Our staff increased contributions to the United Way campaign by 45% from last year. Julia Monson did a great job in leading the city's efforts. It shows a lot of heart and generosity on behalf of our staff.

We are going to see a reduction in our worker's comp and liability insurance premiums for next year. The reduction will be about \$10,800 in liability premiums and \$12,400 in worker's comp premiums. I want to touch on the reasons for this. First of all, the municipal association runs these programs and does a very good job of running these programs and overall the pool is the beneficiary of a good claims year. I also want to recognize our Municipal Clerk, Cindy Miller. Cindy facilitates the monitoring and reporting of this to the MASC every year. She reminds all of us what we need to do and goes to the meetings by the provider to make sure we can take advantage of the reduction. I want to thank Cindy for her efforts. I also want to thank our staff. There are minimum guidelines we have to meet and a number of criteria- 17 to 18 per plan. They raise the bar a little bit every year. Because of the efforts of our department heads and staff, we were in a position to meet the criteria and we did. This is good news.

The final thing to touch on is our finances. First of all, let me thank Stuart. We will be available to you as you go through the CAFR to answer any questions or comments. You will see that we are solid financially and our audit reflects that. Our expenditures are 6% under budget. The department heads are doing a good job. We are 9% under budget with our capital expenditures. We are 5% over budget with fuel. This council made a good decision to earmark \$50,000 as a contingency for fuel costs.

Our public works department reprioritized what they needed. They are holding off on some of the equipment and some that they did purchase did not cost as much as we budgeted.

We are controlling our expenditures to manage our way through. Hospitality and Accommodations taxes are down 7%. For the first time since August, we have seen this line come up, but we are still down 7% through 5 months. We have talked about building and permit revenues. The director has some numbers to give you. We are going to be impacted \$29,769 from the state aid to subdivision cuts. This is as a result of a session in October and they are coming back next month.

To conclude, we have a good budget to work with this year. Some good decisions were made. We have a good document that we are working with. We are solid financially, but we have to continue to keep an eye on some things and hold off on some things we can hold off on.

6. Reports from Standing Committees

a. Fire (Chairwoman Gettys)

i. Reports and Communications from Fire Chief

Chief Sapp: The response time for November was 2.8. We had 159 fire and medical in the city and 61 in the district. The new rescue truck is in and it is currently at Spartan being checked out. It will be back in around lunch time tomorrow and will go to station II to get the equipment put on.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chairman Cook advised council of the great job the police chief did when he spoke at the academy graduation.

Chief Turner: Things are going well at the police department. As of last week, we are fully staffed. There is a position coming up at the 1st of the year if we choose to fill it. I do want to take the time and say I appreciate the council members that went with us last Friday. I don't think I have ever seen Mayor or Council attend any of these events and it looked good for the City of Mauldin. I want to make that open to you again for future graduations.

Councilman Black: Chief Turner did an excellent job in Columbia with what he said and how he presented it. I have been kidding with him about his wife or daughter writing the speech, but he did a great job.

ii. Reports and Communications from Municipal Clerk of Court /

Administrative Judge

Angela Martin's report is on file.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: Our senior participation is up. We had 2800 participants for the last month. Basketball has started and practices are going well. We are running holiday specials at the sports center to try and increase our numbers. We had an angel tree at the sports center. We had 50 angels and all were taken.

The community dinner has been canceled. We didn't have any response due to so many other events happening around Christmas. The group does want to stay together and maybe do something around Easter. On behalf of the tree board, I want to thank Mayor and Council for the support for Arbor Day. I will be sending the application for Tree City, USA in this week.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: I have a copy of the monthly report at your stations. Permit activity for October and November is 8 million and 11 million dollars respectively. This is due to Project Teal. Business license renewals were mailed out last week. They are due January 1st for out of city and April 15th for in city businesses. We have worked on alternating Saturdays. We have caught one in December. He was bidding on sewer repair work.

As far as the department budget, we are under budget at present. We did have some large expenditures such as the postage for the business license renewal and some repairs to the pickup truck.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: I am going to be long, but I will talk fast. PW is going well. Leaves are winding down a little. We have to find a place to put what we have picked up. Mr. Cook saw the second version of Mount Leafmore. We are running four leaf machines every day. They are removing some undergrowth out at the park. We will probably pick up a couple of acres we didn't know we had. Everything else, it is a busy time for us. We are doing sewer rehab.

Councilman Reynolds: We appreciate your scaling back and looking at expenditures. \$70,000 is not chump change.

Councilman Black: You work weekends and I appreciate that. You don't have to do that, but you are doing it as a service for the citizens.

Councilman Hunter: I have seen the leaf machines and the two new ones are doing an outstanding job. You are keeping the streets clean and we appreciate it.

Chairman Kennedy: You are implementing your long range plans and doing what you said you were going to do.

Councilman Cook: We don't realize the time and hours you put in. I called you after 7:00 p.m. on a Friday night to look at a pothole. You came out around 10:00 p.m. to look at it even though it is a state highway. That is representative of our staff. They want to look after our citizens and I want you to know I appreciate it. It takes a lot off of us council people.

Mayor Godbey: How, with the recent heavy rainfall, I have gotten reports at Murray and Miller.

Greg Fincher: We have run a sewer camera through that line several times and there is a major issue there called an oak tree. That huge oak tree, the roots have infiltrated the storm drain. It is a state road and the tree is on the road of way, so who knows. I will get back with Trey on that.

Mayor Godbey: Some of the trees are dying and the heavy rainfall is causing some to fall over.

Greg Fincher: That one is in good shape. We had one fall at the cultural center. I want to say that after I left the parade, I came up on an accident on Woodruff Road and one boy was hurt. I stayed with them and saw Mauldin Fire Department roll up to help. I knew then he was going to be alright. The response time was very quick and it makes me proud to be an employee of the City of Mauldin.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

7. Unfinished Business

a. Consideration and action on floodplain ordinance revisions (PEDC)

Chairman Hunter: The Department of Natural Resources is currently recommending that we adopt their Model Flood Damage Prevention Ordinance to keep up with changes to FEMA regulations. Pete has sent this off for review. This is so that our low lying areas can get flood insurance. I make a motion to adopt this on second reading.

Councilman Black seconded the motion and the vote was unanimous (7-0).

8. New Business

a. Consideration and action on Banner Amendment (PEDC)

Chairman Hunter: Mr. Nomikos met with civic and non-profit leaders concerning our banner ordinance. Out of this came a discussion that we treat non-profits the same as commercial. He has proposed an amendment that would require rigid frame banners no more than 32 square feet and pay a one-time \$15.00 permit fee. This levels the playing field and makes the city business friendly.

Councilwoman Gettys seconded the motion.

Councilman Cook: I would like some wording considered for a frame that can be taken up if there is no banner on it. I would hate to see all of these coming in to town with just an empty frame.

Mayor Godbey: We can review this and make the change between the first and second readings.

Councilman Black: On banners for businesses, non-profit, or civic organizations located within a group development shall be permitted to have one professionally lettered banner which does not exceed 32 square feet in area affixed to a permanent framework, are we talking about a free standing or mounted on a wall?

Chairman Hunter: This would be the wall for businesses who do not have access to the highway.

Councilman Black: So this is two separate things?

Chairman Hunter: Yes. Some businesses don't front on the highway. If you have a strip mall, and there are ten tenants, only one can put it on the street. This allows the rest to put it on the façade of the building.

Councilman Reynolds: Are there height requirements to be considered?

Chairman Hunter: It has to be on the façade?

Councilman Reynolds: What about on the highway?

Peter Nomikos: There is a setback requirement of 8 feet and for temporary signs, there is a height requirement.

Mayor Godbey: I might suggest before second reading that the comments made tonight get incorporated into the ordinance.

The vote was unanimous (7-0).

b. Consideration and action on Door to Door Sales Prohibition (PEDC)

Chairman Hunter: This would restrict door to door sales. Bridges Crossing and Vesper Circle/ White Drive have complained about door to door sales people that are fairly pushy. Mr. Nomikos and his staff drafted an ordinance which prohibits solicitation except for fundraising such as Boy Scouts, Girl Scouts, MHS, and the like.

Councilman Black: Has the city attorney looked at this and does anyone else have this?

John Duggan: I have not checked that, but I have reviewed it. You may want to add an enforcement provision and that could be in the form of suspension

of business license or something like that as a civil remedy. I do think we should have the committee look at that.

Mayor Godbey: It was brought up at the committee level that there must be penalties heavy enough to detract people from doing this and have serious enough penalties. Between now and second reading, I would encourage Mr. Nomikos to look into that.

c. Consideration and action on Removing Conflicting Tree Protection Requirements (PEDC)

Chairman Hunter: Mr. Nomikos has changed the wording to the more restrictive of the two requirements. I would like to make a motion to approve this on first reading.

Councilman Kennedy seconded the motion.

Councilman Cook: Is four feet where it has been?

Chairman Hunter: Yes. 4 ½ feet.

Councilman Cook: Could we ask that John looks at all the ordinances?

John Duggan: I get the agendas now before the council meetings and I do review them before we come to the meeting.

Councilman Reynolds: Would it be a good idea to pass an ordinance to require any ordinances that conflict to go with the most severe of the penalties would always apply? That way we won't have to come back to this each time.

John Duggan: It wouldn't address everything, only the penalties.

The vote was unanimous (7-0).

d. Consideration and action on Planning Commission Appointment – one vacancy (PEDC)

After a ballot vote, Randy Eskridge was appointed to the planning commission. We will advertise for the vacancy on the zoning board his appointment causes.

e. Consideration and action on Rezoning Request at 205 S. Main (PEDC)

Chairman Hunter: The applicant has asked for S1 so that it can be rented out as a nightclub. GCPC recommends denial, our planning commission recommends denial, and so does the PEDC committee. I make a motion for denial of this zoning change.

Councilwoman Gettys seconded the motion to deny and the vote was unanimous (7-0).

- f. Consideration and action on funding Clemson project. (Finance)

Chairman Black: At the November 3rd special meeting, council voted 4-3 to cope to update the Master Plan for the Cultural Center for \$10,000. The current budget contains \$60,520 in a contingency line item for the Cultural Center Director's salary. Mr. Eubanks recommended taking the \$10,000 out of the contingency. I pass this on to council to move forward on this.

Councilman Hunter seconded the motion and the vote was 5-2 with Chairman Black and Councilman Cook voting against.

- g. Consideration and action on health insurance. (Finance)

Chairman Black: Last year, we switched providers from the South Carolina Employee Insurance Program to United Benefit Advisors and saved money while improving insurance for our employees. We have experienced a significant increase in claims this year. This increase resulted in increased rates for our employees who cover dependants. This is nothing to do with the new vendor, it is because of the unexpected claims. Our recommendation is to adopt the increase to the employees that have spouse and family plans. The city employees themselves will still have their insurance paid for by the city. I move we adopt this, I hate to pass on additional expense to our employees, but it is unavoidable.

Councilman Hunter seconded the motion and the vote was unanimous (7-0).

9. Public Comment.- None
10. Council requests.- None
11. Adjournment. – Mayor Godbey adjourned the meeting at 8:30 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk