

Minutes
City Council Meeting
February 17, 2020
7:00 p.m.

Members present were Mayor Terry Merritt, Council members Taft Matney, Carol King, Michael Reynolds, Diane Kuzniar and Dale Black. City Attorney John Duggan and City Administrator Brandon Madden were also present.

1. Call to order- Mayor Merritt
 - a. Invocation- Councilwoman King
 - b. Pledge of Allegiance- Councilwoman King
 - c. Welcome- Mayor Merritt
2. Proclamations and Presentations- None
3. Reading and approval of minutes
 - a. City Council Meeting –January 20, 2020

Councilman Matney made a motion to accept the minutes with Councilwoman King seconding. The vote was unanimous (6-0).

4. Public Comment

Anne Marie Smith: I am here to speak about 317 Miller Road. Thank you. I have been working with a house moving company and he is working on a proposal for me on different ways of moving it. I gave him an idea on where it might go. I have also had other house moving companies call me about moving it. I don't know if it is a good idea to get several proposals. Yes? Is that a good idea? I am working on it. I am trying to get something going. It is a beautiful home and has a lot of potential. Hopefully I can get something together and get it to you soon.

Councilman Matney asked for a little background.

Anne Marie Smith: I can give a history. It was built in 1909 by the Fowler's. They built the house on 35 acres. They grew their family there. Horace built the house next door which is Marla Libby's office. He died and they sold the site. The family kept an eye on the first house and in December 2010, Bill Goodman purchased the house at an auction for \$55,000. He had every intention of living there. Circumstances changed and he let the house go. He gutted it, and I just see an open slate. I see an open slate. Go in and put a new roof...

In 2017, he put a for sale sign. I used to take care of the property and mow, and then I didn't anymore. I guess about November the company purchased the property behind, so I am trying to save the house.

Councilman Matney said that is what it boils down to. There are not a lot of historic buildings left in Mauldin and Ms. Smith is trying to save one of the few historic buildings.

Anne Marie Smith: It is in the Mauldin Legacy book. It is the last one in the book. It is 111 years old. Thank you.

Phil Cochrane: I want to thank you for your service. We could all be home watching the NASCAR race today, but we are here, so thank you. With all the development going on, I would like to talk a little bit about stormwater. I have owned a house at 435 Bishop Drive for 24 years. For 16 of those years, I have asked Public Works and the City of Mauldin to help me with stormwater, and we have accomplished not very much. We have had some stormwater come inside the ground level 19 times. We have made multiple presentations to previous administration that included PowerPoints, pictures, videos, emails, and visits to our property by the fire department, public works, and law enforcement. The problem is unabated stormwater running across the street and underneath homes. There are no ditches anymore; they have all filled in and the water has nowhere to go. It is ruining people's property.

Damages experienced to 433 Bishop Drive, Ms. Broadus, who is an elderly retiree who lives alone, had to replace a \$6000 HVAC system due to unabated stormwater. She couldn't afford that but had to. We have lost our carpets several times and had furniture damaged. We are starting to be concerned about foundation damage. 437 Bishop Drive has also had water coming into their lower level. All three owners are worried about diminishing property values and possible structural damage and the inability to sell the houses. We are basically prisoners in these homes.

I am here to ask for the City's help. If the City would maintain their roadways and dig the ditches, some of the water running across my yard and into my house would flow into the ditches and stop ruining my private property. Of course, every year I have to pony up my taxes to the City. It feels great. I would like to give with a joyful heart, to write that check and feel good about it. After 16 years of fighting the previous administrations, I am not necessarily a happy camper. Every time it rains it keeps me up at night. It is not as fun to live in the City of Mauldin as it used to be. We are ready to get the problem solved. I am glad Terry is the new Mayor. For the first time in my life I became politically active and tried to get some new faces onto the council because I had a lot of experience with the previous administration stonewalling and not wanting to listen. Not interested, we will call you back, we will have the PW Director call you. No calls back. Denying that the City has ever done work on my property, which they have. It sets up a situation where did the City spend the taxpayers' money on my private property, or do they own the stormwater facilities at the back of my property. I think the City owns it, because they wouldn't have expended taxpayer money on my property without doing it correctly.

I want to believe the best. We are ready to get the problem solved. We are willing to let the City come onto our property to do these improvements. All three of us will hold the City harmless and sign the documents. We are willing to entertain any solutions the City or Public Works wants to offer. I think that in the past there has been a lot of upheaval in the Public Works department. Anytime we thought we made progress the PW Director would leave or resign or get fired.

We have been victims of the history of personnel in the PW Department. I don't know if the department is funded or staffed. If not, let's get them funded and let them do their jobs. They should be allowed to increase the quality of life for everyone, not just me and my neighbors, but all the citizens. These are the things we can do. What we can't do is continue to receive water in my house and my neighbors' houses. I prepared for each of you a map and photos taken on my property during the last flood event. I believe by repairing the drains, culverts, catch basins and maintaining the ditches that control stormwater, this problem could be solved.

Guys, I know we have a lot of problems with stormwater in the City of Mauldin. We need to fix a lot of this. I hope the Mayor and his new council can get this done. I am excited about City Center, but I am not excited if this deferred maintenance continues to be on the back burner and I see a gleaming Center in the City of Mauldin. That would be wrong. Thank you for your time.

Mike Alexsinas: I am Lithuanian. I don't think there are many Lithuanians in South Carolina except maybe some basketball players at the University of South Carolina. I will keep it short. Thank you for having me. I am the President of Metal Chem. My son is my exit strategy. We started our company in Greenville about 25 years ago. We have grown 15% every year. We are up to 15 employees which I am proud of, because me and my wife started it. We plan to double our size again and we saw this building in Mauldin. We make products for all kinds of industry. Some of our clients are Boeing, Pratt and Whitney, Tesla... large companies. We want to grow in Mauldin.

The facility we bought is a pretty state of the art place. We are investing a lot of money. The property we are talking about is part of the expansion. If we can't buy it, we won't be able to expand. If we can't expand, we will move again. The building we are talking about is old. It is falling apart. We have hired people to move it and no one wants to do it. It is decaying. A few years ago, it may have been able to move. The deck in the front has a big hole in it. Supposedly some cats went into it and climbed underneath and came up another hole. The person who bought it has not invested in it, has not moved into it, and it is falling apart.

Do we expand our facility, or do we keep this building that is old, but has no history? People knock down buildings and build new. We want to bring more people to Mauldin and grow our business. If we can't, we can't, and I understand that. If it was a workable house, I would invest in it. I would move it, but it is not. There are cheaper ways of doing that.

That is our goal and what we want to do. I just wanted to give you the other side of it.

Russell Maio: I am Russell Maio from 110 Muirwood Drive. I met with the Administrator and Public Works person and showed them the pipe that runs across the street. The way I am reading this is most of the work is off the right of way. There is three feet that is off right of way. I didn't put the pipe in there to cut the distance. I will take care of my driveway and I want the new pipe fixed. I have damage to my property too. I just had a tree fall in my yard. I don't even think I should be responsible for the sink hole in my yard. 95% of the work will be in the right of way. You are doing about three feet out of the right of way because they put the pipe in the wrong place. I have two culverts that drain water and now there is water in the yards around the houses. It is terrible. I am compromising.

5. Report from City Administrator

Brandon reported the budget looks good.

6. Reports from Standing Committees- Reports are on file

- a. Finance and Policy (Chairman Reynolds)
- b. Public Safety (Chairwoman King)- Chairwoman King thanked Police, Fire and PW for the flood response a couple of weeks ago.
- c. Public Works (Mayor Merritt)
- d. Economic Planning and Development (Chairman Matney)
- e. Building Codes (Chairwoman Kuzniar)
- f. Recreation (Chairman Black)

7. Unfinished Business

- a. Consideration and Action on Annexation at Loblolly Circle and Laurel Drive (Building Codes)- Final reading. There are three parcels. The first is owned by Kimberly Rogers. The City of Mauldin has received signed petitions requesting the annexation of a tract of land consisting of three parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include approximately 14 acres owned by various individuals and is located at Loblolly Circle and at Laurel Drive. Councilwoman Kuzniar made a motion to annex and rezone the first parcel to RM. Councilman Black seconded the motion and the vote was unanimous (6-0).

Councilwoman Kuzniar made a motion to annex and rezone the second parcel owned by River of Life Romanian Church to RM. Councilman Black seconded the motion and the vote was unanimous (6-0).

Councilwoman Kuzniar made a motion to annex and rezone the third parcel owned by Martin and Rivera to RM. Councilman Black seconded the motion and the vote was unanimous (6-0).

- b. Consideration and Action on Potential Moratorium on Types of Discount Stores (EPD)- Final Reading- Chairman Matney made a motion to pass this ordinance on second reading for a six-month moratorium. Councilman Reynolds seconded the motion and the vote was unanimous (6-0).
- c. City Park Playground Agreement with Cunningham Recreation (PW)- Only requires one reading- Councilwoman King made a motion to accept option 2 with a swing, fence and turf surface. The total amount is under the budgeted amount at \$219,961.74. Councilman Matney seconded the motion and vote was unanimous (6-0).

8. New Business

- a. Consideration and action on Copier Proposal contract (Finance)- Only requires one reading- Chairman Reynolds made a motion to lease 7 copiers from Konica Minolta and authorize the City Administrator to sign the contract. Councilwoman King seconded the motion. The vote was unanimous (6-0).
- b. Consideration and action on Employee Personnel Policy (Finance)- Only requires one reading- Chairman Reynolds made a motion to accept this policy with Councilman Black seconding. The vote was unanimous (6-0).
- c. Consideration and action on Rezoning at 317 Miller Road (Building Codes)- First reading – Chairwoman Kuzniar made a motion to rezone this property to S1 on first reading. Councilman Matney seconded the motion and the vote was unanimous (6-0).
- d. Consideration and action on Amendments to the Conditional Standards for Multi-Family Housing in the C-1, C-2, and S-1 Zoning Districts (Building Codes) First reading- In 2017, the City of Mauldin adopted an ordinance to allow multi-family housing as a conditional use in the C-1, C-2, and S-1 zoning districts. This came about because a group had desired to develop senior living apartments on Verdin Road. At that time, the zoning of that property, S-1, would not allow for apartments. Typically, City staff would have helped the applicant navigate the rezoning process. However, in this particular case, the property owner selling the property had no desire to rezone the property before the property was sold and the developer did not want to close on the sale of the property unless the property had been rezoned. To help with this impasse, City staff introduced the ordinance that would allow multi-family housing as a conditional use under the current zoning.

The intent of the ordinance adopted in 2017 was to facilitate mixed-use development patterns within the City. The conditional standards for being able to develop multi-family housing in the C-1, C-2, and S-1 zoning districts focused mostly on architectural design.

Since 2017, City staff has been able to practice the application of this ordinance on at least two development projects: the senior living apartments on Verdin Road currently under construction and an apartment project on N. Main Street currently undergoing plan review. City staff is also beginning to receive several additional inquiries about constructing apartments in other commercial areas of the City, including the Brookfield Business Park. City staff would like to introduce amendments to this ordinance that, in staff's opinion, would strengthen the intent of the ordinance to produce mixed-use development at pedestrian scale while introducing some additional placemaking design principles. Chairwoman Kuzniar made a motion to pass this ordinance on first reading. Councilman Black seconded the motion and the vote was unanimous (6-0).

- e. Consideration and action on contractual matters involving the Belmont Fire District (Public Safety) Only requires one reading- Chairwoman King made a motion to pass the three agreements associated with this item. There are two major changes to the agreements. These changes include a request to reevaluate the agreements in 2 years and Belmont requested to increase the annual fee to \$1,500. This is a \$1000 increase from the original agreement. Mayor Merritt said the \$480.90 will be paid until Belmont's GO Bond matures in 2034 and then that payment would go away. The \$1500 for mutual aid will be looked at again in 24 months. Councilman Reynolds seconded the motion and the vote was unanimous (6-0).
- f. Consideration and action on work on Muirwood Drive (PW)- Only requires one reading- Councilwoman King made a motion to do the work on 110 Muirwood Drive. The proper owner will repair the driveway. The City will work on the stormwater piping and pay the cost in the amount of \$5886.65. The owner will sign a hold harmless agreement. Councilman Black asked when this project might be completed. Brandon answered the documents would be signed and a letter outlining the work will be sent. After the paperwork is in order, the project should be completed within 2-3 weeks. Councilman Reynolds said Council is aware there are stormwater issues. Public Works will be taking a look at the issue. The vote was unanimous (6-0).
- g. Consideration and action on Replacement of Gateway Entry Sign (PW)- Only requires one reading- On December 23, Public Works was advised the gateway sign on 417 and 276 was damaged. The sign is proposed for replacement with the words "Welcome To" added. The other four gateway signs do not have the phrase "Welcome To". Councilwoman King made a motion to accept the insurance funds for replacement of the damaged sign and to add the words "Welcome To" to the new sign as well as the existing signs. Councilman Black seconded the motion. Councilman Matney said he

wants people to feel welcome when they visit, not just seeing words on a sign. He wants to change hearts and minds and let our actions match the words on the signs. Councilwoman King said she is big on consistency and wanted "Welcome To" on each sign, not just this one. Councilwoman Kuzniar said the large sign coming from Greenville used to say Welcome To and you can still see it on a clear day. The vote was unanimous (6-0).

- h. Consideration an action on Millport at Butler Rd. Intersection Improvement Project - Participation Agreement (PW)- Only requires one reading- Councilman Reynolds made a motion to accept this agreement. During its September 19, 2019 meeting City Council approved to proceed with the closure of Rothwell Dr., and the construction of new signalized Rothwell Dr. and E. Butler Rd. intersection utilizing the funding mechanisms recommended by staff.

Traffic safety concerns attendant to ingress and egress of Rothwell Dr. off E. Butler Rd. have been presented to the City over the past year. In an effort address those concerns (e.g., traffic congestion, traffic hazards) and potential economic, this project will: Close the current location of Rothwell Dr., relocate Rothwell Dr. no less than 700 feet from the E. Butler Rd. & I-385 interchange, and signalize the Rothwell Dr. & E. Butler Rd. intersection at the new location of Rothwell Dr.

The project will be managed by the GLDTC with assistance from the City as it relates to any needed agreements (e.g., easements, ownership, maintenance) requiring City approval and the closing of Rothwell Dr. at its current location.

The total cost for this project is \$1,108,881. The funding of this project includes contributions from the Greenville Legislative Delegation Transportation Committee, Shaw Resources and the City of Mauldin. Councilman Matney seconded the motion to approve the agreement. Councilman Matney mentioned Rep. Garry Smith and all the members of the GLDTC helped with this project as well as Sen. Ross Turner and Rep. Bruce Bannister. Councilman Black said the federal government changed their rules on entranceways and exits and that is why the road is going to be relocated and signalized. There is a new requirement that a road must be at least 700-foot from a highway entranceway or exit. The vote was unanimous (6-0).

- i. Municipal Match Resurfacing Program Participation Agreement (PW)- Only requires one reading- Councilman Reynolds made a motion to accept this agreement for paving and resurfacing a few Mauldin streets. Councilwoman King seconded the motion. Councilwoman King noted these streets will be done like Hyde Circle was. These are City-owned roads rated F. We have City owned roads, state owned roads, and county owned roads in the City. Councilman Reynolds said the condition of Mauldin City roads is on council's radar. He wants the citizens to know they are on a City-owned road by the condition it is in. The vote was unanimous (6-0).

9. Public Comment

Rollin Hyust: I live at 104 Swinton Drive. We have got a big problem at Old Mill and Miller. The four way stop. They have put interstate signs on Miller and now the GPS is on the 18 wheelers to take them down Old Mill, to the left, and across the bridge we have been working on. The 18 wheelers cannot make the left-hand turn. They come out of CF Sauer or GBS Lumber and cannot make the left turn. People pull up to the stop sign. It is a four-way stop, so they are yielding to the 18-wheeler, the 18-wheeler tries to make the turn and can't, so the traffic all has to back up so the truck can make the turn. We definitely have a big-time problem. I would like you to address it to the SCDOT. I know it is a state road. They are going across the bridge and you know me and my bridge. I want that bridge replaced. Thank you.

Rod McLaughlin: Regarding the rental ordinance, I was wondering what the next steps were on that.

Mayor Merritt advised Mr. McLaughlin that the ordinance has been passed already and is being enforced.

Joe Sentelle: I am sorry, I don't believe I heard. Stormwater, is that released now so that we can do something? This has been going on for 18 months. I talked to the City and they say we don't do that, talk to the County. You talk to the County; they say talk to the City. The water comes across the street and across people's property. The City used to keep the ditches clean. They said they didn't, but I have people who will verify they did. I hope they are relaxing, and the City can do something about this. Water has to go somewhere. Mr. Reynolds, I hope that is what I heard you say. If not, there are several of us that would like answers. If you can't do it, we would like someone we can at least ask the questions to.

10. Council requests- None

11. Adjournment- Mayor Merritt adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk