

**Minutes
Mauldin City Council
Informal Session
November 19, 2007
7:00 PM**

Members present were Mayor RC Jones, Council members Don Godbey, Bob Cook, Gabe Hunter, Dale Black and Jerry Smith. Council member James Kennedy was absent. City Attorney John Duggan and City Administrator Trey Eubanks were also present.

1. Call to order.- Mayor Jones

- a. Invocation- Mayor Jones
- b. Pledge of Allegiance- Mayor Jones
- c. Welcome- Mayor Jones
- d. Proclamations and Presentations- Steve Carr

The Woodcarvers came forward to give their appreciation for their room at the cultural center. They presented the City with a \$5,000 check.

Steve Carr was present to speak about organ donation and his personal experience.

2. Report from City Administrator- Economic Development/ Planner, Cultural Center

Trey Eubanks: We have about 14 candidates that have applied for the economic development/ planner positions. You have that information in your packets. I request that you review those candidates, we did get one more today, and please rank your top five or six, and I would like to ask a couple of you to serve on the selection committee with myself, a planner from another jurisdiction, a member from the business community, a member of the chamber, and go through the process. The cream will rise to the top, I predict. We want your feedback and input on that and I will share it with you when we get the next step. We have some outstanding candidates.

Another quick update on the cultural center- we are waiting on GCRA to demolish the 1967 wing. They received bids the first of this month and they are going to rebid the project. They only received two and they are pretty high. They are confident that they can get lower bids if they go through the process again. This is going to delay the demolition until after the first of the year. It is something they have decided to do in order to stay on their budget. I will note that this demolition is estimated to come in at around \$200,000. Both bids received were over \$240,000. These funds are from the redevelopment authority. The chamber has moved into their space and they are delighted to be in the cultural center and we wish them success there.

Christmas lights are being tested so they can light up the City on Wednesday, The Tree Lighting Ceremony will be this coming Sunday, November 25th at 6:00 p.m. at the cultural center. Thank you.

Mayor Jones: Could you get members of council the copy of the other resume?

Trey Eubanks: Yes sir.

Cindy Miller: They are in your boxes upstairs.

Mayor Jones: Do you want to appoint the people to be on the interview board now?

Trey Eubanks : I discussed this with some of you. I think Mr. Cook would be good to help assess the candidates as well as Mr. Hunter who is Chairman of the PEDC. I think they would do a great job.

Mayor Jones: Would three be too many? Mr. Godbey, Mr. Cook, and Mr. Hunter?

Councilman Godbey: Certainly.

3. Reports from Standing Committees

a. Fire (Chairman Godbey)

i. Reports and Communications from Fire Chief- info on travel

Chief Sapp: The response time was 2.5 fire, medical 2.9, overall 2.7. We have run 245 calls for the month and that puts us at 2346 calls for the year so far. Last year we had 1768 calls. There have been 3 incidents in the last months I would like to bring to your attention- the accident involving the Greenville County Sheriff's Deputy, the motorcycle accident on 276, and the Mauldin Heights fire.

Plaques and certificates were given to several police and fire personnel for their actions on those three incidents.

b. Police (Chairman Cook)

i. Reports and Communications from Police Chief.

Chief Turner: During the month of October, we agreed and went along with a traffic safety grant. I don't have the exact figure, but it was around \$150,000. We put in place a traffic safety unit here in the city. Our cars that were ordered through the state will be here in about 90 days. We moved two guys into those positions. Their primary responsibility is to be proactive. They are mandated to do talks in the community. Since they have been working, they have been at the high school doing fatal vision which shows the impairment that comes on after drinking. A lot of our efforts will go into a lot of watching and observing with traffic counts and logistical things. It is hard for us to concentrate on one area, but we are making sure that we have the

biggest impact on the city limits and areas right outside the city limits which impact our city. Realize our limitations with staffing, but these two guys are going to be a great benefit to the city. I want you to watch our stats in the area of citations and see how the numbers are going to change. I think you are going to be proud of what is going to happen and I thank you for having the vision and forethought to help us with this. We desperately needed this grant. We are two positions down because we promoted two. We have two vacancies. I have some applications, but I am not going to move on those until I feel we have the right person in place. I was told by the state we had to put people in place as quickly as we could and that we were going to lose some of that match. What they were saying is that the salary is not there we are not paying out for those two people. I am willing to take that little loss because I want to find a suitable person for the position. We are working on that.

This past month, AAA of the Carolinas, recognizes South Carolina's safest communities for traffic for the second year in a row. I wasn't here for the first one but am here this year. We did not win. We were beat out by Newberry again for the third time out of four years. I have a feeling that this is ours next year though I can't go on record saying that. They will provide me wrong just for the spite of it. Population of 10,000-30,000, Mauldin was recognized as the Upstate County along with Hanahan, Aiken, and Irmo as one of the five safest communities in the state traffic wise. Total accidents were up 5% that is 21 accidents over this time. The number of cars increase every year and the roads don't get any larger. The population gets heavier. For us to be 21 accidents away from last year speaks as to why we got this. I wanted to let you know this. We appreciate your support on what we do every day.

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

Chief Turner: I assisted Angela in night court last week. We listened to some things and disposed of 12 cases. That is equivalent to a week of regular court. What normally takes a week long, we condensed to three hours. We have another jury term scheduled for January 22nd-25th. After that, there are two more terms scheduled. We were able to do a lot of things. There are 992 cases pending. I cannot take questions on hers, but if you have questions on mine.

John Duggan: I wanted to comment to you. As you know, when we took over the city's legal business, we had a real problem with backlog. I couldn't be more pleased with the way the court staff, police department, and Chief Turner have worked with us to make a reduction in the caseload. This night court went well to dispose of 12 cases and allow us to learn about the remaining cases on the jury trial term in January. A lot of those didn't appear for negotiations last week. I believe with this night terms, we are going to be down to trying cases that have asked for jury trials within 90-100 days which is terrific. I want

to commend the chief and Angela and this takes a lot of work, and they are doing a great job.

iii. Discussion on acquisition of K9.

Chief Turner: I want to call Matt Henry up here for a moment. We talked about purchasing an additional canine for the City. When I got here, we had two animals both narcotic canines. We added an additional canine when I got here. I mentioned at the time that we needed someone else on because you can't ever tell what is going to happen. We lost one of our canines. His handler is here and he did an excellent job with Billy over the years and that is Chris in the corner. We have to move on and now we have two canines. That is not sufficient for a city of our size. I have asked and selected a guy to take over the position as canine officer.

In November, I put out a feeler on who was interested I got some letters of interest, but someone worked behind the scenes with the canine guys training daily with them and took some bite work. He was out at Mauldinfest. For me, I hear the proof is in the pudding, and it was a no brainer. I would like the authorization to look into purchasing a canine. Cost is between \$8-10,600. There are health contracts, lodging, for canine and the officer. The ratios between the two numbers, and we look at some people in SC, NC, GA, and Pennsylvania. This will come out of our existing lines. I am willing to sacrifice somewhere else to do what needs to be done.

This item was sent to the formal session.

c. Recreation (Chairman Smith)

i. Reports and Communications from Recreation Director.

Van Brannon: I wanted to give you an update. Youth football will finish up with Super Bowls. We are proud of our teams. I want to thank all the volunteer coaches and JB. 6 of the 8 teams playing are represented by Mauldin. That was large number of players and quality kids. Seniors had 2800 participate at the Senior Center. They collected money for Meals on Wheels. The front office was full of cans. They are going to do some renovations downstairs for a lounge area with a pool table.

The Sports Center has over 3000 members. Fall Frenzy was a great event. Thank you to Julie. We are getting ready to offer a home school PE program. We have a facility that is open during the day with not a lot of activity, so that is a good way to get some new members. One of our new employees is working on that. We would like to proudly announce that we have the deed for Pine Forest. We have applied for the first round of grant money for that project. As soon as it is officially approved we will be able to do some work at Pine Forest.

Chairman Smith: How are your machines holding up? Do you have plenty of them, or are you going to have to purchase new ones?

Van Brannon: We have done a good job maintaining those and they are holding up well. We are definitely looking forward to having to add more.

Councilman Godbey: The sports center scholarships for medically needy and for folks who couldn't afford the fee, have we gotten a policy?

Van Brannon: We have kind of been working on that but it got put on the back burner because of some other projects. We will continue to look into that. We are going to look at other places who have something similar.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Administrator.

Peter Nomikos: I would like to thank everyone for their well wishes during my convalescence. We have three business license appeals and 276 corridor study, Forrester Drive annexation, and homes of hope. Apparently I missed the memo and my coworkers have had a change in dress code that I was not aware of.

ii. Discussion on business license penalty appeals.

Trey Eubanks: We received some requests from appeals from businesses from the penalty of business license fees. Our code provides for a fee. Any waiver from that has to come from council. Staff does not have that discretion, nor should we. Our code provides for council to consider an appeal request. It cannot come from a committee or it could be deemed prejudicial. That is why these matters come directly to full council. We have three businesses and they have all requested that the penalties be waived.

Peter Nomikos: In the particulars, the first request was Safelite. They requested that late penalties be waived. This is due to underpayment for 2004-2005. It was apparently a miscalculation.

Chairman Hunter: Our miscalculation or theirs?

Peter Nomikos: Their miscalculation.

Chairman Hunter: Any questions?

Mayor Jones: I would like to take these one at a time because we need to ask some questions.

Chairman Hunter: They miscalculated and underpaid. Did we notify them or did they discover that themselves?

Peter Nomikos: After we received sales and use information from the department of revenue, we informed them that the numbers didn't jive and they went back and recalculated and we found the discrepancy.

Councilman Cook: Is there any way to catch that, you are talking two years and we didn't catch it?

Peter Nomikos: We have been checking the income tax returns that they have been providing and comparing it with the info from the state. We are catching a lot this year as compared to previous years when we had no way of verifying the information. Now we do. We can verify their income and can go back and say you have made a mistake?

Chairman Hunter: Is there any reason to imply intent?

Peter Nomikos: In the case of Safelite, it does not appear that there was intent, it was a miscalculation and was a relatively small amount.

Mayor Jones: You have \$454.92, flip the page and get Safelite Fulfillment, how is it \$1533.71?

Peter Nomikos: \$454.00 is the penalties. They did owe a certain amount.

Mayor Jones : The total due is \$1533.71.

Peter Nomikos: They did remit that amount and they are asking the penalties to be paid back to them. The penalties were \$454.00.

Mayor Jones: It is a 40% penalty?

Peter Nomikos: Yes, I think that is the amount.

Mayor Jones: The part that bothers me, is it out of town sales?

Peter Nomikos: They remitted business license fees to other jurisdictions. Some of them were miscalculated. They paid someone else what was owed to us.

Chairman Hunter: As soon as they were notified, did they remit the money?

Peter Nomikos: They did remit the money shortly thereafter.

This was forwarded to full council with a recommendation to refund the penalty.

Peter Nomikos: Green Heating and Cooling of South Carolina is next. When they renewed their license, they included a breakdown of gross revenue that they deducted from total gross revenue for each city and county. Since counties don't collect business licenses, they are required to claim the revenues generated in the municipalities in which they are generated. After we noticed they were taking deductions that they were not entitled to, we notified them that we were auditing them. We found they owed \$7155.46 for business license fees for the past four years. They are asking that penalties in the amount of \$2828.74 be forgiven.

Chairman Hunter: Is there any evidence that this was intentional?

Peter Nomikos: Nothing to show intent, but they have been in business in the city for a number of years and are familiar with the procedure regarding deductions and they had taken decision that they were not entitled to. This didn't come out until the audit.

Chairman Hunter: Did they remit the money immediately?

Peter Nomikos: They did remit the money and shortly thereafter did file the appeal.

Mayor Jones: It was the amount of business in the county, correct?

Peter Nomikos: Since they are located in the city, all business is subject to the business license fee except for what they pay municipalities. They were including licenses paid to counties which they didn't pay to any counties. They took deductions they were not entitled to.

Mayor Jones: They said they paid the counties and did not?

Peter Nomikos: The numbers they reported were incorrect so we assessed the fees and penalties.

Councilman Cook: They put it on the form that they had paid the counties but did not actually pay the county.

Peter Nomikos: As a result of the audit, they did not pay the counties.

Councilman Cook: No other counties have business license?

Peter Nomikos: I am not aware of a county in the Upstate that charges a business license.

Representative: I am here on behalf of Robin Padgett who is in our Canton, Georgia office. All the business licenses are calculated and paid from that office. Our office handles mechanical permits. She would like to commend Paula for her help in walking her through this. Robin had a misunderstanding of when she could deduct business

licenses paid to other municipalities. That is when all this was caught is on the audit. There was no intent to underpay whatsoever. We have several licenses in other cities in the Upstate as well as NC and GA. things got muddled in the corporate office.

Councilman Cook: If someone showed that they paid business licenses in counties, someone had to know that they didn't pay that money.

Representative: I think where that confusion came in was with building permits.

Councilman Cook: I don't have a problem remitting it, but if it stated in the audit that you paid a county business license and you didn't, then something is not right.

Peter Nomikos: They deducted permits instead of just business licenses.

Representative: In other municipalities, we pay upgrade fees so that eliminates confusion there.

Mayor Jones: The accountants added up the permits and assumed they were business licenses and they deducted it.

Chairman Hunter: Was there any intent?

Representative: Absolutely not.

Chairman Hunter: It bothers me like Mr. Cook that the money was deducted but not paid. How long have you been in Mauldin?

Representative: I have been here for two years and I want to say the business has been here since about 2000.

Councilman Cook: Where did the money go that they paid for the permits?

Representative: Each municipality.

Councilman Cook: Did we get the permit fees?

Representative: They get all kinds of permit fees from us.

Peter Nomikos: Permits and business license fees.

Mayor Jones: I can see it since you don't do that in-house.

Chairman Hunter: If you have been in Mauldin since 2000, you have had seven years of paying business licenses in the City.

Representative: Since this was the first audit, this is the first time it came to light.

Peter Nomikos: We can go back three years and the current year.

Councilman Godbey: I do recognize in the letter, too that you are recognizing your error.

Representative: Paula walked her through it and let her know how to do it exactly.

Councilman Godbey: That they recognized an error in their procedure is to their credit.

This item was sent to the formal session with a recommendation to return the penalty portion of their fees.

Peter Nomikos: Newcastle Group own the property that the Rite Aid is located on. After the sale of Eckerd was complete, we notified them that Rite Aid needed to obtain a business license. During that process, we found out that there is a company that owned the property that is being leased to Rite Aid. We notified Newcastle by letter on August 23rd to let them know they owed business license for 2004-2007. We received no response. Another letter was sent September 25th for a final notice regarding a summons if payment was not received by October 14th. On October 19th, a court summons was issued. On November 5th, we received a phone call from Tammy Henson and it was explained to her that if we received payment by November 9th, they could ask for dismissal of the summons. The summons was dismissed, but they are asking for a refund of the penalty in the amount of \$1745.98.

Chairman Hunter: Is there any reason to believe they did not get the first two letters?

Peter Nomikos: The letters, if they had not been received, would have been returned within about three weeks. We have no reason to believe they did not receive that notification.

Mayor Jones: We have no proof that we have been asking for. We want you to send a registered letter so we will have proof. We haven't done that yet, have we?

Peter Nomikos: The initial contact is done by regular mail, but when we do go to the step of sending an ordinance summons ticket, we are required to send that certified. We did that in this case.

Mayor Jones: The two here- you say that is Eckerd...

Peter Nomikos: Eckerd's was bought out by Rite Aid. The owner is still Newcastle.

Mayor Jones: "We were never told about this when we met with city officials relating to securing permits."

Peter Nomikos: We were not aware that there was a property management company involved. As far as we knew the property was owned by Eckerd's. We discovered there was a management group that did own the property and that was the time that we notified them they owed us for business licenses for the last four years.

Councilman Black: I have a problem with this, I had received a past due bill and they said they never received my payment in the mail. My wife goes through this all the time, without a registered letter we don't know if they did or did not get it. Without a registered letter, I don't see that we can doubt them that they did not receive the letter.

Peter Nomikos: The correspondence was sent to the address listed by the Secretary of State.

Councilman Black: We don't have any idea of whether the postal service got it to that address.

Peter Nomikos: Newcastle is the owner of record.

Mayor Jones: They never denied they got it but no one told them they owed it. Did you tell them they owed it?

Peter Nomikos: Our letter specifically said...

Mayor Jones: No, no, no. Did you personally tell them?

Peter Nomikos: I did not personally talk to them, no.

Mayor Jones: They paid it after they received the tickets. Now they are asking for the penalty back.

Peter Nomikos: Yes.

Kelly Clark: This is a ground lease but we do own the property. We have very few stores in South Carolina. I got a copy of the penalty letter.

Councilman Cook: You got a good name, did you say Cook?

Kelly Clark: Clark.

Councilman Cook: She just lost it.

Kelly Clark: It was not intentional. I can't say whether we would have gotten it. I don't know about the first ones. We paid it promptly and will pay them promptly in the future. We are also checking the other locations.

Councilman Godbey: How many properties does Newcastle handle?

Kelly Clark: Every property has a different entity. I think we have about five. I am fairly new to the company, but they were under the impression that the tenant acquired the business license and not the landowner.

Councilman Godbey: How long has Newcastle been in operation?

Kelly Clark: I don't know that. I am sorry.

Chairman Hunter: Were you at the negotiations when Newcastle came to town?

Kelly Clark: No, sir.

Councilman Cook: I would like to... Mr. Administrator, we have been trying to get a registered letter out from here forward, be sure a registered letter is sent so this won't come back up. Peter, we want a registered letter sent. We have asked and asked and nobody listens. We go through this every time. Now we are saying send the registered letter.

Peter Nomikos: That policy statement will be in effect tomorrow morning.

Chairman Hunter: With the receipt.

This item was forwarded to the formal council agenda with a recommendation to approve refunding the penalties.

iii. Discussion on Hwy 276/417 corridor study.

John Gardner: We took a request⁶ to the GPATS policy committee two weeks ago with a recommendation to fund the study up to 50% of the total cost to a maximum of \$30,000. I think we have covered the scope of the study on beatification of the corridor, access management, potential for development and interconnectivity to help avoid the Woodruff Road syndrome.

Chairman Hunter: A couple of other things, we met with the SCDOT to get at least buy-in from them that we were doing this. They suggested we come up with a plan that included talking with the landowners along the stretch of corridor and they would be part of the implementation. They are looking for recommendation from us on what they want to do out there. Second is we talked with GCPC asking for their help and John Owings suggested we go to GPATS looking for some money. We do have money in our budget for our 50% match.

Trey Eubanks: The city's current capital budget includes about \$103,000 in matching funds for this project. That would match about \$515,000 earmarked for the transportation plans budget for Mauldin. We also are eligible to draw down another \$169,000 this June or July if that is correct. Just a quick comment on the process, we are asking you to consider giving us the green light to go have some design work done to kind of define what we can do in the light of DOT's parameters and what the property owners' wishes are. That design would be the first step in this. We can get half the money for the design because of what we achieved with GPATS. Before any other money is spent, it would come back to this council to approve the firm that would do the design work and facilitate this process with input, then the next step is appropriation of funding to get the work done. At every step of the way, we would come back before council and you would act on it at that time. The first step has been approved by GPATS and we recommend you move forward.

Councilman Godbey: I have been a long time supporter of this project and want to encourage us to move forward. The study is not only one of design but of implementation. I wanted to add that in there. It is not just a pretty picture, but a process on how to implement this.

Trey Eubanks: That is an excellent point. In strategizing on how to make sure we can achieve that, we will include in specifications for any firm vying to do this work that they not only facilitate the process and develop the design, but they are capable of implementing the project. We are going to make sure that we bring that to bear when we develop the specifications. I feel like we can achieve that and we had some good input from Mr. Gardner and his colleagues at the county on how to set that up.

Councilman Cook: On the design, we are not going to get anything without talking to the landowners?

Trey Eubanks: What we would do is get some maps and concepts of the existing conditions and take that to the property owners and DOT to get some numbers and direction on what can be done. We would come up with a concept for them to weigh in on. The first thing is to get comments from DOT and our citizens. If we can't get them to buy in on it, there is no use to do a design on it. First things first.

John Gardner: One of the ways to get that is called a design charette. You bring your design professionals in to a place where the affected stakeholders can come and listen to the process and have an interactive brainstorming session.

Mayor Jones: Do they charge you for coming in and doing this?

John Gardner: They do charge.

Mayor Jones: Do you have any idea? Is it a set fee? So much an hour?

John Gardner: It depends on what level of effort you want involved, how many designs are done.

Mayor Jones: I am talking about the meeting with the businesses.

John Gardner: If you are going to have design professionals there, they will charge you. They will build their fee into the quote. Again, that is something you can negotiate. I have been involved in projects there we had two or three days of opportunity for stakeholders to come in and meet and that gets really expensive.

Mayor Jones: We had no static with the \$30,000 from GPATS. Will it be that smooth for the \$169,000?

John Gardner: You have more than that from the Gilder Creek project. I think you will do well. As long as you have a good design and you follow the rules on implementing it, you will be fine.

Councilman Cook: Trey, would it be wise for us to get a design team to do what John is talking about to see how much it would cost? Maybe we need some figures first.

Mr. Eubanks: That would be our first step. Exactly what you said. We are going to ask firms to provide qualification statements. That includes hourly rates associated with the various levels of the firms. This council is going to have- the last time we had five firms, I would expect a handful again. We will evaluate those and choose the best firm for us. After that, we will have a true cost.

This item was sent to the formal agenda.

iv. Discussion on annexation and rezoning at 426 Forrester Drive.

Chairman Hunter: The subject parcel is currently zoned R-12 Single Family Residential in the County and directly abuts the recently annexed Pine Forest Subdivision. The request is for R-12 Single Family Residential in the City so that they can benefit from City services.

This item was sent to the formal council session.

Councilman Black: Do you know if this property is already on sewer?

Chairman Hunter: No, sir. I don't.

Peter Nomikos: I believe this property is served by Western Carolina Sewer.

Councilman Black: I know there is sewer out there.

Peter Nomikos: There is a creek on the side of the property and I believe the sewer runs there.

Mayor Jones: I would suggest before second reading that you know for sure.

Councilman Black: I would like this item added for all annexations. We need to know this when it comes to Council.

v. Discussion on Homes of Hope project.

Chairman Hunter: In December of 2005 the City Council approved \$150,000 in CDBG HOME funds for Homes of Hope for 32 affordable rental units. The estimated cost for the entire development at that time was \$3,756,693.

The Redevelopment Authority Board approved \$300,000 on September 25, 2007 contingent on the project receiving other funding sources. The scope has been reduced to 20 units. The City of Mauldin has over \$340,000 in CDBG HOME funds that could be appropriated for a project meeting CDBG and HOME requirements.

This item was forwarded to the formal council session.

Councilman Cook: Trey, is this \$300,000 that we get from redevelopment, do we have a hard time spending it?

Trey Eubanks: It is a pretty good chunk of money and it has accrued over time. I spoke with Martin Livingstone last week about this. We currently have about \$340,000 and that is accrued over about five years or so and maybe more. We are also on pace to receive \$40-50,000 mid year. If we did approve the \$300,000, it would draw it down substantially. We do need to find projects that meet the income criteria.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Greg Fincher: I will give you a quick synopsis. Most of you can see what we do. Christmas lights are installed throughout the city with the exception of the archways which we are trying to figure out. Those should be installed by the end of the week. We refurbished all the leaf machines and trucks in anticipation of leaf season and it is here. We have all four of them going and they are wide open. The property that we purchased behind the Jenkins Street property is the staging area for

leaves. We have not quite leaf mountain but close. The Insituform work will start next week. We are in the process of looking at the sewer camera. Mike and I looked at it last week. We are trying to arrange funds so that we can obtain what we want that will integrate with our GIS. The GIS can notify us of problems throughout the City. We do want to make sure that the software is compatible with the GIS. Most of you have pictures of the projects we have had. I am sure you will hear a little more about this in the public section. You have photographs and that is all I have unless someone has a question.

Councilman Godbey: There are several people here tonight with concerns on traffic calming. There was a long discussion in public works with folks from Knollwood. I wanted to renew the request that we clarify that policy. I wanted to give the opportunity to the residents who are here to speak since they came on that understanding.

Councilman Cook: Are the people signed up to speak? We can do it in the formal session.

Councilman Godbey: It is not on the agenda. I wanted to make sure they had the opportunity to speak.

ii. Discussion on Jenkins Street fence replacement.

This item was moved to the formal session. It will be to accept the bid for Faulkner Fence for \$8900.

f. Finance and Policy (Chairman Black)

i. Reports and communications from Finance Director.

Lisa White: In your packets you will have the year to date financial report as of October 31, 2007. Some key items to point out to you is we have received \$1,738,000 of our revenue to date out of our \$14,619,000 budgeted revenue so we have 88% remaining. All of the department expenditures are detailed in your packets. We did get our A+ bond rating. Standard and Poor's sent us a report that was very flattering, I thought.

Chairman Black: I would like to thank Lisa and her staff and all the city employees for this. I don't think we could have done this without everyone working together. It shows what we can accomplish when everyone is on the same page.

ii. Discussion on travel ordinance.

Chairman Black: Last year we changed the travel policy to state that council would approve any out of state travel. Since this time, it has been brought to our attention that some of this is last minute training that our people need. The proposed policy would allow for council to provide oversight and allow the city to take advantage of training. This gives the City Administrator the ability to approve overnight, out of state training with a report to council.

This item was sent to the formal session.

iii. Discussion on HVAC at cultural center.

Chairman Black: If you remember at the last meeting, we approved \$48,000 to All Weather Services. Looking over the documents, it stated in the cafeteria area that two five ton units would be installed with \$13,250 each. The bid only added one. It was an error on the vendor's and our part when it said each and didn't have the total on there. This is still way under the other bid we received.

This item was sent to the formal session.

iv. Discussion on annexation sewer tie-on ordinance.

Chairman Black: The attached code amendment would require a property owner seeking sewer service from the city to sign appropriate documentation requiring annexation at which time the property becomes contiguous with the city limits in the event the Mayor and Council decide to annex the property. This has gone through legal counsel.

This item was sent to the formal session.

Mayor Jones: If we had done this before, we could have had a whole section of town annexed.

v. Discussion on board and commission removal policy.

Chairman Black: Section 2-222 of the City Code provides for the composition, appointment, terms, and vacancies for the Planning Commission. The attached language would apply to all boards, commissions, and committees. In response to discussion during the committee meeting, two versions are attached. The first version provides for suspension or removal for "...being convicted of a criminal offense" and the second version provides for suspension or removal for "...being charged with or convicted of a criminal offense." In the second version, Council retains the ability to **suspend** a board, commission, or committee member if they are **charged** with a serious offense.

I would like to get some input from the city attorney on this. He has read over this and made a recommendation. I would like for him to give council his recommendation on this and why.

John Duggan: I have drafted two versions of this for your consideration. Just to refresh your memory about it, what brought this to our attention is we had a circumstance where we had a concern about an appointee and whether or not this body had the authority to take action to suspend or remove an appointee. I was asked to look into it and in reviewing the city code, we had no ordinance that had to do with suspending or removing an appointee for cause. Now, state statutes provide that you can remove

someone for cause if they are a member of your zoning or planning commission, but doesn't elaborate beyond that and doesn't include your other entities of the city such as your tree board, where you have citizens that you appoint to serve the public. What I did was draft for your consideration two versions of an ordinance that would allow you to either suspend temporarily or remove an appointee that this body has made for cause and to further provide a procedure to follow if you had to consider a circumstance like that.

The distinction between the two on page two of the drafts, and it is specifically item two on the second paragraph on the page where it says that examples, and there maybe other examples you decide are sufficient cause to remove someone, but among the examples we have that would be a reason for cause is either conviction of a criminal offense, but if you look at section two in version two, you can suspend or remove someone if they are charged with or convicted. The distinction is that if you have someone that is charged with an offense, they have not had their day in court. They are presumed innocent until they are found guilty through the court process. However, you may have someone that is charged with a crime that you have concern knowing the facts and so forth for them to continue to act on behalf of the city and you could suspend them pending the outcome of adjudication of the charge. That is why I included two different versions depending on how you wanted to handle that. Other than that, the two proposals are identical.

Mayor Jones: If you choose the stronger one, you can always back up and use your discretion, right?

John Duggan: You could. Even if they were not convicted of, but were charged, you could still in your discretion deem that to be cause to either suspend or terminate. Understand that these six items I have included, "any fact, which in the discretion of the Mayor and Council is deemed to adversely affect the public interest including, but not limited to, these six items." So, you are exactly right, Mayor, these are only examples but you are not limited to those as an adjudicatory body. We have no mechanism in our current ordinance to address concerns about an appointee that may have some problems that you all need to address.

Mayor Jones: Wouldn't it be sensible to pick the strongest one and ease up if you need to?

John Duggan: That is up to your judgment. My concern is this, and when I draft these things, I try to walk a mile in your shoes, even though the citizens have elected you to make these decisions. We could have someone charged with a very troubling offense. Murder, rape, child molestation, and their case doesn't come up for trial for two years. You all may have concern that having them sit making judgments on your behalf that you don't believe they should act until the adjudication is made and you may want to suspend them. You aren't removing them but you are suspending them. If you have it in here, that doesn't mean you have to do it. It only means that it is an example of possible cause.

Councilman Cook: I like the suspension one. You are saying you are guilty without a trial on the other one. I think you accomplish the same purpose. They will not be able to serve.

John Duggan: For that reason, I drafted this to build flexibility into this body so that depending on the circumstance, you can choose to suspend, terminate, or do nothing. It creates your right to look into it and take any of these actions you deem appropriate as a body. You have the right to choose any course or neither.

Councilman Cook: I would support the second one.

Councilman Godbey: I think I caught your point in asking the attorney. The answer was that either ordinance allows us the ability to suspend whether they are charged or found guilty. The ordinance doesn't preclude termination. The one that allows the intent of the law is innocent until proven guilty. We can still suspend under that version just like the other one. It does take out the language that we do want to support the legal efforts of the state to say that a person that has been charged may or may not be guilty and are presumed innocent. If the prevailing evidence is there, we can suspend.

John Duggan: Let me say this. This is tracking circumstances in people who come forward and serve the public. Elected officials are often suspended until the offense is resolved. The chief can tell you that when there is a use of deadly force by an officer, very commonly the routine is to assign that officer to desk duty and not put him on the road where he may face another circumstance until we have had a chance to make sure that officer did what he had to do and it wasn't irresponsible. That is not a suspension, but it is limiting their duties while it is investigated. What we are doing and attempting to do is follow the concept and build it in to there irrespective to which one this body chooses.

Councilman Hunter: Mr. Attorney, am I hearing that either one of these options allows us to suspend an individual?

John Duggan: Yes.

Councilman Hunter: The only difference is eliminating due to being charged or convicted?

John Duggan: What I am doing is articulating a few examples of what you all might conclude is reason to suspend or remove for cause. This doesn't mean you have to do it. This doesn't mean you can't do it. It is six examples of areas. For example, if someone's health circumstance is bad and they can't serve anymore and people who are appointed and don't show up for meetings, which as you all know is a problem with some people. All of these are examples of things on which you can choose to take action, but you are not bound to. You are right that I am only attempting to articulate some examples.

Mayor Jones: If you choose the weaker one, you can't move forward to a stronger one. If you adopt the stronger one, you can move back and be weaker.

John Duggan: Yes. The discretion is still on a case by case basis on either one.

Mayor Jones: Why wouldn't you take the strongest one?

John Duggan: Let me say this. I would want an articulation that someone charged with a serious offense, I could consider that a reason to suspend until the charges are cleared. My personal preference is the latter. I personally would be concerned that someone commits a mass murder, it can happen, and if you don't build in the discretion to take action, you might not be able to.

Chairman Black: I would like to go with option 2. This is bringing out a criminal offense, not a traffic ticket or something like that. I would feel better if we adopted this that someone can be suspended until the outcome of the trial. I would like to see us have that option. If the charges are dropped, they can get their position back.

This item was sent to the formal session.

vi. Discussion on employee health insurance.

Chairman Black: As council remembers...

Councilman Cook recused himself.

Chairman Black: We voted a month or so ago to remove ourselves as an insurer with the state pool. We have gone out with different vendors on the health insurance for the city employees. Since that time, the administrator sat in on several meetings and my main concern was to make sure that the city employees got at least what they had or better insurance with a less cost to them and the city. Mr. Eubanks, Ms. White, and staff have done an excellent job on informing us and recommending the Ferguson Group and it would be with Blue Choice.

Trey Eubanks: Before I was honored with the privilege of serving this community, a study was underway to evaluate the health insurance primarily because of the questions that were asked about the cost during budget. In looking into that, we found that the City for the last three years has had some very good claims experiences and we have been paying the provider a lot more than the cost to provide insurance. We essentially ended up with three brokers- two brokers and the MASC insurance program. There was a 14 member committee and that committee was represented by city council and every city department. There were countless meetings and a lot of time and effort put into that. I want to thank the Finance Director for facilitating the process. The Ferguson Group was the firm that provided the best plan for our employees at the

least cost to the city. Whichever option we went with, we were going to see improvement. We are going to have better insurance, specifically in the area of dental coverage. We are going to have better vision coverage. We have a lot of employees currently under the same type of plan. The benefits are going to be consistent if not exact in many key areas. The bottom line is the recommendation from the committee will provide better insurance at no additional cost to them. We will also have a significant savings to our taxpayers. That amount we will not know until our employees choose the plan that they want to. There are options. Those with dependent coverage are going to choose different plans. Our savings will be substantial.

Chairman Black: This also includes a wellness program, right?

Trey Eubanks: Yes, sir. One of the things we are coming to you with after the first of the year, Ferguson has numerous ways to support us with the wellness program. We have been in touch with Van and his staff and they provide wellness programs for corporations, and we need to be doing the same thing. We will come to council early next year with a plan and that will also be an added benefit to our employees. We will ask you to consider letting us use a small portion of our savings to support a wellness plan. We have a wonderful sports center that is a great start in supporting those efforts.

Chairman Black: This does not lock us into a multi-year agreement.

Trey Eubanks: We can evaluate this at any time. Another point, the information we will receive from the Ferguson Group is going to provide us much better detail than we have ever gotten from our current provider. That will allow more accurate projections at budget time.

Councilman Godbey: It wasn't countless number of meetings, I am sure that the staff can count every one of them because they are long and arduous. But it is a group effort from employees and staff and I appreciate the effort on this difficult task.

This item was moved to the formal session.

g. Committee of the Whole- None

4. Adjournment.

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.

Minutes
Mauldin City Council
Regular Formal Session
November 19, 2007
7:00 pm

1. Call to Order- Mayor Jones
2. Reading and Approval of minutes- Informal and Formal sessions- November 15, 2007.

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

3. Public Comment on items appearing on the agenda.
 - a. Don Oglesby: I am with Homes of Hope and we are a developer in Greenville mostly. We haven't worked in Mauldin too much. We tried a couple of years ago to do this project and are revisiting it now. We do two things- build affordable housing for families and we help men that are overcoming drug and alcohol problems with job training. A lot of their labor produces our houses. The units we are proposing are 20 units of affordable rental housing. We see the great need for most low income families and rather than helping with the mortgage, we say let's rent you this unit and establish the affordability in their life. The families we will house in this development will be on the track for home ownership. When they achieve that, they will move out of the unit and we will bring another family in and do the same thing. In nine years, we have built 242 homes. The dollars we ask you to approve will be leveraged 7 to 1. Thank you for your consideration.

Mayor Jones: Is the rent based on the income?

Don Oglesby: The families will earn between \$26-43,000. They will pay no more than 30% of their income for rent. The rent will be between \$530 and \$630 a month.

Mayor Jones: Is it subsidized by the government?

Mr. Oglesby: It can be. If someone has a section 8 voucher, we do accept that. Otherwise, no.

- b. Catherine Perry: Good evening. I live on Danbury Lane. I missed the last meeting, but according to your agenda, you are in discussions on shutting down Danbury Lane at Fargo. I have a problem with that. You initially put up a barrier to stop traffic and I think if someone tried to do that in front of your house, you would not like it either. I am curious as to the traffic problem. How many tickets have actually been issued on Danbury or Fargo? How many traffic accidents have been worked on Danbury or Fargo? I understand it is cut-through traffic, but we are seven houses, how can we be that busy?

As a property owner, I also own property that wraps around Fargo. Cutting off Danbury means an inconvenience to me of having to go up Montclair to Fargo, so I am adding more traffic to get to the other side of my property. Even though we are a small street, if there is an accident or if the fire department is needed that blocks off Manchester at Montclair, we have no way out or in to my residence. I certainly ask that you reconsider what you are about to do or thinking about doing. Is that little strip, 200 feet, ok? I find it mind boggling that this has become a huge issue in the neighborhood. I personally have more things to do than worry about whether a 200 foot strip needs to be shut down or not. I have no choice, I live on Danbury Lane and you are cutting off an access to me. It is an established road and has been so for years and years and years. Even MapQuest gives you directions down Fargo to Danbury. I certainly hope this is something that will be considered further before you start digging up the road or putting barriers up or whatever. You have already compromised and put a speed hump up there. That doesn't bother me a bit. Ok, but closing the road is not the answer. We are a small neighborhood, really. Are we that much damage? I have trouble comprehending it and I hope others do also.

Mayor Jones: There would be a hearing should that ever take place.

- c. Warren Andre: My name is Warren Andre and I live on 2 Danbury Lane and have a prepared statement. I am here to report a hijacking. It seems one or two residents on Fargo Street have hijacked our city government. They have done so by constantly complaining, distorting facts, threatening city council, and vigilante tactics. For their efforts they have been rewarded with the barricading of Danbury Lane last Spring and the installation of a speed bump last summer, which was not done legally. Now they are insisting that the City close Danbury Lane permanently. I have a petition here supported by 100% of the residents of Danbury Lane and Montclair subdivision asking for the removal of the speed bump and committing to keeping Danbury Lane permanently open. It is time for the City Council to respect the rights and wishes of citizens- all citizens, no just the most vocal. It is time to say enough is enough. The homeowners on Fargo do not own the street. The streets belong to all the citizens of Mauldin. To permanently close Danbury Lane would compromise public safety and lower property values. If there is a problem with speeding, then the City should address it. If there is not, then Council should tell the chronic complainers that it is time to sit down and shut up. I present our petition.
- d. Ray Hughes: My address is 812 Knollwood Drive. Mr. Mayor and Council, I appreciate the opportunity to express a concern I have on Knollwood Drive. We are a part of Ashford subdivision. About a week and a half ago, I was coming down Knollwood Drive and hit a speed bump we didn't know was there. My concern is first of all, none of us were notified in writing or otherwise that this was going to happen. We don't understand how it could have happened without people being notified. How can you put a bump in the road without people first requesting it? I understood it was supposed to be 75% agreement. The folks in Ashford are good neighbors, but the problem as I see it is that too many of them do what is called a rolling stop at that intersection. In place of the speed bumps, I would like to recommend a twenty foot stop sign.

- e. Lloyd Kuin: I am also complaining about the speed bumps in the Knollwood subdivision. I am in 714 Huntington. The Ashford group campaigned for speed bumps just outside of the intersection. They do have a stop sign there, but they do roll through that sign. There are several intersecting streets including my own, Huntington and Knollwood, that have blind areas. I think the intersection at Ashford where the speed bump is located is somewhat blind, but not as bad as most of the areas. If they would stop at their own stop sign, they should be able to approach that intersection in a safe manner. I don't see any reason for the speed bumps. There have been no accidents or police reports there. I believe it is the actions of one or two people in Ashford that wanted something changed for their benefit.
- f. William Marchbanks: I reside at 707 Huntington Circle. I am here in opposition of the speed bumps on Knollwood. I am not familiar with the process on how to place those, so that is a question I had. I didn't know if it was a result of a traffic study, or accident reports or what the merit of the bumps were. One of my concerns is that if EMS is responding to a call, what kind of encumbrance is that for them. I know I wouldn't want to be in an ambulance and have to encounter that. I just wanted to express my opposition to those speed bumps and get some education on the process of placing those.
- g. Anthony Martin: My name is Anthony Martin and I live on Mary Knob inside Ashford. I go in and out every day in a car and sometimes on my bike. The way the road slopes down, you cannot see what is coming. Sometimes the traffic comes up quite rapidly at 45 mph, so you don't see it. I stop all the time because I know how dangerous it is. Especially on a bicycle. The speed bumps do slow the traffic down. I admit they don't look nice, and maybe we don't need the one on the right as much as we need the one on the left. Maybe some thought could be given to something like that, but I do think we need the bump.
- h. Elizabeth Wyigel: Mayor and Council, thank you for your time. I live at 4 Danbury Lane . I am here along with my street. 23 years ago, my best friend lived on Fargo. When my husband and I had children, we bought a house a block away on Danbury. Now my friend's children go to her parent's house and my children can run down there and play. It is wonderful and why we bought the house. As you heard from my neighbors, at some point this summer, a speed bump, and they are calling it a bump, but it is bigger and is probably a hump. It is probably 10 feet wide. It just appeared. We didn't get any notice, we didn't see any studies done, we had heard about a gentleman on Fargo that had some kind of issue on our street. This is not a high speed traffic area. We have children playing in the street. The same thing could be accomplished by adding a stop sign. As far as shutting the street down, which is now the neighborhood gossip, and I am hoping that is mistaken, that cut-through serves a purpose. When my kids are on Fargo, if I need to go look for them, I can hop in the car and find them. I don't want to have to drive five miles to look for the kids. We would like to have a procedure and would like for things on our road to quit changing before we have a chance be notified first.

- i. Gordon Love: I live at 410 Crandall Drive. I kind of want to speak on both sides of this issue. I know there is a process underway for defining when traffic control measures are appropriate. I truly wish that process were complete and have a general consensus that is appropriate to do whatever is being done. On the other side of the coin, the rise that is to the southwest of the Ashford exit, the only exit, is probably not too high to obscure traffic going the speed limit. It is way too high for traffic going 50 miles per hour. Our concerns in the subdivision is that we are getting younger families and more kids. I don't see that speed bumps are the only solution, but something had to be done.

Mayor Jones: It is difficult. Where do we stand on the policy?

Trey Eubanks: We discussed that at the committee meeting. It will be on the December agenda. We look to have some language before you at the December council meeting. We have had a policy drafted but not adopted by the council. The PW Director and I are going to work on that.

- j. Greg Koon: I am at 808 Knollwood Drive. I wanted to comment on the speed bumps. I spoke with Greg Fincher who was very helpful, by the way, on this. The thing was, as a property owner, I understand speed humps lower property value, My main concern is I was told that someone on the homeowner's association asked for this. I have four homes in my family in Ashford and Knollwood, and none of us voted for this or heard about it. My main question is what can we do as a community if we decide to take it out, can we sign a petition? I know there is nothing in place right now.

Mayor Jones: In December, we are going to move forward and I think it is going to be required to have 75% in any given area. Then it could go back to a stop sign or something else.

Greg Koon: I believe a stop sign will be sufficient. This is on Knollwood Drive and you are talking about 75%. Are you talking out of Ashford subdivision...

Mayor Jones: Whatever is connected.

Greg Koon: It is like a horseshoe with Knollwood.

Mayor Jones: I won't be around to take care of that for you, but I am sure they would help you.

Greg Koon: We need to do a petition probably?

Mayor Jones: Come to the December 2nd meeting. The process will start after that.

k. James Leake: I am James Leake, retired Fire Captain. I would like to take a moment and thank the Chief for what I saw tonight. In 1959, we started the fire department and I have been a part of it ever since. I retired in 1992. I live at the corner of Pleasantdale and Knollwood. I respect the people's opinion, but they ought to live on my end of town. I think that you can hear them wind up at night and you have the church traffic, you have Ashford. About two years ago, there was a serious wreck next door, a speeder hit a tree. I thank you for putting them up. I can tell a difference. I can sleep a little better sometimes at night. It is a give and take situation. If the folks on Huntington don't like it, why don't they go around to the other end? That is my cause of bringing it to you tonight.

4. Reports and Communications from city officers.

5. Reports from standing committees.

- a. Fire (Mr. Godbey)
- b. Police (Mr. Cook)
- c. Recreation (Mr. Smith)
- 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

- Finance and Policy (Mr. Black)
- a. Consideration and action on travel ordinance.

Chairman Black made a motion to adopt this ordinance with Councilman Cook seconding. The vote was unanimous (6-0).

8. New Business

- Fire Committee (Mr. Godbey)- None
- Police/ Judicial Committee (Mr. Cook)
- a. Consideration and action on acquisition of K9.

Chairman Cook made a motion to approve the purchase of the canine for \$8,000-\$10,600. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- Recreation Committee (Mr. Smith)- None
- Planning and Economic Development Committee (Mr. Hunter)-

- b. Consideration and action on business license penalty appeals.

Chairman Hunter made a motion to combine the three business license penalty appeals and return the penalty monies back to Safelite, Green Heating and Cooling, and Newcastle. Councilman Godbey seconded the motion and the vote was unanimous (6-0).

- c. Consideration and action on Highway 276/417 corridor study.

Chairman Hunter made a motion to approve the corridor study design portion. Councilman Godbey seconded the motion. The vote was unanimous (6-0).

- d. Consideration and action on annexation and rezoning at 426 Forrester Drive.

Chairman Hunter made a motion to approve the annexation and rezoning of 426 Forrester Drive on first reading. Councilman Godbey seconded the motion and the vote was unanimous (6-0).

- e. Consideration and action on Homes of Hope.

Chairman Hunter made a motion to spend CDBG funds on this project with Councilman Cook seconding. The vote was unanimous (6-0).

- Public Works Committee (Mr. Kennedy)

- f. Consideration and action on Jenkins Street fence replacement.

Councilman Cook made a motion to replace the fence at a cost of \$8900 from Faulkner Fence. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- Finance Committee (Mr. Black)

- g. Consideration and action on HVAC at cultural center.

Chairman Black made a motion to allocate the additional \$13,250 to the vendor for HVAC. Councilman Smith seconded the motion and the vote was unanimous (6-0).

- h. Consideration and action on annexation sewer tie-on ordinance.

Chairman Black made a motion to adopt this ordinance on first reading. Councilman Hunter seconded the motion and the vote was unanimous (6-0).

- i. Consideration and action on board and commission removal policy.

Chairman Black made a motion to accept the second version of this ordinance with the provision that commissioners can be removed or suspended upon charge or conviction of a crime. Councilman Smith seconded the motion and the vote was unanimous (6-0).

- j. Consideration and action on employee health insurance.

Chairman Black made a motion to approve the health insurance and use Ferguson Group as a broker. Councilman Hunter seconded the motion and the vote was unanimous (5-0). Councilman Cook recused himself from the vote.

- Committee of the Whole- None

Mayor Jones asked for a motion to add an item to the agenda on the water feature at the cultural center. Councilman Hunter made a motion to suspend the rules with Councilman Black seconding. The vote was unanimous (6-0).

Mayor Jones: We are going to ask for bids. We have one quote from a man who did Roper Mountain Science Center and Plantation Greene. He has pictures of others. We want to find some others to bid. Two people turned it down. The amount quoted was \$18,599 for a 120 foot creek with a pump and lighting. The one at the Roper Mountain Science Center runs through the butterfly garden and it is absolutely something nice.

Councilman Hunter: Did he also do the one in Plantation Greene?

Mayor Jones: Yes. The way he has it laid it is absolutely what you need for the area to make it attractive.

Trey Eubanks: The other thing in my report for the breakdown in the funding for the cultural center, there was \$215,000 earmarked at the August City Council. \$100,000 of that is left as well. That includes the \$13,250 for completion of the HVAC work. A little bit of background, a couple of months ago, a man with a nursery off of Haywood Road provided a cost estimate. Members of our garden club who do the grounds upkeep at the cultural center, and do a tremendous job on that, they made me aware of a pond society that was represented here in Mauldin. We looked at in-kind labor and think that is a possibility through them or through the garden club. I can go through the bid process for the December meeting, but we do have the one bid from the gentleman that did Roper Mountain and some others.

Mayor Jones: Bonnie, he had pictures and it would be beneficial for council to have if you can get them. Council needs to see them so we can know what we are talking about. Several of you have seen them already.

Councilman Cook: Mr. Eubanks, how do we advertise the bids?

Trey Eubanks: We have not yet advertised for this which is why we would need to go through the process.

Councilman Cook: You haven't advertised, how did you get two that wanted to bid?

Trey Eubanks: There has been interested from members of the Garden Club and they have basically pursued and done research.

Councilman Cook: If we had it in the paper, we keep on asking. If we advertised and got one bid.

Trey Eubanks: We have cost estimates. To get bids, we need to go through our process.

Councilman Cook: So we don't have bids? Ok, I don't have a problem with that.

Councilman Godbey: The Cultural Center foundation board has only met once in the last six or seven months, I would like to see the roles of the Council and Board be more identified and an agreement that Mr. Eubanks is working on to clearly identify the roles of the two entities. We need to talk about this design and you are accurate in your request with Ms. Nisley to let council be aware of all of this.

Councilman Hunter: Are you looking for a motion to allow Mr. Eubanks to go out for bids? I make that motion.

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

Councilman Godbey: As we get those bids, I would like the information shared with the Foundation board.

Councilman Cook: It will be shared with the majority.

9. Public Comment on Items not on Agenda.

10. Council requests.

11. Adjournment. Mayor Jones adjourned the meeting at 10:05 pm.