

Minutes
City Council Meeting
Monday, October 21, 2019
7:00 p.m.

Members present were Mayor Dennis Raines, Council members Taft Matney, Carol King, Terry Merritt, Dale Black, Scott Crosby and Larry Goodson. City Attorney John Duggan and City Administrator Brandon Madden were also present.

1. Call to order- Mayor Raines
 - a. Invocation- Councilman Goodson
 - b. Pledge of Allegiance- Councilman Goodson
 - c. Welcome- Mayor Raines

2. Proclamations and Presentations- Police Department accreditation; Red Ribbon Proclamation

Pat Pomeroy reported on the Christmas weekend with the Tree Lighting Ceremony and Breakfast with Santa as well as the Christmas parade. November 21st is the Chamber Annual banquet.

Chairman Crosby presented Chief Turner a plaque from the SC Accreditation program.

Mayor Raines read the Red Ribbon Proclamation.

3. Reading and approval of minutes
 - a. City Council Meeting –September 16, 2019- Councilwoman King made a motion to approve the minutes with Councilman Goodson seconding. The vote was unanimous (7-0).
 - b. Special Called City Council Meeting Minutes – September 16, 2019- Councilman Crosby made a motion to approve the minutes with Councilwoman King seconding. The vote was unanimous (7-0).

4. Public Comment
 - a. Russell Maio: I am not sure if this is on the agenda, but it is previous business. I live at 110 Muirwood Drive in Mauldin. In March of 2018 I was here. I have a drainage problem across the street from me. It comes across the neighborhood to me through a



culvert under the street that ends up in a broken drain pipe in between a right of way that runs between my property and my neighbor's property who is here. I have been passed the buck too many times. I am at the point where I can read the law to you. So far, the law has not been followed.

I am not responsible for the storm water in the City of Mauldin. The public works department is responsible for the water. The drainage from the houses above me comes through my property through a broken pipe and has caused a sink hole in my driveway. I have had the Greenville News out there, I have had Greenville County out there and they have said it is Mauldin's responsibility. Everyone that has looked at it and had one iota of sense will say it is not my responsibility. I cannot move, fence, or do anything that will divert storm water.

Scott Crosby has gotten my emails, Carol King has gotten my emails, Public Works, with the law. I want them to follow the law. I don't want to have to hire a lawyer. If I have to do that, I want the right of way moved. If I can find my paper here, but they have had several emails about that and if you don't mind, I will pass this to everyone. It moves to a natural stream behind my property and my neighbor's property. That is where the storm water is supposed to go. They took a three foot culvert and jammed it in to a 1 and a half foot pipe. What do you think is going to happen? All the neighborhoods above me drain through a culvert through a fifteen inch pipe to a three foot culvert. I have videotape, I have pictures. I have sent them to Scott Crosby and Carol King. All I want is to have my lot fixed. Fixed and run under my driveway.

I pay storm water taxes. I want it fixed. The County told me if it were on their property it would be fixed already. Now we are talking over two years. I pushed my mother in a wheelchair. I have to push the wheelchair through the wet ground. I can't even get her into my house. She is a severe diabetic in a wheelchair. I take care of here. When it rains, try to push a wheelchair through the mud. I can't do it. I am asking for some help.

If you would like me to read the law to you, I am sure you have a copy of it, you have a copy of it. It is state law. I can't divert it. I can't change it. All I get is lies. The public works department came out and took a look at it and said in an email if it is in the right of way, we will fix it. Then they say, oh no, and change their story again. That is on your property -you are responsible. The state says I am not responsible. How would you like it if it was on either one of your property that destroys your property and you are trying to take care of your mother and there is a big sink hole? You may say you didn't build Knollwood subdivision, but you do collect the taxes. Why isn't it fixed? Public Works said they would fix it and they calculated what goes through there, how much pipe, and when they realize how much it was going to cost he told his boss and the boss said,



oh no. It is your property. This pipe runs between my neighbors Allen Turner and Mark Richardson and then it stops and washed out my driveway. I just want it fix.

John Duggan said he would be looking into this. John asked Mr. Maio for the state law he is referring to and the contact information for him. Mr. Maio said John could contact Scott or Carol and have them forward the thirty or so emails he has sent out.

John said under the federal system, Counties are designated to be responsible for storm water. Municipalities can opt to do their own storm water, or stay under the permit of the County. Mauldin elected to let the County handle our storm water. The revenue paid for storm water goes to the County, not to the City. John said he would communicate with Public Works and get back with Mr. Maio.

5. Report from City Administrator

We are a quarter into our fiscal year. We are within our expenditure limits. Most of the revenues get collected at the beginning of the calendar year.

6. Reports from Standing Committees

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

7. Unfinished Business

- a. Consideration and action on annexation and zoning assignment for property at 1174 Woodruff Road (Building Codes) - Second reading

Chairman Black made a motion to accept this on second reading. It is on the corner of Miller and Woodruff Roads. It will be zoned C2 after approval and will be a restaurant. Councilman Goodson seconded and the vote was unanimous (7-0).

- b. Consideration and action on annexation and zoning assignment for property at Old Laurens Road (Building Codes) - Second reading

Chairman Black made a motion to accept this on second reading. It is on the corner of Old Laurens and Old Stage Roads. The approximately 52 acres will be zoned I1 after approval. Councilwoman King seconded the motion and the vote was unanimous (7-0).

8. New Business

- a. Consideration and action on workplace Privacy Computer and Internet Policy



(Finance)- Only requires one vote. Chairwoman King thanked Mark Putnam for bringing this to committee.

Chairwoman King made a motion to accept this policy with Councilman Merritt seconding. The vote was unanimous.

- b. Consideration and action on traffic calming policy update (Public Safety)- Only requires one vote. Councilman Crosby made a motion to accept this policy with Councilman Matney seconding. Councilman Goodson asked if the Edgewood study has been started and was answered yes. The vote was unanimous (7-0).
- c. Consideration and action on Inmate bus purchase (PW)- Only requires one vote. The PW department is selling equipment that is either no longer needed or no longer works. The department has brought in about \$26,000 in proceeds. Public Works has been using an old bus to pick up our working inmates in Spartanburg. Staff recommends the City Council approve \$26,000 from the proceeds of the online auction be utilized for the purchase of an inmate transport bus. Chairman Goodson made a motion to approve \$26,000 for a new transport bus. Councilman Crosby seconded the motion and the vote was unanimous (7-0).
- d. Consideration and action on amendments to the business license ordinance (Building Codes)- First reading. In the proposed ordinance, the deadline for Business license renewals has been changed from April 15 to April 30. This is the same deadline included in the most recent MASC Model Business License Ordinance. Several other municipalities also use an April 30 due date.

Another proposed change is when business license payments have been submitted without the appropriate documentation, the payment will be kept and treated as a partial payment. Notwithstanding, the business license will not be issued or renewed until the required documentation has been provided.

The final proposed amendment is to Section 10-43, Notices. This section has been amended to include additional and more current methods of sending business license renewal notices rather than by simply sending notices in the mail or by advertising in the newspaper.

Chairman Black made a motion to adopt this ordinance on first reading with Councilman Goodson seconding. The vote was unanimous (7-0).

- e. Consideration of an economic development matter involving Project Square (Committee of the Whole)- One requires one vote

Councilman Matney made a motion to consider items 8 e-h informally with Councilman Crosby seconding. The vote was unanimous (7-0).



Councilman Matney made a motion to pass on first reading an ordinance authorizing the City to contract with Contour Development LLC for the development of City Center, previously known as Project Square, and to authorize the sale of real property owned by the City to the developer. Councilman Goodson seconded the motion and the vote was unanimous (7-0).

- f. Consideration of an economic development matter involving Project Field (Committee of the Whole)- One requires one vote

Councilman Matney made a motion to pass a resolution to consent to the amendment of the agreement of a development for a joint county industrial park passed in December 1, 2010 by and between Greenville County and Anderson County to include certain property located in the City of Mauldin and other matters relating thereto. This is previously known as Project Field. Councilwoman King seconded the motion and the vote was unanimous (7-0).

- g. Consideration and action on a resolution regarding MASC Hometown Economic Development Grant (Committee of the Whole)- Only requires one vote

Councilman Matney made a motion to pass a resolution providing a local match with the MASC Hometown Economic Development grant and following the City's procurement policy when securing products and services with grant funds. Councilman Crosby seconded the motion and the vote was unanimous (7-0).

- h. Consideration of a personnel matter involving the Public Works Department - (Committee of the Whole)- One requires one vote

Chairman Goodson asked Brandon Madden for his recommendation regarding a new Public Works Director. The interim Director has been doing a good job getting the department ready for a new, permanent Director. Brandon recommended Matthew Fleahman to the PW Director position. Chairman Goodson made a motion to appoint Matthew Fleahman as the new PW Director. Councilman Crosby seconded the motion and the vote was unanimous (7-0).

9. Public Comment

Russell Maio: I am going to go back to the law. It goes Federal, State, County, and City. I got passed the buck a year and a half ago. I really want this fixed. It is not my responsibility to control everyone's storm water through my property.

Walt McPhail: The address of my business is 2 Jenkins Court, Mauldin, SC. I am going to surprise you. I want to compliment you on the changes of the business license ordinance and the changing of the dates from April 15th to April 30th. My wife has had a problem with that for years. I will make my wife happy tonight. The other question I have, I heard the notices would go out by email. I don't use email for my business. I



would like to request that if they don't have an email address to please send it by snail mail.

Mayor Raines said that was an addition to the ordinance, and notices could still be sent in the mail.

Charlie Graydon: My name is Charlie Graydon and I live at 948 Fargo Street. The last couple to weeks on social media, there has been a lot of talk about MCIPs and fee in lieu of taxation. I understand it is a done deal. Mr. Merritt sent me an email that said it is a done deal, get over it and move on. HAHA. Anyway, I appreciate the council members that talked to me and Mr. Mayor, I appreciate your time Saturday.

I have a problem with the title, multi-county industrial park. I see the smile on the attorney's face. Here is the deal. In 2010 in Oconee County, they wanted to put residential in the industrial park. It was submitted to then-Attorney General Henry McMaster for an opinion. Since the wording in the statute 4-1-70 is not clear, he said it was ok to put a residential section in there. So my question is why can't they put a light industrial that is privately held. In 2020, you want to open a City park and I want to put Charlie's Fabrication in there, how are you going to stop me? By state law, you can't. By Mr. McMaster's opinion in 2010, I don't think you can. He went on to say the court should define with finality which can be put in there.

Our agreements with Greenville County, Anderson County, or Greenville County School District does not prohibit light industrial. We can go back and investigate if we can put wording to prevent industrial coming into our beautiful City Center we haven't seen in 12 years. That is it.

Rollie Hyust- 104 Swinton. I have two comments. One, I have been actively involved in getting a new bridge from Corn Road to Old Mill Road. That bridge is really a problem. I hear good news, the DOT is looking at it and trying to find some financing for the budge.

The other side of the coin is, I wouldn't say a litter box, but you won't believe the litter in Mauldin. I believe several years ago, Councilman Black brought up a litter campaign and the City reaped the rewards. I think we are going to have to do something again. My neighbor and I are picking up trash along Miller Road and it has gone from two bags to six bags a week. I was down Ashmore Bridge the other day and it is unbelievable with all the construction. I wish council would take this under consideration and work to do something to stop the trash and litter. I know it is ongoing, but we have to keep Mauldin looking beautiful and that is how we are going to do it.



Councilman Matney asked if litter could be placed on the Public Safety committee agenda.

10. Council requests- Chairman Goodson introduced the new Public Works Director.

11. Adjournment- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk