

6:00 p.m.- Public Hearing for Danbury Lane closing

**Minutes
Mauldin City Council
Informal Session
February 18, 2008
7:00 PM**

Members present were Mayor Don Godbey, Council members Michael Reynolds, Bob Cook, Gabe Hunter, Dale Black, and James Kennedy.

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Kennedy
 - b. Pledge of Allegiance- Councilman Cook
 - c. Welcome- Mayor Godbey
 - d. Proclamations and Presentations- Bonnie Nisley, Mauldin Garden Club

Ms. Nisley presented a plan to landscape the log cabin at the cultural center. The project would cost approximately \$5,000 and be taken out of some money in the general fund that is set aside for the garden club. There is \$7,000 in the fund now. The club would do most of the labor itself. This project does not need council approval and was given for information.

Trey Eubanks: There have been some discussion and changes about the cultural center plan. We have an excellent master plan. As we go forward and meet in the next two to three weeks and continue discussion, we will need to update the master plan and that will include not only the facility, but also the grounds. So, we feel like this is an appropriate step to take, but we don't want to do too much before we know what an updated master plan might reveal.

Mayor Godbey: Under the new purchasing policy, it is under your discretion, and doesn't need to be forwarded to the formal session.

John Duggan: Bonnie, if someone wanted to make a contribution to the garden club, how would you do that, and are you tax-qualified so that it would be a tax deductible contribution?

Councilman Cook: Get his address.

Mayor Godbey: We can make that a payroll deduction.

Bonnie Nisley: We have had contributions in the past that went through the cultural center as a deduction. We could look into that and we would love to have any donations. All of our hard work goes towards the City of Mauldin.

John Duggan: Would you mind if people show up to dig holes for you?

Bonnie Nisley: They can do that, too.

Public Comment:

- A. Leo Joyce: 114 Old Bridges Road and I am talking about the alcohol referendum. I listened to the people talking Friday night and I had some problems. One of the problems was the suggestion to find other businesses to build our tax base with. I think our tax base is doing well, but we are looking for hotels and restaurants. I think finding other businesses that we don't have a population to support is ridiculous. Another one was insurance on cars and homes and it was mentioned Mauldin versus a major city, Detroit. They have one million people. If we had one million people in Mauldin, we would all be out of sight. None of us would be here.

There have been signatures from the local churches and I agree that they should have a say in everything, church and state separation. If this referendum is passed, I think a panel of church leaders along with the Chief of Police, Trey Eubanks, and Mr. Duggan would be the ones to set the rules for alcohol sales on Sunday. There are two clubs or pubs in Mauldin. One is private and the other is a regular open pub. I think that is pretty good for the City of Mauldin. We know there are a lot of small restaurants, and if we had larger restaurants and sales on Sunday, I think Mauldin would be a better place for it.

As far as DUIs are concerned, the past year, there were 125 all year long. 19 were Sunday to Monday,. Someone is drinking, but not in Mauldin., I do believe the bible says nothing about not drinking. I believe it indicates that we shouldn't be getting drunk. I don't believe Sunday sales would affect people that much. Sunday morning at 1:00 a.m. in New York, the bar is closed for an airing out. They open again 1:00 p.m. They keep their doors open to keep fresh air in. I used to live in College Point, a small town right outside of New York City. It was in Ripley's Believe it or Not for more bars per square foot than anywhere else in the world. We didn't have drunks all over the street.

- B. John Center: My name is John Center and I live at 315 Bethel Way, and I just got back into the City. I wanted to share a few thoughts with you. I moved here in 1973 and I lived in Mauldin for about 17 years and enjoyed every minute of it. It is a wonderful place to live and a good place to raise your family. It is a safe place to live, good police and fire protection, and not a lot to be concerned with. I moved out of the city for 16 years into a little subdivision surrounded by the City of Mauldin. I tried unsuccessfully to come into the city- tried to get the residents to, made another effort recently and we were annexed into the City. It is a good thing. We hose Mauldin because it is a good place to raise a family. The moral values, the availability of alcohol Monday through Saturday has been with us a long time. I heard on the news tonight something I disagree with. The comment was made what's one more day? One more day wouldn't be so bad if it wasn't Sunday. My beliefs, here in the bible belt, are that Sunday should be set apart a little bit. It is almost completely disappeared and I felt it was my duty and my privilege to give you my feelings on it.

- C. Jerry Smith: Mayor, Council, staff, I will not speak again the words I spoke Friday night because they were pretty well reported in the paper. Not completely accurately. I live at 115 Hickory Lane. The words in the paper were not totally complete in the fact that I made the statement that Mauldin could become an oasis on Saturday night after the other Greenville County bars close, because they are and will stay dry for a little while anyway. In those folks' minds, if they are looking for a drink, they can get it in Mauldin. That will necessitate more police as I mentioned Friday night. If people want Mauldin to be a town where they can buy liquor. All they have to do is get 1500 signatures on a petition and that will automatically get it on the ballot in November. I believe that was tried by one of the local restaurant owners and they didn't even get 100 signatures. What does that say? Does that say they didn't try very hard? Does that say there was no interest in getting liquor by the drink in Mauldin? What did it say? That was not mentioned in the paper and that is why I wanted to come forward and say to you tonight. For those who weren't here on Friday night, I am opposed to liquor by the drink in Mauldin on Sunday.
- D. Hank McCullough: Mayor and Council, I reside at 102 Pheasant Trail. I have been a citizen since 1991. The real issue today is not whether you agree with the sales of alcohol, it is whether we want the citizens to make a decision on this. I work throughout the Upstate and I have seen a lot of communities around us and there are some that are moving forward and some that are not going anywhere. I think that what you are saying to people, not just residents, but people who might have a future in Mauldin, is that we are an open community that allows people to make those types of decisions. My point is that this should be something we allow the people to decide on regardless of your take on the matter.
- E. Mark McCall: I am the owner of Pawley's Steakhouse at 120 Millpoint Circle. I hope you know where it is. I spoke at the last council meeting, but I wanted to reiterate a couple of points. We do lose business because we are not allowed to serve alcohol on Sunday. Matter of fact, we turned guests away yesterday who just wanted to come in and have a beverage with their dinner and watch the race. We said no, you can't, we can't serve that, so we sent them a mile up the road to Greenville. If Mauldin was further removed from Greenville, I think that would be one thing, but we are only talking a mile away from the next exit that people can go get it. Why do we want them to leave Mauldin and not pay taxes in Mauldin and go to Greenville and pay the taxes there? We are missing out on an opportunity to possibly bring other restaurants to this market. The property we are on has been vacant for 3 years, 35 acres. When we first bought the property, the people within the city said we want this to be a development for restaurants and hotels. Three years later, we are the only ones there. We do have alcohol six days a week, and I don't want to get into the argument of one more day or not another day, but my point is that Greenville has it and we are not allowed to serve it. We lose business.

I think it would increase the tax base. In the high schools and middle schools, we have gangs. You can take some of that money and earmark it to help fight the gangs that are in our middle schools right now. You can increase the police force. There are a lot of larger issues that some of the tax dollars can be used

for. I think it should be left up to the voters to decide how to make this decision. Let's let the voters decide what they want to happen in the City of Mauldin.

- F. Danny Day: I live at 912 Fargo Street. I thought I might put my two cents in. I looked at that and think this is pretty good that it is on President's Day and we are a Democracy. First off, let me say, I don't drink. Never have, never will. But I do believe in democracy. You have commercialized zones for business and you are trying to grow businesses. You have zones for residential and you are trying to protect those at the same time. You also have to recognize that Mauldin is not just South Carolina anymore. Mauldin is a diverse community with different people moving in and different religions moving in. We have quite a few in Mauldin. Sundays are not a holy day for everybody. We could be insulting some other people by selling on Saturdays. I am not necessarily in favor of it, but my point is you people need to stand strong on council and let the people decide, not any group. Not those in favor of it and not those that oppose it. Each group has their mechanism to go out, lobby, and try to promote their position. That is what you should do. You do the people's work, not somebody else's work. That would be my position on the referendum. I don't have a position on whether it should or shouldn't be. I have never seen alcohol make a person better. They do it six days, so what the heck.

I am a little concerned, and I am not sure I need to be, but Saturday, the people who are at 216 East Butler clear-cut both lots that have been rezoned commercial. Some pretty big trees. Those trees, none of the people in this room will ever see that size tree again in their lifetime and neither will I. That feeds Gilder Creek basin and if we ever get normal rain, I have seen Bethel Road covered several times, I don't understand, and I talked to Pete, but I don't think whoever did that got a variance. I hope you will uphold the tree ordinance and set an example that if you are going to develop in Mauldin, you better know the rules and you better adhere to them or else you will pay out of your pocket. We don't have much change left, there are plenty of strip malls along Butler that are really attractive. I would recommend if you want green spaces, you better put some teeth into this and particular at least enforce what you have on the book. If anybody needs digital photos, I took them. It was kind of weird to me that they were doing this on Saturday, I guess there was no staff around to check on that.

- G. Skeet Prinze: I live at 117 Hyde Circle. I would like to thank the Mayor, Council, and staff for the opportunity to come before you tonight in support of Sunday alcohol sales. Allowing the citizens of Mauldin a choice to vote in November, tonight is not about the right or wrong of alcohol, it is simply about rather the referendum will be placed on the November ballot to allow people of Mauldin the choice to vote for or against. I am in support in allowing the people to have a choice. I think we are a growing town and growing towns change. If we are not going forward, we are going backward.

- H. Debra DaSilva: I live at 107 Montclair Road. I wasn't planning to speak, I was actually here about being on the tree committee, but I felt that I needed to say that I am, I hope that you council members will let the voters have their say regardless, because again church and state are separate and we are a democracy. Me being a young person in this community with two children, I hope if they choose to live in Mauldin here, they will have a voice just like everybody else. Thank you.
- I. Marie Gaffney: I live at 106 Montclair Road and Debra is my daughter. I want to say that why not keep the money in Mauldin. Please make it the people's choice to say yes or no and don't make it a big issue whether it is alcohol or whatever. You can tell I am a little nervous, sorry. But anyway, this is a democracy so that we can make the choice whether we want it or not. That is all I wanted to say.
- J. Patrick Van Every: I am at 10 Harold Court in Mauldin. I wanted to say a few things in support of the restaurant business. Fellow restaurateur at Pawley's, Larry at Guadalajara, the restaurant business is tough. I am coming from a business standpoint. I own a restaurant in the City of Greenville and the County of Greenville and I can tell you, the restaurant in the County, we lose business every Sunday. I watch them walk in, look at a menu, forget it's Sunday, walk to the Point or Greenridge and we lose that business. If I want beer or wine on Sundays, I go to the Bilo on Verdae, a couple miles outside of Mauldin. I wanted to say from a business standpoint that I think we should let the residents vote and I also want to say that I am in favor of Sunday alcohol sales.

I also want to talk a little about the ICAR project. We have 10,000 jobs coming into this area over the next few years that are sitting at our back door. These are people from all over the world. We are going to let them go to the County, City, at least give them choices. The other thing is restaurants don't look favorably coming to Mauldin and it is going to be another hindrance. We need some restaurant choices. Mark has a fantastic restaurant at Pawley's, and I just built a multi-million dollar restaurant and I went to the City of Greenville so I could sell alcohol on Sunday. If we want to talk about church- I have brunch on Sunday and it is all church members having alcohol on Sundays.

Mayor Godbey: We are going to have National Guard and soldiers coming back from Afghanistan and Iraq and our own Municipal Judge Stillwell has been in Afghanistan. There is material through the county for re-entry and how to make re-entry for the soldiers. They are going to be going through culture shock and adjustments, and the community getting behind that will be an admirable thing. I do want to make that known to the public tonight.

Councilman Cook: You see our flags flying half mast at times, Trey could you explain why we do that?

Trey Eubanks: Yes, sir. In the event that a soldier from our state loses their life in service to our country, it is directed through Columbia and they send out notification, that results in the flags being at half-mast. Sometimes if you see that happening, that is very likely the case.

2. Report from City Administrator

Trey Eubanks: We are on pace with the improvements to the 276/417 corridor. We did receive appropriation of up to \$30,000 from GPATS and we do intend to use Transportation Enhancement Funds, that necessitates us receiving approval from the Department of Transportation before we can advertise requests for proposal. We are collaborating with Greenville County. We have gained approval from DOT, advertisements went out a week ago and they are due by March 18th. I predict that by April, they will have thoroughly reviewed the proposals to do the work on the designing of the corridor. I have a draft schedule attached.

The other thing, on the cultural center, contingent on us coordinating with Duke Power on the sign and the water feature, we should see both of those projects complete within the next few weeks. It is a long time coming, we have had some modifications to the sign and it will be lit from the interior and be a good presentation.

We have had good meetings on our comprehensive plan. We have met both with Greenville County and their planning staff, and also with the ACOG. We have gained input from both entities to determine what will be the best work plan for us. We want to do this right and do this publicly and work towards a working document as we update our 20 year plan. This is due next year and we need to start now for this public process. I think we will have an excellent work plan.

We had a goal session on February 6th. I am excited about our future. We have great staff and great leadership on the part of this council. We are going to continue to move forward. We are working to set a date for a meeting with our Boards and Commissions to present long and short term goals.

Mayor Godbey: Tentatively, we are planning for March 6th for Mr. Kennedy and Mr. Reynolds and the boards that the City has involved to update them on the plans and we will get confirmation on that.

Trey Eubanks: I'll be glad to respond. That's all I have and if there are any questions...

Councilman Cook: I have one question. What happened to the picture out on the wall out there? Why was it moved?

Trey Eubanks: I believe it was moved in order to make room for a new picture out in the lobby. I am not certain as to where it is, but I will look into that.

Councilman Cook: Mr. Administrator, in my opinion, my advice is to put the picture back up, we might want to check with the attorney, but I don't think we need to be taking pictures down, leave them up because that is part of history. My suggestion is put it back up as quick as you can. I have one vote.

3. Reports from Standing Committees

a. Fire (Chairman)

i. Reports and Communications from Fire Chief

Captain Crawford: First of all, I got a call from Chief Sapp. He should be back on his feet in a couple of days and ready to get back into it. Our average response time for January was 2.7 minutes. We ran 129 calls in the city and 70 in the district.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chief Turner: I provided Friday afternoon a synopsis. One of the things we have talked about and we had a couple of radio interviews was the number of break-ins we have had in town in probably the last 45 days. Those have subsided over the last two weeks, although we are still working some leads on that. One of the problems we were having on that was a lot of people were coming home in the evening and locking up, cutting on outside lights, but leaving their valuables inside their cars and leaving their cars unlocked. The offenders were taking items that were in plain view. There was not a lot of rhyme or reason as to what was being taken and it has been sporadic in location. Our investigators are working on that and we will keep you updated on this as we go along.

I would like to call your attention to the back page of the monthly report. One of the things I haven't been able to say, our MVAs and MVA injuries have decreased. We had a 27% change in January over than from January of last year. That is in part correlated to our enforcement in traffic efforts. It helps when you have officers to go out to the high schools and educated the kids at the high schools or go to the job fairs in Greenville County and let them know what we are doing and tell them what we can do on the proactive side. We have an enormous amount of automobiles that go through Mauldin every day and it is just as bad on Saturday and Sunday, and to say you have a 27% decrease is a great thing to say. The warning citations were up and hazardous citations are down. Again, we are writing citations, but you have a good chance of getting a warning. I hope this will stay on the positive side.

Chairman Cook: On speeding, the way we calculate on speeding, could you explain that?

Chief Turner: Speeding is done off of miles per hour, whether it is 10 and over or whether 11-25, it is broken down in brackets. We had in January, 3 offenders that were going over 25 mph. We had 86 offenders between 11-25, there were 59 under 10. That means that there are offenses such as too fast for conditions where our officers might see something that is unsafe, and may stop a person and issue a citation. It may show up in too fast for conditions, and there are other infractions also. During the month of January, 364 citations were issued and 486 warnings.

If I could mention something else, we had a couple of concerns last month about working traffic in various areas. There are a number of roads and subdivisions, we do have officers out and about, you may not see them, but they are out. There are several ways you can have officers in your area- one is by calling and letting us know and by council meetings, a new website we just launched has a spot on there to sign up and send an email that comes directly to me. I haven't had anyone take advantage of that yet. I am waiting. We had some comments last council meeting and I take those to heart and we try to do what we can with the manpower we have. I appreciate the comments from council and the public.

ii. Reports and Communications from Municipal Clerk of Court /
Administrative Judge

Angela Cooper: The monthly report is in your packet.

Chairman Cook: You aren't having any problems with the attorney are you?

Angela Cooper: No problems with the attorney.

John Duggan: For those of you at the meeting tonight, a few years ago we had a huge backlog of cases. The police department has gone through every one of them and the court staff has to work those up, schedule them, get the files to us, and we have to meet with officers and witnesses. We are making a lot of progress to reduce the backlog. It is not good to have it out there. I wanted to let everyone know it has been a challenge, but we are making progress, and it is primarily due to the work of the police department and court staff. They really work hard to do this. The other thing I wanted to tell you, is the prosecution lies with me. We get a driving history on every person that has a charge so we know what that individual's history is. If it is a good driving history, that will be taken into account. It is not our desire to press aggressively to charge the public, but it is a serious issue we are facing and that is why we balance these things. At any time, I am listed in the phone book, my job is to serve you, and when you have a concern with what is going on in the city, please call me. We take this responsibility very seriously. The number of people killed by DUI drivers is dropping significantly. We do not plead down a DUI- we prosecute every one of them.

iii. Discussion on anti-graffiti ordinance.

Chairman Cook: We want to try to pass this ordinance. We are having problems with tagging. You saw the pictures where we are having things written on the side of the wall. We have come up with an ordinance, and Mr. Attorney, have you seen the ordinance?

John Duggan: I have briefly had an opportunity to look at it. There are several issues in it I am researching. We have not had a chance to conclude those because of some priorities.

Chairman Cook: On our end, did you get them on time? I understand yours, but did you get them on time?

John Duggan: Yes. I have had it for several weeks but for other pressing matters for you and I, I haven't had a chance to visit that.

Chairman Cook: I just want to make sure that the legal things we send to Mr. Duggan get there before they are on the agenda. We sit here and do this and then he has to come here and tell us what we need to do. There is no reflection on you, Chief. We need to have our ducks in a row so we don't have to keep revisiting this.

Mayor Godbey: To that end, in talking with Mr. Duggan, I think this item is serious enough that we want to get it right and we might want to delay it until the next council meeting.

Chairman Cook: I move that we not forward this, but send it back to committee.

Mayor Godbey: We have a motion to table.

Chairman Cook: I don't like table, but go ahead.

Mayor Godbey: I know you don't like that. Defer.

Councilman Black seconded the motion and the vote was unanimous (6-0).

John Duggan: I should be able to get that to committee for the next meeting.

Chairman Cook: You've got that recorded, haven't you?

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: Thank you. I want to update you on activities and things we have had going on in the Rec Dept. over the last month. Our seniors had a big month once again- over 2500 participants. Thursday, they had a large gathering for a Valentines' party. This year they will have a brunch for Easter and the hat contest that everyone looks forward to. Nancy Turrill, who has been with the city 10 years has decided to retire. I have known for a while but was hoping she would change her mind. She officially announced it at the Valentine's part on Thursday. We will lose her next month so we will be taking applications to try and fill the large shoes she has.

We are finishing up with basketball and had our last baseball and softball signups on Saturday. Our numbers are down this year, we are seeing a trend with a lot of the travel teams taking our players. Our numbers are down but we are going to have signups for an additional week to try and pick that up. We are probably still going to be down.

We are also planning for our Easter Egg hunt. We are making plans to finalize that and that will take place in March. The Sports Center continues to grow. Our biggest loser has been a success. Due to the participation of a lot of our members, we have 87 participants and they have lost 412 pounds. We are very proud of that.

Councilman Kennedy: Are you utilizing the old gym?

Van Brannon: Yes, sir. We use it for basketball practice and there are some games down there.

Councilman Kennedy: Do you foresee renovations, or is it in pretty good shape?

Van Brannon: The gym is in fairly good shape. The use has gone down. We are taking about expanding that. We had to do some creative scheduling due to overcrowding. The use of the old gym really helped us out this year.

ii. Discussion on recreation facility rental guidelines.

Chairman Reynolds: Since the Mauldin Cultural Center has been renovated there has been an increase in request for building rentals. Bart has been booking the rentals; however there have been no established guidelines or rental fees for the building. We have added the Cultural Center to the guidelines and fees set for the other facilities that the Recreation Department rents. We used the same prices that we use for the Senior Center as a guideline. City is going to be \$50.00 and non-residents will be \$65.00. We had concerns in making sure that pay scale was good and wide so that we can take care of our residents.

This was sent to the formal agenda.

Mayor Godbey: I appreciate that you increased the non-city residents fees. City taxes paid for this facility and they should get the better deal on rentals. Do you know how that compares to private rentals?

Van Brannon: No, sir. I could look into that.

Mayor Godbey: I would suggest that for the future anyway.

iii. Discussion on Tree Board membership.

Chairman Reynolds: The Tree Board was established to provide assistance with the Urban Forest within the City of Mauldin. Two years ago the membership to the Tree Board was changed from a seven member board to a nine member board. There have been two members of the board that have not participated over the last six months. We need to find some citizens to fill these spots.

Van Brannon: I have had one application to this point.

Chairman Reynolds: She was in the audience. Thank you for coming. I would like to push this and have her approved.

Councilman Kennedy: Who is the young lady?

Chairman Reynolds: Debbie DaSilva.

Councilman Hunter seconded the motion.

Councilman Black: This leaves one vacancy?

Mayor Godbey: Correct. If we are comfortable approving Ms. DaSilva tonight, I think we ought to go ahead and do that.

Councilman Cook: My question, I think we should as council get those names forwarded to us before council. I don't have a problem with it but I would like the names before we come to the meeting.

Mayor Godbey: I got a copy. It may have been because you go paperless.

Chairman Reynolds: I think it was in everyone's mailbox, right?

Councilman Cook: Look at how my young friend is dressed. He is sharp. I would like my stuff sent to me on computer, Van please.

This item was sent to the formal session.

- d. Planning and Economic Development (Chairman Hunter)
 - i. Reports and Communications from Building and Zoning Director.

Peter Nomikos: Good evening. Residential permits and construction activity have been down because of sub-prime mortgage concerns. Commercial activity still progresses. Two apartment complexes are Alta Brookwood and the Vinings at Brookfield. Both projects are half complete and should be completed in about three months. Concrete was poured at the first phase of the youth center at Brookwood on Saturday and Live N Side Out gym is also. Training for Planning and Zoning Board members will be held at their meetings on Tuesday and Wednesday. We still have orientation training for the new members.

Councilman Black: Mr. Nomikos, I had several inquiries from my neighborhood about the house destroyed by fire and I know you sent Council a letter where you notified the owner. What is the timeline for demolition?

Peter Nomikos: We just got the return receipt letter today. Excuse me, Friday. We did give them 60 days to demolish the structure.

Councilman Black: I knew they had been notified, but didn't know the time frame.

Councilman Cook: The trees that were cut down on East Butler and we didn't know about it, is that true?

Peter Nomikos: The trees were removed on Saturday and a tree crew was out there again today. I told them to stop what they were doing and get us a tree survey. The property owner stated that he was under the impression that since it was residential use, that the ordinance did not apply. We informed him that since it was slated for commercial development, the tree ordinance did apply. We are waiting to see what the tree survey says before we determine a course of action.

Councilman Cook: What are they planning for that?

Peter Nomikos: The one proposal that is on the table now is a group of residences for seniors 55 and over.

Mayor Godbey: If they have gone contrary to our ordinance and have cut down historic trees, the current ordinance allows for what?

John Duggan: A fine.

Mayor Godbey: The amount?

John Duggan: I think it is \$500. I would have to revisit the ordinance, but typically that is the limit of a city's ability on one offense. Here you

might have multiple offenses depending on the size of those trees. So, it could mount up to substantial money if they cut down a bunch of trees that are larger than that permitted without coming to the City first.

Mayor Godbey: This reminds me of the restaurant that opened up now there that cut down the tree and then asked for permission after the fact and got a \$70 fine. They got more money out of the wood. I am hoping that we can look at the tree ordinance and do something.

Councilman Cook: Peter, are we still doing any investigating or riding through the city on weekends?

Peter Nomikos: We have not done that in a while. It didn't seem like there was any activity to warrant the additional hours.

Councilman Cook: Mr. Nomikos, I believe that was a directive from Council that we were going to do that. I don't think that... excuse me, Mr. Mayor, I will take that up with the administrator.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: At the last council meeting, Mr. Cook said he was the fastest walker. I saw him down there today and he was walking pretty fast and looked like a blue flash. I found out the reason he was walking fast. There was a guy in front of him that was a little faster that had a pork chop hanging out of his pants.

Chairman Kennedy: Greg, that might have been me, now.

Greg Fincher: He was moving along pretty good to be as young as he is. Mr. Mayor, Council, we are busy. I don't know if you saw the Insituform trucks out last week. They are hard to miss since they bring in a convoy. We did start the relining of the sewers on Bethel and some work happened on Sunrise. That is a new way of going back and rehabbing our sewers and of course we will provide infrastructure without tearing up roads and stopping traffic. They actually did reline it and we went out and watched them cut the taps in. They will be back to do more in the City. We are currently still getting data for the GIS. We have been able to print off maps that Ron has brought and we are getting ready to change the trash routes and expand them a little bit. The GIS actually gives us instead of a can count, it gives us the residences on any street in the city which will be beneficial for when we sit down and start going over this.

Also, Van spoke about the baseball and softball signups. We are currently going through the infields and outfields at all the parks. We have done a bunch of work at Springfield on the softball fields this year and put in new bleachers and given them some more access through the fields and currently we are going back through all of the infields. One of the high school coaches played a scrimmage at Riverside the other night and said that city park looked better than Riverside's field. A lot of compliments to Jimmy Whitesides and his crew.

We are adding more to Mount Leafmore through chipping. This reduces what we carry down to Stump Dumpers and try to use that as compost for the leaves and we also had them out on 276 picking up trash throughout the City. Other than that, other than commercial garbage, that is all I had unless you had any questions. I know you are going to say something.

Chairman Kennedy: I would like to compliment you on your maintenance and cleaning up on the highways especially on Neely Ferry Road. It was in bad shape at one time and I notice that you have checked it to make sure paper is picked up.

Greg Fincher: If we could get the people to quit throwing stuff out, we would quit picking it up.

Chairman Kennedy: I don't think that will happen.

Greg Fincher: We are like Chief Turner, we do have a good staff and that is everybody at public works, and they do a good job, it is just that Mauldin is growing. I appreciate the kind words, Mr. Kennedy.

ii. Discussion on commercial garbage collection.

Chairman Kennedy: The city currently provides commercial garbage collection to 12 customers. The process entails hoisting and tipping the dumpster using a pulley and cable system. Our Public Works Director advises that this process presents safety issues. Furthermore, there will be a significant expense associated with procuring proper and adequate equipment if we are to continue providing this service. Current commercial customers have been notified in writing of this decision.

During the previous fiscal year we averaged approximately \$528 per month in revenue from these twelve customers. The expense associated with providing the service exceeds the revenue.

This item was sent to the formal session.

f. Finance and Policy (Chairman Black)

i. Reports and communications from Finance Director.

Lisa White: Thank you. In your packets is the financial reports for the year to date as of January. As you can see, I will point out a few things, the city is doing very well in collecting our property taxes which is our largest revenue source. As of January, we got \$2.5 million of the roughly \$5 million that we budgeted so we are about halfway there. In our interest revenue, we are still doing fairly well even though interest rates have dropped significantly. Earlier in the fiscal year we were getting about five percent on our investments now we are getting anywhere between 3.45 and 3.75%. We are still on target as far as our budgeted revenue, but I expect that it will continue to either stay the same or go down, I don't expect the interest rates to go up. We have received nearly \$200,000 of the \$340,000 that we budgeted. I do think that in the 09 budget year, that will be a factor we have to take into account along with some other revenues that Pete mentioned- because of the housing slowdown, some of our revenues are now down. If I can answer any questions, I would be glad to.

Chairman Black: I would like to commend you and your staff on the job you do getting these reports to us.

ii. Discussion on referendum for Sunday alcohol sales.

Chairman Black sent this item to the formal agenda.

iii. Discussion on budget calendar.

Chairman Black: I would like to move to adopt...

Councilman Cook: Can I ask a question? I know people are getting tired of hearing me talk, but who wrote the ordinance on this?

John Duggan: I drafted it.

Councilman Cook: Mr. Attorney, don't you think you have a lot of assumptions in there? We are assuming that we are hurting businesses, and we are assuming a lot of this stuff, and I think we need to write a different ordinance. I think we are assuming a lot of stuff, I mean, nobody has proved to me that they are losing business.

Mayor Godbey: Mr. Cook, if you would hold that until formal session since we have already passed it on to be part of the discussion then.

Councilman Cook: I understand Mr. Mayor, but this is two different items on the agenda. One is alcohol sales and one is the referendum ordinance.

Mayor Godbey: He forwarded that to be discussed.

Councilman Cook: No, he didn't. He didn't forward that one.

Chairman Black: I moved Sunday alcohol sales.

Councilman Cook: I know, but you have two different things on there, Dale. You have Sunday alcohol sales and the ordinance for referendum on Sunday alcohol. You have two different things.

Chairman Black: I said move the discussion for the referendum on second reading, with discussion at that time.

Councilman Cook: You didn't say anything about the ordinance. I am talking about the ordinance, not the referendum,.

Mayor Godbey: My point is we have forwarded it and the motion carried. At that time, if you want to discuss how it is framed, that is the appropriate time to do it. It is already moved.

Councilman Cook: I don't agree, but that's fine.

Mayor Godbey: Ok. Go ahead, Mr. Black.

Approval of the budget calendar was moved to the formal agenda.

iv. Discussion on vacation time for department heads.

Chairman Black: There is a legal matter that we need to have clarified so I would like that this be tabled and sent back to committee at the March meeting. At that time, Mr. Eubanks and our city attorney should have all the documentation that we need before we take action on approving this.

Councilman Hunter seconded tabling the matter. The vote was unanimous (6-0).

v. Discussion on meeting format.

Chairman Black: This has been brought to our attention by several department heads. I will just read this The Mauldin City Council is very committed to provide ample opportunity for public input into our municipal business. Public comment currently occurs near the end of our committee meetings. It is the consensus of our department heads that public comment at the beginning of committee meetings would allow for staff to respond to issues that may be presented. It is further requested that council consider eliminating the informal session. The Finance Committee moved to forward this to full council at its February 5th meeting. The recommendation is to amend committee agendas to allow for public comment near the beginning of the meetings prior to staff reports and eliminate the informal session. We discussed this long and hard about having public input. We will have to make sure that everything is advertised properly for committee meetings so people will have time to come out if they have a problem.

At the informal session, we have a signup table and everyone will know in advance what is on the agenda. It will cut out some of the redundancy we have in the informal and formal session.

This item was sent to the formal session.

g. Committee of the Whole

i. Textile Act- Old Pillowtex property

Trey Eubanks: We have representatives with this issue here tonight if there are any questions you would like to ask of them. Our legislature has allowed for the Textiles Community Act which allows credits to be offered for facilities that qualify. The Pillowtex building on 417 does qualify. The process starts with the municipality if the building is located in the municipality. To start the process, is what is in front of you tonight. This is a resolution that affirms the eligibility of the Textile Act for credits to be offered for this facility. If the resolution is adopted, the city, county and school district will be asked to consider providing tax credits of up to 75% of the amount of investment in the facility for up to 8 years. This will get the ball rolling tonight. We have a 746,000 square foot facility. There has been approximately \$1 million invested so far and the facility is cut up into different sections and that is what they want to market and put more money into the facility. It will be a good opportunity for us for economic development and I think the argument to be considered is what is more marketable- a 746,000 square foot facility or one that is going to be smaller. The sweet spot for the average industry is 50-100,000 square feet and so we can hit that with those modifications. That is a quick overview.

Mayor Godbey: Mr. Hunter was present at the meeting with myself and Mr. Eubanks. If there are any comments you would like to make, you can.

Councilman Hunter: I will make my comments after the motion is made.

Councilman Cook made a motion to move this to the formal agenda with Councilman Reynolds seconding. The vote was unanimous (6-0).

Councilman Hunter: We have an opportunity here to put into use in the City of Mauldin an otherwise vacant building that would not generate anything for the City. The concept these gentlemen have come up with is novel and it falls within the guidelines of the Textile Reinvestment Act and the cost to the City of Mauldin is approximately \$50,000 in lost revenue for a four year period. In that period, we will be collecting business license fees, some taxes on the building to the tune of 25% of the building. The value will go from \$6 million to approximately \$8 million by their investment in it and it seems like a no-brainer to me.

Mayor Godbey: The group that bought the property bought it last July and since that time have put over \$1 million of improvements into the facility. They have ponied up and put some money up front to make sure their investment is genuine in this.

Councilman Hunter: One other comment. There was a question about zoning on the building and if what these folks want to do will be permitted. The building is zoned I or Industrial and what they are asking to put in the building would fit into an I classification. There is no zoning issue here.

ii. Mauldin Cultural Center agreement

Trey Eubanks: Thank you. I think December 12th, the board convened and reviewed a thorough history of the evolution of the cultural center board. Our Finance Director had a lot to do with developing that. It was decided at the meeting to meet again by end of February or early March and that time is fast approaching. What you have before you is a base draft of language that could ultimately be developed into an agreement between the City and the Foundation Board. You have an existing agreement and a position description. I believe Mr. Black is planning on reconvening this board within the next two or three weeks. Mr. Godbey, I know you have asked for submission of names to be considered for membership on that board. That is also outlined in the memo.

Mayor Godbey: I would like included in this for consideration that we request resumes for the position of executive director and we do that without the intent of hiring somebody just to get the process started and begin the dialogue of reconstituting the foundation board.

Councilman Hunter: Did we not already have an agreement with the cultural center?

Trey Eubanks: There is an existing agreement in place. That agreement I think could be legally challenged and furthermore there has been discussion on the roles and responsibility of the board and what their purpose is. We certainly want to preserve council's right and obligation. You have a fiduciary responsibility to the taxpayers and furthermore it is a city facility. The draft language I have works to head us in that direction. As I have said again, I look forward to any contributions or modifications you would have to that document.

Councilman Hunter: Do we have a highlighted document to show the differences between the two?

Trey Eubanks: No, sir. There are a lot of differences and I started with a base document. I will be glad to try and put something like that together but because they are two very different documents, I did not go through that exercise. I would just add, certainly council has a role to play. There are a number of capable, interested, and energetic citizens who have a big stake in the facility. I have discussed reducing the number of council members serving on the board and increasing the number of citizens and let this board drive coming together with updating the master plan and pursuing grant funds and other fundraising efforts. I would think that they would serve in that capacity and make recommendations to the council. Council would ultimately appropriate anything that was spent on the city owned building. That is just an idea I have as I have learned about the history. That draft agreement has not

been reviewed by the city attorney is just a base for discussion as we meet again for how to move forward.

Councilman Hunter: What are you looking for from us tonight?

Trey Eubanks: This is provided for your information tonight.

Councilman Hunter: I would like to see Mr. Duggan review the new agreement and as far as advertising for an Executive Director, I think it is premature since the board has not met to decide what the structure is going to be. I would like to make a motion to postpone advertising for an Executive Director position until after the March meeting of the cultural board.

Councilman Kennedy seconded the motion and the vote was unanimous (6-0).

Councilman Black: The City Attorney has not reviewed the documents and also the existing agreement says the foundation does the hiring and paying of the salary of the employee, not city or city council. Things like that need to be looked at. Paragraph D says the City has no responsibility for hiring or paying the employee.

Mayor Godbey: As we have talked about this position, it has been discussed and it was at one time Mr. Raines who was then hired as Public Works. He was paid by the foundation board so there is precedent for the Director. Part of the issue was could it be a city employee answerable to the board and all of that can be clarified by the attorney as he reviews the contract.

Councilman Black: We need to hold off until we here back from the legal department.

Councilman Hunter: Mr. Black, would you set a date for the meeting at your earliest convenience?

Councilman Black: I would like to have it on a Tuesday if we could.

Councilman Cook: You should set the meeting with the attorney so that he has all of the information before we go to a meeting.

Councilman Black: Mr. Eubanks and Ms. Miller need to contact the other board members to see when they can meet- morning or evening. I will be back in town on March 2nd and will be available any time after that.

Mayor Godbey: We will look for the early part of March for that meeting to occur.

Councilman Black: We need to see what time is convenient for everyone.

Councilman Cook: Mr. Attorney needs a couple of weeks.

John Duggan: Mr. Eubanks wants to switch jobs with me and he wants to negotiate. This has long term impact for the community that we develop as a part of your town center this cultural arts foundation. Many good things to happen on this campus. I have learned you have been working off of a master plan you paid good money for several years ago. You haven't revisited that in some time even though a number of things have occurred. As a part of the process, I really urge you to revisit the master plan. One wing of the building the master plan calls for its use in a particular way but when they got into they discovered it was so loaded with asbestos that it was too expensive to rehabilitate, so that was demolished, but the master plan hasn't been altered to address the problem. I think this is the time to revisit the relationship between the entities and the master plan to see if it needs to be updated in some ways.

Mayor Godbey: I would like to enter in Durant Ashmore's letter for the record with his comments about the need for the master plan and his support for the development. If I can quote, "the willy nilly" aspect of how things have happened. He was very complimentary of the garden club and their efforts but had some very clear concerns about how the overall master plan and development of that area had followed through.

Councilman Cook: Mayor, I would like you to instruct Mr. Eubanks to write a letter to Mr. Ashmore and accept his resignation.

Mayor Godbey: He was not on the board. He was a consultant volunteering his time.

This item was information only at this time.

4. Adjournment.- Mayor Godbey

There will be a 10 minute break before the formal session to allow those present wishing to address City Council an opportunity to sign the speaker's log.

Respectfully Submitted,

Cindy Miller
Municipal Clerk

**Minutes
Mauldin City Council
Regular Formal Session
February 18, 2008
7:00 pm**

1. Call to Order- Mayor Godbey
2. Reading and Approval of minutes- Informal and Formal sessions- January 28, 2008

Councilman Cook made a motion to approve the minutes with Councilman Reynolds seconding. The vote was unanimous (6-0).

3. Public Comment on items appearing on the agenda.
 - a. Judy Irby: My name is Judy Irby and I live at 103 Whispering Brook Drive in Mauldin. I ran for council last year and you may have seen my signs in Mauldin. I hope someday to run again. I had two questions for council tonight. I live in Brookside and we have five stop signs on Brooks Road which is less than a mile. I would like the Finance committee tonight and zoning to tell me who recommended five stop signs less than a mile in my neighborhood. Every morning when I am going to work there is somebody that is trying to stop and I am about to have a wreck in the back of that person. In less than a minute they are stopping again and in less than a minute they are stopping again. We want to know how in the world did we get stop signs less than a mile on Brooks Road. Who in the world authorized that?

They are talking about alcohol sales on Sunday. Would this budget benefit my property taxes? No one has asked that question tonight. I am on the fence tonight wanting to know. If they have alcohol sales in Mauldin will it benefit the property tax in Mauldin and lower our taxes? We have high taxes in Mauldin. I don't know where to vote, but I would like to try to heal this land in Mauldin. I want to know will this money be wasted for stop signs, speed bumps, or whatever. Mauldin has a lot of fund revenues and I don't believe we are using it properly. I would like someone to answer my question how did I get five stop signs less than a mile on Brooks Road.

4. Reports and Communications from city officers.
5. Reports from standing committees.
 - a. Fire (Mr.)
 - b. Police (Mr. Cook)
 - c. Recreation (Mr. Reynolds)
 - d. Planning and Economic Development (Mr. Hunter)
 - e. Public Works Committee (Mr. Kennedy)
 - f. Finance and Policy (Mr. Black)

6. Reports from special committees.

7. Unfinished Business

- Public Works (Mr. Kennedy)
 - a. Consideration and action on commercial garbage collection.

Chairman Kennedy made a motion to approve this on second reading. Councilman Cook seconded the motion and the vote was unanimous (6-0).

- Finance and Policy (Mr. Black)
 - b. Consideration and action on referendum for Sunday alcohol sales.

Chairman Black made a motion to postpone the vote on referendum on Sunday alcohol sales until the July meeting. This will give more time for residents and business owners to give input on this issue. In that time period, the business owners can get up a petition if they so desire also.

Councilman Cook seconded the motion and the vote was unanimous (6-0).

Chairman Black: If this passes, I would like for the city attorney to go through this as it is worded.

Mayor Godbey: I think that is a good idea.

Councilman Reynolds: I liked the public comment. I liked seeing the courtroom full and I hope I will see that more at the council meetings. I would like to encourage everyone to come to the meetings as well so we can hear your point of view.

8. New Business

- Fire Committee (Mr.)
- Police/ Judicial Committee (Mr. Cook)
 - a. Consideration and action on anti-graffiti ordinance.- tabled
- Recreation Committee (Mr. Reynolds)
 - b. Consideration and action on recreation facility rental guidelines.

Chairman Reynolds made a motion to accept these guidelines with Councilman Black seconding. The vote was unanimous (6-0).

- c. Consideration and action on Tree Board membership.

Chairman Reynolds made motion to approve Debbie DaSilva to the Tree Board. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- Planning and Economic Development Committee (Mr. Hunter)
- Public Works Committee (Mr. Kennedy)
- Finance Committee (Mr. Black)

d. Consideration and action on budget calendar.

Chairman Black made a motion to approve the budget calendar with Councilman Reynolds seconding. The vote was unanimous (6-0).

e. Consideration and action on vacation time for department heads.- tabled

f. Consideration and action on meeting format.

Chairman Black: I would like to make a motion to pass this with the understanding that these meetings are thoroughly advertised by whatever means we have to get across the content of the meetings to be held.

Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- Committee of the Whole

g. Textile Act- Old Pillowtex property

Trey Eubanks: The draft resolution cites in a couple of places the correct date of April 21st for the council meeting and in one place it has the date incorrect for April. We are going to correct that and other than that if there are any questions, I will do my best to answer them.

Councilman Hunter made a motion to approve the resolution with Councilman Cook seconding. The vote was unanimous (6-0).

h. Mauldin Cultural Center agreement- info only

9. Public Comment on Items not on Agenda.

10. Council requests.

11. Adjournment.- Mayor Godbey

Respectfully Submitted,

Cindy Miller

Municipal Clerk