

**MINUTES
MAULDIN CITY COUNCIL
JUNE 16, 2008
7:00 PM**

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

1. Call to order.- Mayor Godbey

- a. Invocation- Councilman Black
- b. Pledge of Allegiance- Councilman Reynolds
- c. Welcome- Mayor Godbey

Proclamations and Presentations- Pat Pomeroy, Mauldin Chamber Dennis Raines from the Miracle League and Greg Fincher introduced Trey and Andrew and presented them with Breakers shirts and hats. They are two boys that participate in the Miracle League. Mr. Raines presented Keith Sumpter with the Director's Award for his support with the league.

Chris McCord, Dennis Tench, and Almus Rose presented the Police youth academy kids and had them introduce themselves. This is the first annual camp and the boys are participating in a lot of teambuilding activities during the next couple of weeks.

Pat Pomeroy spoke about the train show's success the past two weekends. Approximately 4371 people came to see the model trains and it was a great boon for Mauldin.

2. Reading and approval of minutes.

Councilman Kennedy made a motion to approve the regular meeting minutes with Councilman Hunter seconding. The vote was unanimous (7-0). Councilman Hunter made a motion to accept the special called minutes with Councilwoman Gettys seconding. The vote was unanimous (7-0).

3. Public Comment.

- a. Cassie Gorton: The thing that strikes me is the world is smaller than I realized. We wouldn't be here tonight if it weren't for my son, Kelsey. As it turns out, he is in the Miracle League. He is in the coaches' pitch. He came to me on the morning of June 2nd, and said Mom, there are a bunch of men in our back yard and they have chainsaws and they are cutting down our trees. What are we going to do? I knew nothing about this. The neighborhood across the street from us, Warrenton, had just had some easement work done.

Mayor Godbey: Could you state your name and address?

Cassie Gorton: I am sorry. Cassie Gorton short for Cassandra and I live at 203 Stapleford Park Drive in Tanner's Mill. Thank you. So, I had no prior notice. The neighborhood across from us is in the County of Greenville and they had some work done on their easement. They had an orange sign posted at the entrance to their neighborhood announcing that work was going to be done and if they had any comments or questions there was a phone number for them to contact. Well, that morning, I had no notice that anything was going to be done.

It is clear that to some extent, perhaps not all, that the City of Mauldin had a right to go back there and do it. But, as I addressed in the committee meeting, the issue isn't what you had a right to do, but what you should do to better your relations with your citizens and help them be involved. I feel a little intimidated. I am so old that we didn't have computers in school and I know I should have put together a PowerPoint and it would have been much more effective, but I am afraid I am old school and what I have here is a poster board. It has pictures for you to see of the view from our deck prior to this. I brought a picture after the hand clearing. This was the agreement referenced that myself and my neighbor Mr. Carson talked with Mr. Eubanks about. This would be to clear some space and taking trees that were marked with white paint. They gave us a couple of days to invite the neighbors over and view the trees that had been marked and to comment. This is what it looked like after that. It was a bit of a winding trail and the white painted trees were taken down. We thought that was the end of it other than the repairs to the creek that DHEC was requiring.

Monday, the 9th, the machines came back and this is the view from our deck. The reason I am here is not to necessarily discuss our trees, they are gone, and the City has plans to clear 100 miles and up to twenty five feet. I feel the citizens should be aware of this. Pardon the pun, but sewer maintenance is not a clear cut issue. There are options and alternatives. I brought a publication that is out of California and I attached the credentials. It is based on an EPA publication. It has nationwide experts from EPA and various organizations that talk about the alternatives to clear cutting and root maintenance for sewer. There is not a single publication from the federal government that you can produce that you must clear cut to maintain sewers. There is not one.

We are urging communication and dialogue with the citizens. Each should be discussed on a site by site basis and compromises can be made. Tree roots are a horrible problem for sewers if you are dealing with red clay pipes, which are generally pre-1980. Tanner's Mill was just established in 1997, tree roots are generally not a problem. They will grow only if there is a crack or already an opening. I would like to submit to you that by having a dialogue with the citizens you will see things from a different perspective. Our response is that if maintenance requires you to send a camera through the pipes and the cameras see a tree root growing, that is a discussion. That tells you exactly where the crack is. You can go to the exact point of the problem to get that small area and fix it. Again, the emphasis is on dialogue and citizen involvement.

I did draft a form and I submitted it to Mr. Gardner. I am not here to just go away. I have offered my services to put together a database on neighborhoods. Our manager is Charlene Rice at Tanner's Mill. I am sure every subdivision has a manager. I am offering my help and assistance. I am not here to whine and complain. I want to help with the solution.

- b. Chris Gorton: I am not sure what I can add. My wife explained this very succinctly. I am Chris Gorton , 203 Stapleford Park. Same address. I would like to suggest that the policy of clear cutting right-of-ways be re-examined. It might not be prudent in newer sewer systems. It might be a different policy from what we have done before. This right-of-way was different because it was in a wetlands area. I am not sure if there are guidelines that apply over the city guidelines. Wetlands were cleared to the edge of creeks and streams. Having a flag delineation of a wetland at the top of a bank doesn't work. You can take out all the vegetation and all you have is a creek. What is the point of putting a flag up? That is probably all I have to say.

Councilman Cook: There have been a lot of concerns. I want to make a point and I want the attorney to address some of the things. I want to illustrate that we maybe failed in notifying people, but we haven't been doing that. The problem is that these folks were trying to do their job. I don't mind taking criticism, but when these guys are on the line and doing what they are supposed to be doing, that is wrong to criticize them. I think we have the best department heads, the city looks the best it has ever looked, and I have been here a long time. I appreciate what these guys do, what Greg does, and I know some to the emails I got asking how much we pay him, my answer to that is not enough. I ask the attorney to address these issues and state our position on them.

John Duggan: Some of you are regulars and some of you are not. Let me go and give you some background. I have represented cities for 28 years and I have represented five cities, from a very large city all the way down to a small town. Mauldin is the only city I have ever represented that has a tree board and has strict standards in trying to preserve trees to the extent we can. This body have issues come before them where they make the final decision on what needs to be cut and have established specific standards. They require specific plantings to replace trees that have been removed. As a matter of policy, this city recognizes the importance of trees. I want the Gorton's to know that because you all care about the natural landscape and the impact that has on the quality of life. I am proud to represent this body because I am an environmentalist and more than any other body I have represented, this group truly does care about the issue and respects your opinion.

About five years ago, we received federal mandates to upgrade and improve the sewer system through DHEC, which is the state agency that carries out federal mandates. In turn, DHEC instructed Western Carolina to require all cities that were putting wastewater into their treatment plants that we had to come up with a plan to test and repair all sewer lines within the city. For three years, Mr. Lawson and I negotiated that contract to try to make it as least onerous on the city as possible. We fashioned a result that we wanted to have the least impact on the environment as possible. I want you all to know that was in Mr. Lawson's and my mind as we went through these negotiations. We argued with some of the requirements that Western Carolina wanted to impose.

Ultimately, We struck a contract as we had to and we underwent smoke testing of the system and one of the things we had to do was to clear the right-of-ways which we had failed to do. If you don't do this, the sewer lines will have greater damage and if we ever have a major break of a line, we have got to be able to get to it quickly to minimize the release of raw sewage into the environment. If we cannot get to a huge break, we will be subject to huge fines that you the taxpaying public pay. We tried to balance these. We have the legal right to clear the lines. Under the easements, we do have that right and we are trying to do it through our engineers who tell us how they want us to clear those lines. They are the sewer experts and they are doing this under the instruction and guidance from the engineers. I wanted to give everyone the history of why we are doing this. If we don't do this, we are risking much greater cost to the public.

Councilman Black: I would like to speak on behalf of Greg and the PW Department. I have been involved with the city for approximately 18 years. Some of you think that is too long and I need to move on. I have never seen this city move along or look as good as it does now. The city has come together as a group without bickering and backstabbing among themselves. Greg had a big task when he came on board. He did a lot of things that were not real popular with some people, but they are the best things for everyone involved. He is treating everyone fairly. He does not deserve the phone calls and emails. I was involved with this project and it was to feed the elementary, middle schools, and the now Coca Cola plant. At that time, this was and still is, a proposed route for the city's greenway/bikeway. This sewer line will have to be cleaned out in order to use it for walkways and bike trails for the students to and from school and for recreational activities. I will challenge anyone to take the task Greg Fincher took over and do a better job than he has. Like Mr. Cook said, I don't think we pay him enough money. He comes in on the weekend and brings his guys in. I don't think you could ask for anything better from your tax dollar.

Councilman Reynolds: I don't mind admitting to Greg. We talked about this. I didn't agree with his hire on paper. I thought it was the wrong one. I thought there were better qualified applicants. He proved me wrong and I am man enough to say that. I worked with him for about three months and I told him he proved me wrong. The PWD is the engine behind the city. It is not like the fire or police when you need them is when you call them. Public Works does background stuff that no one knows about. I just want the employees to know that council knows that you all work hard. Greg, you have done a phenomenal job and I appreciate that.

Councilman Kennedy: Being chairman of the PW committee, Greg has diligently worked and communicated with me and any problem that he runs into, he comes to me. We walked the easement and he told me all the complications he was going to have. The main thing I looked at was the equipment has to get in there. It is a mandate that is coming from the EPA. If they fine us, then we will have to pass it along to the people. We are not going to pay it, you will pay it. He is doing what he is supposed to do through a mandate, not because he wants to do it. He has always communicated with me and he will communicate with you, too. Greg is always available. He is that kind of person. He has stays hours and hours on his own time trying to clean the city and he deserves accolades, he and his staff. If that many people are coming to support him, that means he is doing his job. Thank you.

Councilman Black: Greg hadn't been on board long and he came to me one day and said do you think this will be a problem? I said I don't know, what is it? There is a historic cemetery on the other side of town and it was run down. I didn't know it was there. Greg brought his baseball team over here from Easley in August or September and they cleaned it out. They would not take a donation or anything from the city for doing that. They cleaned it and the people over there were trying to give them money. Greg does not live in town and his baseball players don't live in town, but he thinks enough of the City to better the looks of Mauldin. He is here all hours. Everyone has their faults, but if he has one, it is being real proactive on stuff.

Cassie Gorton: If the tree board had been involved in any way, I wouldn't be here tonight. They were in no way consulted and no way involved.

Councilman Cook: I hate to do it, but as I said before, we as Council make the decision. It stops here. We make the decisions.

Councilman Hunter: As far as the tree board is concerned, they have responsibility for trees on public property in the City of Mauldin. The regulations of the federal government override any of the responsibilities of the tree board. Because this is a federally mandated requirement to keep the sewer lines clear, the tree board would have no responsibility for that. The federal mandated overrides that. The Sanitation Department was in disarray until Greg came. The leadership was lacking and people were not pulling their weight. Greg has displayed excellent leadership as evidenced by the guys that have showed up here tonight. He is doing an

outstanding job. We are better off now with our equipment than we have ever been. There is a regular purchase program and a pm program that has not been in existence before. All of these things go to lowering the cost of operation for a department that is basically not seen or heard until there is an incident- your sewer line breaks, there is a tree across your propriety, the creek is dammed up. They are out there every day picking up garbage and picking up limbs, paving streets, making sure the sewer and pumping stations are working. The Sanitation and Streets and Sewer Departments are working better now than they have since I have been here and that is due to the leadership from the head man. Greg, we appreciate that.

- c. William Drummond: Good evening, Mayor and Council members. I look around and see Bob Cook who has been a friend of mine for 30 years. My name is Bill Drummond and I live at 116 Whitestone Avenue in Mauldin. I am here because I was made aware that there may be three positions for the planning commissions and three for the zoning commission. I respectfully submitted my name for the planning commission. Cindy called me the other day and I came over. You may ask what training and experience do you have? This year in 1983, I ran for City Council and lost by 199 votes. Same year, President Reagan appointed me Director of Minority Business Economic Development for the Department of Energy. Under the Bush administration, they moved me over to the Department of Education. So, I am coming back to Mauldin after 25 years of giving my service to the federal government. Prior to that, I was Deputy Superintendent of Schools in NYC and a principal. I left there and that was my experience. I came to South Carolina, back home in 1979. I organized the Evictas Management Corporation.

I am happy to say you have a baseball team and was elated for these kids. I went to undergraduate school on a baseball scholarship. The first job I had was a pitcher with the San Francisco Giants. I went back to NY as a teacher, assistant principal, principal, and Deputy Superintendent of Schools. Then I came back home. I am here tonight to ask for your consideration of my candidacy for the planning commission and I know that I can- because I have been planning strategically all of my life. That is all I have to say. Thank you, Cindy.

Councilman Reynolds: Mr. Drummond lives in my neighborhood, and I was disappointed the other day when I drove by his house. His yard looks so much better than mine. It is frustrating.

William Drummond: I have a bachelor's degree, a master's degree, and a post graduate degree in management and administration.

- d. Chris Baird: I live in Greenville. 1510 East North Street. I shouldn't be here complaining but I am. I am a train collector and organizer of young children in the train world and am sorry I didn't make it. I had other plans. I represent an organization and we go by the acronym of CALL. Carolina Association of Lawn Maintenance and Landscapers. We have been

around since about 1983. I am a charter member and there are only four of us still around. We have about 40, 50 or 60 members. For years we met in Mauldin but now we meet in Simpsonville because we needed more space.

We leave money in this area. We did the Simpsonville War Memorial down there. It didn't cost anything. It is a \$75,000 project. We just finished the Richard Riley center. When they were buying the cultural center we were here when the first presentation was made to purchase it.

I am here to talk about grass collection. I didn't get to talk to you last month because I got here a little late. I just want you to reconsider your vote. Think about what you are fixing to do. Greg, I have heard a lot about you. I wish people would say things like that about me. A lot of the things Greg mentioned were not exactly right. In theory they are right, but they could be right but not all right. That is my complaint. There are a lot of things that need to be discussed instead of making a law and saying here is the plastic bag. You are mandating just like the federal government. You should buy the plastic bags. The City of Greenville found out they couldn't do it either. I do agree with some of the things he said about putting it in front of the gutter. I see that. I have a picture right here. This picture was handed to me and I am looking and I said good night, that is me. If you look at this picture you would think a landscaper put this big pile there. They didn't. This is a homeowner's pile from over here. I put out a little green at the front of the pile. I put it in front of my customer's yard. I spoke to this man and he said he would be here but he is not. I spoke to everyone on the cul-de-sac. If you look at it, you would say landscapers are dumping stuff right in front of our gutter. That is what I would think.

I just wanted you to reconsider what you are doing. We went through this about five years ago. It will cause you a lot more money in the long run with plastic bags and getting them loaded up and the cubic feet on a trailer because you can't put as many plastic bags on a trailer as you can leaves. I do clean the curbs after they leave. When I come back, I clean it. I did it today. I cleaned the residential up. I would like you to call us. We are professionals. I have been to a lot of schools since 1980 and we have a lot of educated people and we would love to get together with Greg and see what we can work out. It is a tax to my customer indirectly. \$1.50 tax.

- e. Mario Walker: I am a resident of Mauldin. I live at 121 Manchester. I pay taxes here too. As Chris said, I am the President of CALL and there are over 50 companies. I am here to express that this is a burden. Like Chris said, if there was a dialogue between us and Greg to figure out a better way to do it. I work in different cities all over the county and this is the only one that is proposing to have an ordinance. Each of them have a specific day to pick up yard waste and it is not specific here. My wife didn't know this was going on. She bagged up a bunch of stuff right after this last meeting and it has been sitting at my house for three weeks. My neighbor is the same way. That waste has been sitting there. I am not

saying anything about Greg, but if there is a deluge of rain, we will get blamed for having clippings and debris clogging up the drain.

If you don't know the background, we are the ones that are the easy target. If we could have a specific date. I schedule my yards the day of or the day before and try to get it done before the guys come by. When someone comes by they will blow it all over. In contributing to the contamination of ground water, I have never heard of that. I have over 100 hours of turf and horticulture behind me. I have never heard of that. Fertilizers are a different story in the ground itself, but not the clippings.

There are two other properties I have seen where the clippings still are sitting and I checked my house this afternoon before I came in and it is still sitting there. What happens if the bags break? Is there a dictation of what specific bags to get and where to get them when this is pushed through?

My other question, does the landfill accept bagged debris from you guys, because they do not accept it from us. That is one of my questions. Are you going to tell the new licensees that this affects you? I get my license every year and I just pay my money and go about my business. Nothing is said. When different regulations are affecting me, I would like to know it. If someone walks up and says here is your ticket for this, I will say where did this come from? This is a license without representation or notification or anything like that. Thank you.

- f. Roger Beebe: I am Roger Beebe 103 Candlewood Court. Bear with me, I have never spoken before council. I have lived here for 33 years and have seen a lot of change. I am speaking of the bagging of grass. I think it is ridiculous. I talked with Mr. Fincher for quite some time after you told me to call him. It takes 3-4 weeks to have the clippings picked up and I think you have 2 or 3 vacuum cleaners at \$180,000 apiece. Greg has mentioned that they have problems with that. First of all, that is what you have a maintenance department for. Secondly, he brought up the fact of stones. I have never known anybody in our area to put stones in the grass clippings. If that is the case, that family or that house should be notified that next time they will be fined.

I have been here 33 years. I take pride in my house and I have a beautiful yard. If anyone wants to come see it, you are welcome. I am a yard junkie. The idea that you are going to pick up bags and take them to the landfill in the bags. Before, you people are making a pile of mulch? I don't know. I can't understand this. The bags will go into the landfill and will take 100-150 yards for plastic to disappear. Huh? Did you say? This is a waste of the landfill. What will you do when people want mulch? You won't have any mulch. Pure and simple. The branches when we have a bad storm, branches come down, it takes 3 weeks for that to be picked up. I have been retired for quite a few years and I am aware of what is going on. I never have had to come here before and the last time I came to a council meeting was in the old building. It has been a good many

years. I am asking that you turn down this ruling . I think it is a waste. It is a crime.

4. Report from City Administrator

Trey Eubanks: We continue to make progress on the Highway 417/276 project. We have received \$45,000 in funding from GPATS. A contract was signed two weeks ago with Land Design Incorporated to do that work. One of the reasons they rose to the top to do the work for us was because of their commitment to ensure a lot of input from our citizens and business owners along that corridor. This is a very important project for Mauldin and will address things such as beautification and landscaping, traffic assessment, improvements to the corridor, design standards and land use standards. We have a lot of land along that corridor that will either be developed or redeveloped. A lot is happening in this area of the state. I want to reiterate my sincere appreciate to all of you. Last month you voted to approve the full scope of services and our community is going to benefit tremendously from that. Land Design was on site last Tuesday for field work and will be back next week. We should have a kickoff meeting next month.

The second thing is the comprehensive plan. We had about 75 people at a meeting on May 29th. A tremendous amount of input was given by our citizens and business owners who want to participate in shaping our future. The 1994 Comprehensive Planning Act requires local governments to update their 20 year plan every 5 years. Ours is due to be updated next May. 75 people turning out is an outstanding start. We have about 19 people signed upto serve on subcommittees and another 14 signed up to participate in focus groups. John Gardner is doing a tremendous job on this for us.

The cultural center- we are off and running there. The city attorney and I are going to get together to discuss bylaws. Council member Black is Vice-Chairman of the Cultural Center Foundation Board and we will schedule a meeting probably later this month. We have had some great progress as a result of the last meeting- on membership, and by-laws. We have over 40 applicants for the executive director position and I look forward to working with the board and the city attorney to fine-tune this. The demolition work is underway with the 67 wing. They are on site. I don't have an estimated time frame, but I think you will see an awful lot of progress over the next few weeks. We do have an RFP out for an architectural firm to do some work on the auditorium. That work will also include a design for what could happen to that corridor that leads from the main building to what used to be the 1967 wing so we will have options. I expect to receive bids if not by the July meeting, certainly by the August meeting. I will note last fall we received a major contribution from C&S wholesale towards the auditorium. We are pursuing that.

Durant Ashmore has been busy. I will ask him to comment. I want to say how much I have enjoyed working with Durant. He has worked with representatives from both the Tree Board and the Garden Club in developing this design. If you have been out there the last few days you have seen a lot of work. Durant has also included some of the input from the state forester who has done some work

with us, Jimmy Walters. He has the confidence of the Tree Board, Garden Club, and this council and we are looking forward to some big things with the grounds of the cultural center.

Just another comment on the train show, Ms. Pomeroy I appreciate your email. We had a lot of great turnout for this and I think it exceeded expectations. I think a lot of comments were appreciation for the use of the facility. Some past principals, teachers and students were delighted with how this facility is being used and they want to see more. We look forward to meeting with some of the committee members to follow through and make this bigger and better next year and incorporate some things with our recreation department, who has some ideas about some family type activities. I think for our first annual show it has been a huge success. I also want to recognize our public works department. They were Johnny on the spot to get some work done on the grounds. The fire department was there in support as was the police department and the recreation department and their employees as well.

5. Reports from Standing Committees

a. Fire (Chairwoman Gettys)

i. Reports and Communications from Fire Chief

Chief Sapp: You have received the monthly report for the fire department. I do want to add a couple of notes. The fire department received the cool vests we have been talking about. We have sixteen now and will have 18 more after the budget. It takes about 15 minutes for the core to get frozen solid and stay cold. This is part of the things we are getting ready for because of the hot weather. When the temperature reaches 97 degrees we are holding staff over so we will have a sufficient crew to go in and out of the building. The fans will be ordered tomorrow. We have found a vendor for the fans and I will place that order tomorrow. It will cost a whole lot less than what we planned.

We are fixing to lose Lt. Steve Quinn on June 25th. He will be taking the position of fire chief for the City of Woodruff. We hate to see him go, but he will better himself.

Councilman Black: What about the truck?

Chief Sapp: Last I heard was July 20th.

Mayor Godbey: Lt. Quinn is not the only person that has moved up from Mauldin and it is a tribute to the department that we have folks that rise through the ranks of our department.

Chief Sapp: I did.

Councilman Cook: That was a mistake

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chairman Cook: I want the minutes to show, Ms. Miller, that Sgt. McCord looks a whole lot better and has a full head of hair.

Councilman Black: I believe the summer camp got to him and that's why he is not here.

Sgt. McCord: Thank you, Mayor and Council. I started to tell the Chief I couldn't do this because I was afraid he was going to make me shave my head. It seems to be the trend. We had nothing major occur in May. We are trying to fill some vacant slots so if you know anybody who would make a good candidate, please let us know. We have far exceeded training in May. We had 1027 hours of training for our guys and they really, really hit it hard last month. Our traffic team is doing well. We hosted the Greenville County Safe Community traffic task force this past month. From 11-5 they hit seat belt use. They wrote 173 seat belt tickets within that time. That is without two agencies unable to participate. I applaud all of our guys and that is all we have.

Councilman Black: I wanted to reiterate what a great job you and the employees are doing with the summer camp. We have taken the lead like we did on the gang recognition.

Sgt. McCord: All the credit on that goes to Mr. Rose and Cpl. Eggleton. They are doing an outstanding job with those kids and if you get any time to spend some time with them, you would find it enjoyable. They are a good group.

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

Angela Martin: Thank you. Good evening. You have the May report. This was our week to have a full week of jury trials but we were able to dispose of them today so we don't have anything else scheduled. The next term is August 18-22nd. We have night court scheduled for August 5th.

Mayor Godbey: I received a call from Rob Stilwell, who has returned from Afghanistan. We have had a fill in with competent judges and recognize we will make changes again with his return. I applaud his efforts on behalf of our country.

Angela Martin: He is scheduled to come in on Wednesday to visit and see everyone. If you would like to drop by and see him.

c. Recreation (Chairman Reynolds)

i. Reports and Communications from Recreation Director.

Van Brannon: I want to update you on comings and goings in the Rec Dept. The big activity for the senior center is coming up this month as they will be going to the Flat Rock Playhouse. Baseball and softball all-stars are getting ready to start. The Summer program has started and we have about 50 children participating in that program. This week we will have fit kid activities in the middle of the day. We had twenty participants today.

We have been contacted by Pine Forest and Oak Forest and they are going to have a 4th of July party. I have been working with them to make sure we can provide them what they need to have a successful event.

We received word last week for the third straight year that we have been recognized as Tree City, USA.

Chairman Reynolds: I saw the children with the summer program with Chief Turner's group riding in the Senior Center vans. I appreciated the departments working together.

Van Brannon: We are the City of Mauldin, not just one department. We are happy to do that.

Councilman Cook: The Mayor and I were out at the Train Show Saturday. We called Bart and Jonathan had the cabin open in about fifteen minutes. I don't know who did it this time, but it had stuff out in it. The bed was made and that might be done all the time, but I want the people to know that there were no questions, they went ahead and opened in. That comes from the leader.

Mayor Godbey: I had a question about Tree City, USA. We had recognized the sign on Butler and were going to establish a sign.

Van Brannon: You are talking about Verdin and Butler? We haven't done that yet. We have a tree board meeting tomorrow and that is something we are going to talk about.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Pete Nomikos: On the renovations of our office, the new counter is in and the new desks are in. We are in the process of getting the second

half of the floor stripped. We are just about complete with all the renovations. We are getting a conference table and some chairs so we will have somewhere to meet with customers and developers.

We have selected a new building inspector. He will be starting June 30th. I will be with him for about a month and making sure he is familiar with the job area and then I will be able to get back to my job since I have been covering inspections since November when we lost our last inspector. We have two items on the agenda. One is the business license revisions and one is Stock building supply.

Councilman Black: What is the status of 134 Brookbend? I know this is a thorn in your side.

Peter Nomikos: I talked to the attorney last week and he had the daughter of the victim in his office. He had been given some bad information by a contractor about what needed to be done to the lot to build on it. One contractor told him he needed to bring 120 loads of fill dirt to build up the lot. I explained that was not required, they just had to elevate the living level four feet above the flood elevation. That misinformation drove off of potential purchaser. The daughter has no money and there is no money in the estate to take down the house.

I talked to a local builder who is always looking for building lots and he expressed an interest in going in and demolishing the house and building a new one and settling up the purchase of the lot at closing. I will call the builder tomorrow and see what the status of it is. I did offer the attorney that we could have the redevelopment authority come in and take the house down and put a lien on the property and the lien would be satisfied once the property was sold. He is weighting those other options now that he is aware of them.

Mayor Godbey: I have asked the attorney since this has been an issue for so long to look into that also.

Councilman Black: I know if Redevelopment gets involved, and I appreciate what they do, but there will be a delay factor. It is close to a year since this has happened. It is an eyesore. I don't know what is in the house as far as rats and varmints. We did get the grass cut by one of the neighbors.

Peter Nomikos: I went in the house last week to see how much would have to be hauled off. It is going to take several dump truck loads to haul it all off.

Councilman Black: I would like to get it out. Has Stuart been on vacation? I for one have not received the citations we normally get on Friday.

Peter Nomikos: I have been unable to do the report. I am sure there is quite a backload of cases that I need to get out to everyone. Hopefully

once the vacancy is filled, I can get back to it. My workload has been a little much lately.

Mayor Godbey: Who is the new inspector?

Peter Nomikos: His name is Joshua Cross. He works in Spartanburg and has previously worked in Horry County and Surfside Beach. He has all four of the residential certifications and two commercial certifications. I think he will make a good addition to the staff.

Councilman Reynolds: With this addition, I know council asked you if you could get inspectors out on the weekend, is that something you will be able to do?

Peter Nomikos: We did discuss that. The activity on Friday and Saturday are contractors working without licenses or permits. We had discussed in PEDC requiring that the contractors have id on the vehicle and a copy of their license in the vehicles. That will make it easier to determine who is out there and who is legal. Once we are up to full staff, we will need him to come in on Saturdays to do that.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher had his PW employees introduce themselves and tell council how long they had worked for the City.

Paul York: I live at 5 Stetson Court in Hill Place. A lot of times I hear Greg getting slammed by everybody, but to keep this positive, since he has been here, I have never felt more wanted and appreciated and everything we need equipment-wise, he gives us the best. When I saw him with the Miracle League three weeks ago, I am a tough guy, but watching this big man with those little kids touched my heart. We have the best group I have seen in two and a half years. Thanks, Greg and Trey.

Chairman Kennedy: This shows me you are sticking together and your uniformity and we like that about you. We appreciate you very much.

Greg Fincher: You have a lot of information before you. Recycling to date is 668.65 tons of recycling. You have some pictures. You met those two boys from the Miracle League here. That is a worthwhile cause. We are going to go in the fall as a department and participate in that, they will volunteer their time. I love baseball and I love kids and they are amazing. We can learn a lot from everyone we meet. These kids are a blessing to me. Andrew doesn't speak, but his gestures are touching.

Mr. Cook asked about the complaint log, you will see vivid pictures. What we have done is when we have an issue in the city where we have some folks that do lawn maintenance and they bring it in the city and leave it for us. We have enough to do. If you will flip the page, you will see this fellow dumping his trailer. We are trying to keep the City clean. The next page is Libby Lane and that is a catch basin. We are trying to deal with these issues. We are down to one boom truck. We have one picked out to buy. We started photographing. One of the guys that came in had one of our pictures. You can thank Jeff Hanks for taking that picture of the lawnmower and grass clippings. On the email that Cindy sent, I am not going to read it, that is how everyone got here. There was a fellow that called that was upset. You will see our code of what we will pick up and what we won't. You will see this balloon tank and this was the issue. I had one of my guys ask if they could come to a council meeting. I said I didn't have a problem with that as long as they behave. For those of you who have kids, you know your children can fight like cats and dogs, but if someone outside the family messes with one of your children, the kids that just got through fighting are going to defend each other from the outsider. That is how we are at Public Works. We have issues amongst ourselves but like Charlie Daniels said, you outside people better leave us alone, that is why they are here tonight. I heard some nice things and I appreciate them, but when you say that about me, you are saying that about them. They make the city go. I am a puppet master, but they are out there in 100 degrees.

Bud and Willie work hard and quickly to get our equipment up and running. They do everything they can. We do have some stuff that has been run in the ground. There was a fellow that made the statement that is a maintenance issue. I don't think we could ask for any two people to work any harder on what we have and keep it together the way Bud and Willie have. I know what they go through and I see what we have to do some times to make things work.

Mount Leafmore is virtually gone now. It is down to Mount Dirtmore. This the start of Mt. Brushmore. Hopefully tomorrow it will start to disappear and become Mt. Chipmore. Those are some pretty good photographs of how much brush- Van said we are Tree City, USA, but unfortunately with trees, people tend to prune everything they have this time of year in addition to what we get from other people and it is tough. We are down to one boom truck and sometimes we will put a back hoe on the road and load trailers with it. This is a busy time of year for us.

I talked to a fellow the other day and he was real nice, he hung up on me, but I told him we are still picking up leaves. He couldn't believe it. Some folks like to wait to put their leaves out. We are still picking them up.

They called and asked us to do something for handicapped access to the train show so we built a ramp. If it isn't red lights or blue lights, it is Public Works and we are proud to do that. There is no man sitting here that doesn't take pride in what they do. Some of the issues we are having right now in the city is the fact that maybe before we were content to be status quo, now people are offended when there is an innuendo that we are not doing what we are supposed to do. We take pride in the city and in the fact that most of the time we get along very well with the citizens of the community. We will meet them half way and achieve our objective, which is to do our job.

You have some reading material and more pictures. I won't go into all that. There is something that Mr. Black had asked me for from Public Works Equipment and supply regarding the leaf vac and he responds, and please note the response he gave. This is actually a salesman. He is giving you some information there as far as what we can use these vehicles for and what we can't. You approve what we buy and the information is there.

Our guys come to work and do a thankless job and on top of that they do it with a smile on their face. Some of their shipmates they work with on the back of the truck, we have come a long way in the past year. I am proud of them. It has been semi-painful and we have lost a few along the way. When you lose someone, you get somebody back that is supposed to be where they are. That is what is happening. We have been blessed.

Greg Fincher: Someone get that paper up. This is actually what we got out of a sewer. That is infiltration from a root. Just to piggyback on some of the issues we talked about tonight. I just wanted you to see it. They grew well in that environment for some reason.

f. Finance and Policy (Chairman Black)

i. Reports and Communication from Finance Director.

Lisa White: Thank you. I think I am going to change and start going first again.

Chairman Black: No, you wanted to be last.

Lisa White: You have the monthly report for May. The city is doing well in most areas. We have exceeded our budget for business licenses but that has been offset in permits, interest revenues, and some others. I do still feel like the City should end positively. It is a little too early to say how much. Most departments are within their budgets some have exceeded. We will give you those reports after we have closed the year. We will be printing this year's budget in paper and on disk. I know Mr. Cook wants his on a disk. Last year's intern came back and is working on that. I also want to make sure that everyone knows that Karin, our intern who is working on her MPA is here. She is at Clemson at Greenville Tech working on that and is doing some projects for the

City Administrator. I think tonight has probably been a learning experience for her. She is helping us out also.

Councilman Reynolds: I do have some concern of having a Clemson student as an intern.

Lisa White: The other intern is from USC so we are balanced.

Trey Eubanks: I am keeping a close eye on her, Mr. Reynolds.

6. Unfinished Business

a. Consideration and action on business license ordinance revisions. (PEDC)

Chairman Hunter made a motion to pass this ordinance on second reading. Councilman Black seconded the motion and the vote was unanimous (7-0).

b. Consideration and action on grass clippings ordinance. (Public Works)

Chairman Kennedy made a motion to pass the grass clippings ordinance with Councilman Cook seconding. The vote was unanimous (7-0).

Chairman Kennedy: I would like to inject for disabled people, I am not going to say a mandate, but we need to have consideration for those people and the grass clippings.

Trey Eubanks: Our code allows for us to help citizens with their special requests. We have citizens we currently serve. There have been a lot of comments in support of this ordinance to our PW Director.

Councilman Reynolds: The gentleman made a good point that people who are applying for business licenses as landscapers need to be notified of this ordinance.

c. Consideration and action on committee quorum requirement ordinance.

(Finance)

Chairman Black made a motion to approve this ordinance on second reading. Councilwoman Gettys seconded the motion.

Councilman Reynolds: I still have concerns that this might be used by a future council, I don't think it will be on this one. A situation came up last committee meeting and I couldn't take any action because we had no quorum. I can understand both sides of it now and can support it now.

Mayor Godbey: The safeguard too is that it comes before full council. I believe there are some safeguards there.

The vote was unanimous (7-0).

- d. Consideration and action on FY 09 budget ordinance. (Committee of the Whole)

Chairman Black made a motion to take second reading on the amended budget ordinance. Councilwoman Gettys seconded and the vote was unanimous (7-0).

- e. Consideration and action on begging ordinance. (Committee of the Whole)

Chairman Cook made a motion to pass this ordinance on second reading with Councilman Reynolds seconding. The vote was unanimous (7-0).

7. New Business

- a. Consideration and action on two fireworks requests (Fire)

Chairwoman Gettys made a motion to approve the two permit requests for fireworks for New Horizon and Brookwood Churches. Councilman Black seconded and the vote was unanimous (7-0).

- b. Consideration and action on Stock Building Supply business license appeal (PEDC)

Chairman Hunter: This is the second year we have had a requirement that a tax return be submitted with a business license application. Stock was notified in December of 2007 that the business license renewal was due April 15, 2008. Contained in the cover letter they received was a notice that income tax verification was required before any renewals could be processed. Stock sent in the renewal form around March 6, 2008 but submitted a computer generated document with sales and use tax instead of the income tax form. The package was mailed back to Stock on the same day indicating that computer generated reports were not acceptable. Stock paid their business license fee before May 15, 2008, and they were assessed a 5% penalty for being one month past due. Stock is asking for a refund of the \$1100.78 late penalty. At the June 3, 2008 PEDC meeting, the committee voted to forward this item to Council with a recommendation for denial. I would like to make a motion to deny Stock's appeal because they were notified in plenty of time and had at least one year's experience under their belt before this incident occurred.

Councilwoman Gettys seconded.

Councilman Black: Did they send in the correct amount for the business license renewal? Is the only thing in question the penalty of \$1100 because it went past the deadline?

Peter Nomikos: They did submit the correct amount with no verification of the amount. We did return it three weeks before the deadline. We told them we needed the income tax form. We informed them of this same requirement last year.

Councilman Black: But the money was the same?

Peter Nomikos: The bottom line was the same. The amount was correct. They did not get the tax form back to us before the due date.

Councilman Black: Did we correspond through registered mail?

Peter Nomikos: The initial notification was certified. The general renewal notices go out by regular mail.

Mayor Godbey: I am include to support Mr. Black's observation, that the amount of money submitted was the amount owed even though it is the second year and they are aware of our requirement, I don't think they are trying to get over on us. They were just providing the wrong documentation.

The vote was 4-3 for denial. Those dissenting were Councilman Black, Reynolds, and Mayor Godbey. Stock will not receive a refund of the \$1100.

- c. Consideration and action on planning commission and zoning board appointments (PEDC)

Chairman Hunter: There are three openings on the PC and four on the ZBOA. You have a ballot that Cindy placed at our seats. Please circle three PC and four under zoning board and pass them in and Cindy will tally them and announce it later.

Councilman Kennedy: Are there any members here tonight?

Elizabeth Wiygul and Rodney Neely were both present. Mr. Drummond spoke earlier.

Rodney Neely: I live at 111 Basswood Drive in Hillsborough. I have lived here 16 years. It would be an honor to serve on the planning commission and helping preserve the quality of life and continue to make this city the place you want it to be. I have been involved in several volunteer positions – football coach at MHS, team rep with the girl's track team, and I volunteer at Bethel Elementary.

Based on the vote tallies, the new Planning Commissioners are Raymond "Pete" Chandler, Elizabeth Wiygul, and Rodney Neely.

The new members of the zoning board are Richard Osborne, Jim Bagwell, Randy Eskridge. There was a tie between Euphemia Moore and William Drummond. After a second ballot, William Drummond was the final member voted in.

Mayor Godbey: It is encouraging that we are getting more people to apply for the positions that are available for these two voluntary boards. We are becoming more volunteer oriented with services for the city and that is a good thing. We have a lot of folks involved in a lot of different aspects and the more hands, the lighter the load. Thank you, Mr. Neely, for staying.

d. Consideration and action on Fund Balance Designation- fuel contingency (Finance)

Chairman Black: During the May 21 Budget workshop it was suggested that council designate a portion of fund balance for a fuel contingency due to the rising costs of fuel. A contingency amount was calculated at approximately \$50,000. I make a motion for this.

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

Councilman Reynolds: I think we were doing multiple things, not just the fuel contingency, is that correct?

Lisa White: The way the committee voted on it, this was what was done. We will bring it back up in July regarding the fiscal policy.

e. Consideration and action on FY2008 Budget Amendment – Sanitation Trucks (Finance)

Chairman Black: Thank you. Two trucks purchased by the Sanitation Department were received during July 2007. The trucks had been budgeted in the prior year FY2007. However, since the trucks were received in FY2008 (i.e. exchange transaction took place during FY2008) the trucks were recorded as an expense in FY2008. The budget needs to be increased by \$34,678.00 for these trucks. I would like to make that motion.

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

f. Consideration and action FY2008 Budget Amendment- Special Projects Fund 150 (Finance)

Chairman Black: Fund 150 was created to account for special or capital projects. Earlier this year the FY2008 budget was amended to input expenditure budgets for construction and rooms at the Cultural Center. \$215,000 was transferred from the H&A Fund to cover the revised budget for the construction. The accounts for Cultural Center Construction have gone over the budgeted amount by \$136,364.16. The budget needs to be amended to budget \$136,364.16 in the attached expenditure accounts. The offset for this would be to budget the revenue received

from the State (\$200,000 received from C-Fund & representatives for road paving at Sports Center). This revenue was recorded in the 150 however the budget was never amended. I would like to make this as a motion.

Councilman Hunter seconded the motion.

Councilman Reynolds: A couple of numbers look like they have changed. I am sorry. Wrong one. If there are some things that PW take care of, I would like to utilize them. I will get with you on that.

The vote was unanimous (7-0).

g. Consideration and action on Grant Procedure (Finance)

Chairman Black: South Carolina Law and our State's Supreme Court decisions provide direction on the proper use of public funds. Our City Attorney has provided the attached grant application package that will promote compliance with the law. City Council and the Cultural Center Foundation Board have determined that this would be the appropriate method of funding the CCFB Executive Director Position. This grant application procedure would apply to other funding requests if they arise. This was gone over by Mr. Duggan and we did this instead of the city funding a position for the executive director. I move we adopt this.

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

h. Consideration and action on Metro Sewer Annexation Ordinance Request (Finance)

Chairman Black: Metropolitan Sewer Sub-District (MSSD) has lost tax revenue when municipalities have annexed because annexation eliminates their millage rate assessment. Metropolitan Sewer Sub-District has worked with Greenville County to find a solution. The request is for the city to insert the following clause into future annexation ordinances;

"It is the intent of the Mauldin City Council that the area described herein to be annexed is currently served by Metropolitan Sewer Sub-District (hereinafter "Metropolitan"). At the time of passage of this Ordinance, it is the intent of the City that Metropolitan shall continue to provide sewer service, through Metropolitan's existing lines, to the annexed area. Therefore, the County of Greenville shall continue to collect the current millage rate assessed by Metropolitan on the annexed area and remit the same directly to Metropolitan until notified otherwise by agreement of the City of Mauldin and Metropolitan." This will give the revenue to Metro through Greenville County taxes. I move we adopt this.

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

John Duggan: When the annexation laws were revised by our legislature, and you all annex in the county a sub-district, the city has the option to contract with that service to continue or the city may take it over. If they do, they have to pay that service district for the assets you are acquiring from them. What you are doing here is continuing to have Metro provide the service and the revenues will continue to go to them although you have the option to buy those lines if you choose. We made sure the wording said we have the right to amend the agreement later if we decide to purchase them.

Councilman Cook: I believe, is this affecting any annexation we have already done that we told people we will drop Metro and collect it from Mauldin? Some places we annexed, we told them that WCRSA or Metro would be dropped.

John Duggan: This is for future annexations.

Councilman Cook: I don't want to hit someone with a double whammy.

John Duggan: This goes for future annexation. Prospectively, not retroactively.

Trey Eubanks: Metro did request that we rectify the situation with existing annexations. We are doing two things, we are verifying that the service area that Metro thinks they have is accurate according to our records, the second thing we are doing is verify that the annexations are accurate. If that is the case, we will send the county a letter indicating that the subdivisions indicated can begin to apply the assessment so that Metro will receive their revenue.

Councilman Cook: It would be smart to let them keep it so we don't have to maintain the line.

Chairman Black: I want to make sure our residents were not being double taxes with our sewer maintenance fee and metro's fee. Mr. Eubanks assured me that that was not happening.

- i. Consideration and action on new Fire Chief vehicle (Committee of the Whole)

Chairwoman Gettys made a motion to remove this item from the agenda. Councilman Hunter seconded the motion and the vote was unanimous (7-0).

- j. Consideration and action on new fine schedule (Committee of the Whole)

Chairman Cook: You have in your packets the note on some of these fines. We have been very lenient- \$10.00, \$10.00, \$10.00. We are going

to increase the fines. This will have to have two readings. I make a motion to approve the new schedule.

Councilwoman Gettys seconded the motion.

Councilman Black: This has not been updated since 1994.

Councilman Reynolds: My only question is with the fines- does the no parking zones allow for the fire zones as well.

Chief Sapp: Yes.

Councilman Hunter: Are these the only fines the city imposes?

Angela Martin: These are the fines the city ordinance imposes.

Councilman Hunter: Are these the only fines at council's discretion?

John Duggan: We do have other ordinances. Trees, cutting those, and having fines for those.

Councilman Hunter: I thought that was a state law.

John Duggan: The maximums are by state law. There is a cap of \$500.00 per offense or 30 days. We have many ordinances that provide for fines or jail time or both that are city ordinances, not state statutes. This is not all of them. These pertain expressly to parking.

Councilman Hunter: Should we not address all fines? Perhaps not in this document, but look at all fines and when they were updated. Mr. Eubanks, would you take that on as a challenge?

Trey Eubanks: These are the fines that more frequently come before municipal court. You see the amounts there. It has been a decade since they have been updated. We can look across the board.

Mayor Godbey: We could change the volume by second reading or we could address this through committee. All committees might want to look at the fines. Also, public comment can come before second reading.

Councilman Reynolds: How do these fines compare to neighboring cities? More or less?

Angela Martin: I do not know, but I will be glad to look into that and let you know.

Councilman Reynolds: I would appreciate that.

Trey Eubanks: One further comment. Court costs are increasing all the time and the assessment for fines and fees from the state are increasing. We get less and less of the revenues and this will help offset.

Councilman Reynolds: I would be in favor of increasing them more is my point.

Trey Eubanks: We can also check with some neighboring municipalities as well when we are checking the other fines and have some comparison.

The vote was unanimous to pass on first reading (7-0).

Chairman Cook: I would like to amend the motion to allow amendments for second reading.

Mayor Godbey: I don't think we need to amend the current motion. We can just amend this like we just did the budget ordinance.

Trey Eubanks: The minutes will reflect some of these points.

Mayor Godbey: It can be revisited in the police, PEDC, and Finance committees and I think it should be put on those for review.

Chairman Cook: I think it should be put on the finance committee.

Councilman Black: Sounds good to me.

8. Public Comment.

- a. Skeet Prinze: I will make this very short. I live at 117 Hyde Circle. I am on the Tree Board. The Tree Board had not been mentioned until the City Attorney mentioned it saying we were Tree City, USA and the Tree Board, implying that we were something. We were established. He also made the statement that the lawyer and the engineers made the decision, which is fine. Why is everyone talking about Greg? Greg is wonderful. Greg had nothing to do with it. He did what he was supposed to do and told to do.

Council runs this and does that and I attend my meetings and do what I am supposed to and the rest of the Tree Board does to, and I don't appreciate a council member saying to one for the Tree Board members that we were trying to run the city. We know what our job is. It is city property and that is all we have tried to take care of. Recently we have been fighting a losing battle. We call and say something about it and they say oh, well we are going to take it down anyway. We didn't need two trees taken down. If we are something to just say you have a Tree Board so you can be Tree City, USA, then you need to let us go. I can do better things with my time. Thank you.

9. Council requests.

Councilman Hunter: I would like to request that the city administrator develop for the next committee meeting, a vehicle replacement guideline for the city.

10. Adjournment. – Mayor Godbey adjourned the meeting at 10:00 pm.

Respectfully Submitted,

Cindy Miller
Municipal Clerk